



Education
Funding
Agency

Review of Park View Educational Trust

May 2014

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EXECUTIVE SUMMARY AND CONCLUSIONS

1. This report sets out the conclusions of the work completed by the Education Funding Agency (EFA) and the Department for Education. A team led by the EFA visited the three academies in Park View Educational Trust ('the Trust') on 21, 24 and 25 March 2014. There are many weaknesses across the Trust and some areas where there are breaches of the funding agreement. The Trust has also not abided by the terms of the Academies Financial Handbook and Independent School Standards. Schedule 1 to this report sets out in more detail the breaches of the funding agreement and the areas where the Trust has not abided by the terms of the Academies Financial Handbook and the Independent School Standards.
2. The Trust has not abided by the terms of the Academies Financial Handbook. The governance arrangements for the Trust are inadequate. The Trust has appointed the executive principal as Accounting Officer, but individual academy headteachers are not accountable to her either as the Accounting Officer, or as executive principal. She has no line of responsibility for the academy headteachers. The Chair of the Trust has an inappropriate day-to-day role in the running of the schools.
3. We witnessed an inconsistent application of safeguarding policies and safe recruitment across the Trust. The curriculum provided by Nansen Primary School is not broad and balanced and the Trust has not taken into account the guidance issued by the Secretary of State in relation to sex and relationship education. Some elements of the curriculum, including the social, moral, spiritual and cultural provision at Park View School, Golden Hillock School and Nansen Primary School are restricted to a conservative Islamic perspective.
4. There is insufficient evidence that Park View School is welcoming to all faiths and none. It is not faith designated, but has an apparent Islamic focus and collective acts of worship are delivered at Park View School and Golden Hillock School that are not in keeping with the requirements of the funding agreement. There are also examples of non-compliance with the Equality Act 2010 and the Independent School Standards, for example the practice of segregating girls and boys in some classes in a manner which could constitute less favourable treatment of girls. There is evidence of an inappropriate external speaker being invited into Park View School to speak to children.
5. There are a number of examples of poor practice across the Trust. Staffing structures are unclear and there are a number of staff in acting positions, including each of the headteachers of the schools in the Trust. In addition, staff are appointed to some posts with little experience. There is no external validation of staff appointed as references from sources outside of the Trust are not taken up. The complaints policy is compliant but the implementation of it is not, because it is poorly administered and there is no log of complaints.

BACKGROUND

6. A team led by the EFA visited all three schools within the Trust as part of the review, which are Park View School – the Academy of Mathematics and Science, Nansen Primary School and Golden Hillock School. The team interviewed the Chair of the Trust, local Chairs of Governors, Governors, the executive principal, individual headteachers, members of the senior leadership team, heads of department, teachers and support staff. The team also observed lessons and reviewed the policies and processes established at the school to seek assurance that these met the requirements of the funding agreement, the Academies Financial Handbook, the Independent School Standards, and other legislation applicable to academies.

SCOPE

7. As set out in a letter to the Chair of the Trust, dated 20 March 2014, the scope of the review was to satisfy the Secretary of State that:

- systems, processes and policies are in place and being adhered to that ensure children are kept safe, well-educated, that they are supported with a broad and balanced curriculum, and that their spiritual, moral, social and cultural development meets the required standards
- there is effective oversight from the Governing Body to ensure compliance with the funding agreement and that systems and processes in place are applied
- there is a clear and transparent system of good governance and financial management within the school.

8. The Department for Education and the EFA's review of the Trust was arranged following recent Ofsted inspections on the 5 and 6 March and 17 and 18 March and public interest.

FINDINGS

Governance and Leadership

9. The governance arrangements for the Trust are inadequate. The Trust has appointed the executive principal as Accounting Officer but individual academy headteachers are not accountable to her either as the Accounting Officer or as executive principal. She has no line of responsibility for the academy headteachers. The structure shows that academy headteachers are held to account only through the local governing bodies in place for each school. When interviewed, the executive principal was unaware of the names of some of the more recent appointments to the senior leadership team at Park View School.

10. The Chair of the Trust has an inappropriate role in the day to day running of Park View School. In interview, the Chair reflected that he had been in the school every day in the last four weeks dealing with 'issues'.

11. School staff informed us that the formal governance structure (described below) is circumvented by a fortnightly headteachers meeting that is chaired by the Chair of the Trust in which the individual headteachers at each school are held to account. These meetings are not open to scrutiny; there is no agenda and they are not minuted. When interviewed, the Chair of the Trust said that he did not have any regular meetings with the headteachers.

12. The Trust has a board with six directors. Each academy has its own local governing body with governors that report back to the Trust board. The local governing bodies each have a scheme of delegation that sets out spending levels and the number and type of governors to be appointed. Each local governing body includes the academy headteacher, the Trust's executive principal and another Trust director. The local governing body is used to hold the individual headteachers to account.

13. The Chair of the Trust confirmed that no formal skills audit had taken place for any Trust directors or governors. He advised that there are 3 days a year allocated for governor training. On conversion to academy status, the vast majority of the local governing body at Golden Hillock School was formed from the governing body outgoing from the previous school. The Trust decided it was not appropriate to assess governors' skills due to the sensitivities of academy conversion. There is therefore no evidence to demonstrate that the local governors have the necessary spread of skills.

14. Although the scheme of delegation was dated 1 September 2013, discussions with key members of staff, including the principal finance officer, business managers and the headteacher of Park View School, indicated that they had either no or only limited knowledge of the scheme and its application.

15. There are no sub-committees (e.g. finance) at either the Trust or at academy level. The Trust board and local governing bodies undertake all aspects of the Trust / academy business during a governing body meeting.

16. The Academies Financial Handbook states that a Trust must have a dedicated audit committee if the Trust's budget reaches a particular threshold. The Trust does not have a dedicated audit committee, and did not previously have a committee that fulfilled the functions of an audit committee, when it clearly meets the criteria for one.

17. The executive principal and another Trust director are members of each local governing body. However, there was insufficient evidence to confirm that the executive principal, as the Accounting Officer, has appropriate oversight of financial transactions in each of the individual academies. The executive principal could also be out-voted at meetings and so has limited operational control or influence over the budgets.

18. There was evidence that the local governing bodies were not functioning effectively. There was no documentary history of local governance for the first 13 months

at Nansen Primary School. Parent governors we spoke to were confused by the governance structure and the positions they held. One of the senior leaders interviewed reported that she had never met a governor on the local governing body or been invited to a local governing body meeting although the male senior leader with similar responsibilities was invited to every meeting.

19. At Golden Hillock school three members of staff reported separately and adversely on the manner in which the local governing body meetings were conducted. For example, some governors will not shake the hands of female senior leaders and are reportedly rude to women and dismissive of their input regardless of whether they are a member of staff or a school governor.

20. The Trust has not ensured that all Trustees have completed the register of business interests kept by the Trust and that there are measures in place to manage any conflicts of interest. Although the Trust has a register of business interests which each director and local governor should complete, our review identified that 3 out of 7 director forms had not been completed. When taking the local governors into account, it appears that relevant interests have not been registered for 19 out of 36 directors and local governors. Members of staff with budget responsibility who are not either a director or governor have not been asked to complete the register of business interests.

21. The declaration of interests forms were incomplete. Other directorships were not listed and, apart from staff employed by the Trust, none had declared what their employment, office, trade, profession or vocation was (if any). However, as is good practice, the minutes of each board and local governing body meeting shows that there is an opportunity at the start of the meeting for individuals to declare any interests.

22. The Trust has not declared any related party transactions in the 2012/13 financial statements as required in the Academies Financial Handbook. Our review showed that the chair of the Trust received 2 payments (total of £1,321) from the Trust for consultancy work relating to the set-up of a new free school. The Trust members agreed to the payments, but it is not clear whether the other governors did so in accordance with the process set out in the Articles of Association. Nansen Primary School received £17,330 over a 6 month period from Al-Hijrah school (a Voluntary Aided Muslim school in Birmingham). From records we reviewed, the income related to lettings. A Trust director is linked to Al-Hijrah school. There was no evidence that prices were agreed at arm's length.

23. The Trust does not have sufficient controls in place to identify related party transactions and would not know if such transactions had taken place. It was also unclear whether the Accounting Officer understood what is meant by a related party transaction. In interview, she referred to transactions with Birmingham City Council as related party transactions, which they are not.

24. The Trust does purchase a Responsible Officer function from the local authority for the academies who provides reports to the local governing bodies. However, there was

no evidence to show that the assessment of assurance work had been agreed with the Trust board.

25. The Trust board is 'light-touch' and delegates significantly to the local governing bodies. For example, each local governing body could spend up to £100,000 without reference to the Trust board. It is questionable whether such a large amount of delegation is appropriate for a Trust of this size.

Community Cohesion

26. There is insufficient evidence that the Trust is promoting community cohesion as required by the funding agreement. An inappropriate external speaker has been allowed to address students at the school. Sheikh Shady Al-Suleiman has spoken at the school (on 28 November 2013) and he is known to have previously extolled extremist views. Staff advised us in interview that external speakers are regularly invited into Park View School and this is aimed at developing pupils as individuals rather than promoting any particular view. Staff also said that external visitors are invited based on the needs of the students and gave the police as an example of this. The Trust has no policy in place to vet external speakers, though this is in keeping with a number of other schools. However, given this experience we would recommend that the Trust gives consideration to developing a policy to vet external speakers.

27. Activities which did provide evidence of engagement with the local community were referred to such as Park View School's sharing of its facilities. For example, we were told in interviews with staff that a local women's group meeting was taking place in the sports hall. Also, we were told in interviews with staff that a number of sports and after school clubs, such as the Scouts, are also held at the school and are well attended by the pupils.

Determination & Designation

28. We did not see sufficient evidence that Park View School was making active efforts to make the school attractive to all faith denominations including pupils of no faith. The school is not faith-designated, but has an Islamic focus. In interview, a senior member of staff expressed the view that some members of staff at the academy had, through some of the activities, namely the introduction of a Madrassa curriculum in Personal Development, taken the Islamic focus too far. We observed posters written in Arabic in most of the classrooms visited by the team and in corridors, advertising the virtues of prayer and promoting the Friday prayers (Jummah). Staff we spoke to said that the loudspeakers in the school were used to broadcast the call to prayer (Adhan) across the school, but were turned off on our visit because of a malfunction.

29. There were posters in some classrooms at Park View School, such as the maths room, which encouraged pupils to begin and end each lesson with a short prayer (dua). Teachers told us that it was the pupil's decision whether they wanted to read the prayers

or not. Approximately 80% of girls at the school were wearing white hijabs although there was no evidence to suggest a strict Islamic dress code was being enforced.

30. Collective Islamic worship is offered at all three schools in the Trust, and on a daily basis at Park View School. None of the schools in the Trust have an active determination in place to lift the requirement set out in the funding agreement that acts of collective worship should be of a broadly Christian character.

31. Park View School reported that it had received a part-determination in 1997 which has been renewed on two occasions, the last of which was in 2008, which allowed the School to offer an Islamic form of collective worship. The part-determination in place for Park View School expired in April 2013. No request has been received by the Secretary of State for the determination to be renewed. Similarly, the determination for Nansen Primary School was not renewed following its conversion to an academy in 2012. Advice was provided in July 2013 to the then business manager on how this determination could be renewed. There is no determination in place for Golden Hillock School.

Financial Regulations

32. The Trust has not complied with a number of areas of the Academies Financial Handbook and this is a breach of its funding agreement. The Trust was incorporated on 14 February 2012. During this period, Nansen Primary School (1 October 2012) and Golden Hillock School (1 October 2013) have joined the Trust.

33. The Trust is in a strong financial position. As at 31 August 2013, the Trust had just over £1 million surplus revenue reserves and cash of £1.44 million.

34. The Trust has submitted two sets of audited financial statements since incorporation (to 31 August 2012 and 31 August 2013). The external auditors provided an unqualified audit opinion on the financial statements and nothing came to their attention regarding the regularity of income and expenditure for both years.

35. There is no agreed financial regulations/procedures (or equivalent) manual for the Trust or its academies, and we found there to be inconsistent processes within the Trust.

36. The principal finance officer is seconded from Golden Hillock School and has worked 2 days per week for the Trust since December 2013. Each academy has its own business manager, with two recent appointments, who report to their respective principal. There are no direct links to the principal finance officer.

37. The principal finance officer has prepared a draft financial regulation manual and we were informed that this would be presented to the board meeting on 27 March 2014. Although it covered the majority of expected areas, it did not make reference to:

- Not for profit requirement
- Novel and contentious transactions
- Borrowing or leasing requirements

- Delegated limits within the Academies Financial Handbook
- Fraud or theft notification requirements

38. The Trust does not have an approved competitive tendering policy in place. The external auditors noted in the 2012/13 management letter that the appointment of [REDACTED] did not follow a competitive tendering process.

39. We found individual academies do get orders approved and from the sample check performed there were adequate order forms completed. The Trust has introduced PS Financials, which has a purchase order and approval system which is predominantly being used, although there are several cases of 'non-orders' still being processed. For our sample, the expenditure had been manually authorised.

40. No fixed asset register is in place at Park View School. There is a fixed asset register at both Nansen Primary School and Golden Hillock School. Having no fixed asset register could result in assets not being correctly accounted for within the financial statements and/or assets being disposed of without the Trust's or local governing body's knowledge.

41. The Trust has not ensured that value for money has been achieved in asset disposals. Design & Technology and Food Technology assets installed as part of Building Schools for the Future were disposed of when Park View School converted to academy status. From records held at Birmingham City Council, the 'Art & DT' area had assets valued at between £74,000 - £80,000. We saw a record that seven ovens had been disposed of for £530 in total. There was no evidence to whom the ovens were sold, and whether best value was achieved. There is no evidence as to what else was disposed of, to whom, or when.

42. We had received reports that a "speaker system costing £70,000" had been purchased by Park View School. A review of the financial records did identify external loud speakers had been purchased, but for a total of £15,700. This included outside loud speakers and lighting. The, executive principal explained it was purchased to enable outside performances to be undertaken.

43. The Trust charges each academy 4% of income for central services. There is no cost based rationale for this level of recharge other than it is similar to the top slice charge for other MATs. However, our review indicated that the top slice is too high for the services provided. For 2012/13, the Trust charged £314,000 for services valued at £142,000.

Safeguarding

44. The Single Central Record (SCR) at Nansen Primary School was not completed in line with guidance issued by the Secretary of State. This does not comply with the Independent School Standards. We observed the date of receipt of references for many staff was not recorded in the 'references columns' in the SCR. However, a record in the column was recorded as 'pre March 2014'. When challenged, the business manager and

office manager, who administer the SCR, stated that they were unsure of the dates when references had been received and had been instructed to complete gaps in the SCR in that way. We were also told that these references were not in the personnel files at the school but held offsite in HR department at Park View School. The same entry was made for more than half of the references. At academy conversion in 2012, 37 staff left post. Therefore the number of staff marked `pre-March 2014` leaves us to conclude that references may not have been taken up or received for many staff new to post employed between 2012 and the date of our visit in March 2014 . In addition, governors', including parent governors', details were not recorded on the SCR.

45. The website for Nansen Primary School does not contain accurate materials including policy information. The Child Protection Policy we reviewed is different to the one given to the team at the school and the website version does not contain topics such as forced marriage, female genital mutilation, homophobic bullying and the Prevent Strategy. We were concerned that parents were not provided with accurate information regarding school procedures and also regarding national guidelines on Child Protection.

46. Reception checks of DBS documentation for some members of the team did not take place at both Golden Hillock School and Park View School on the first morning of our visit. Members of the team were only asked for their information after approximately 3 hours during which we were allowed to walk unaccompanied around each school and to interview students. It is good practice to check DBS information of visitors to the school.

47. Personnel files examined at Nansen Primary School show that best practice on safer recruitment is not always followed. There are no pre-employment references taken up for some members of staff joining from outside of the Academy Trust and the only references we did find were written by members of staff employed by the Trust. There are also a number of examples of poor recruitment practice in the Trust and further comments on the findings are included from paragraph 55.

48. There is no permanently appointed SENCO. The SLT member for Behaviour, Safety and Attendance is acting in this role and he is the staff governor. When asked he did not know the current attendance figure.

Education and Curriculum

49. There was gender segregation in some classes at Park View School and Golden Hillock School. Some classes observed had boys sitting at the front of the class and girls around the edges. There were also lessons where boys and girls sat at the same table but on opposite sides. We also observed lessons where boys and girls were mixed. Boys and girls are taught separately for PE lessons, which is not unusual. At Park View School we also observed boys and girls being taught separately in other lessons such as PSHE and RE. Teachers were asked if the separation took place in every year group for these two subjects but their answers were evasive.

50. The school curriculum at Nansen Primary School is not broad and balanced at KS2. It follows a secondary model with setting throughout and specialist teaching. The

timetable in year 6 does not include any lessons in the humanities, arts, music or PSHE. In year 5 there are three hours of creative curriculum on the timetable where there may be a wider range of study, for example the Ancient Greeks and the Egyptians. Younger children, including those in key stage 1 have a similarly restricted and unbalanced curriculum. Children gave feedback that there are no clubs or out of hours activities other than English and maths intervention which are not optional.

51. At Park View School we saw schemes of work for PSHE, Biology, and Sex and Relationship Education that had been restricted to comply with a conservative Islamic teaching. In Biology, GCSE year 11, discussion with pupils indicated that the teacher had briefly delivered the theory of evolution to comply with the syllabus, but had told students that `This is not what we believe`. Pupils had been told to read the section in the text book on reproduction at home on their own. Therefore, topics such as body structure, function and the menstrual cycle were not covered in class, although pupils needed to familiarise themselves at home in preparation for the GCSE exam. Students told us that as Muslims they were not allowed to study matters such as reproduction with the opposite sex. They also told us that their teachers gave them seats in which to sit in class by gender to avoid having to mix. Students spoke openly about their belief as Muslims that boys and girls should not study certain materials together.

52. RE is compulsory for all year groups at both Golden Hillock School and Park View School. At Golden Hillock School, the vast majority complete the Islamic Studies paper and follow Edexcel specification units 4 and 11. The head of department stated that there are students in year 11 who are not Muslim and five of these also wish sit the Christian GCSE paper. These students study from different texts. We were told that these students attend the same class as those who study the Islamic course but they have to teach themselves because the teacher has to give his/her time to the vast majority of students in the lesson who are doing a different course.

53. Teachers at Nansen Primary School assess pupil progress regularly throughout lessons and many examples of good questioning were observed. Marking was thorough in several classes but in RE and Arabic it was not as effective in other subjects.

54. At Golden Hillock School we were told by senior staff and by 2 heads of department that staff had been given instructions by governors banning discussion with students on any matters regarding sexual orientation and intimacy. Therefore heads of department have had to change schemes of work to ensure they comply with governors' requests. Such changes mean that they have to restrict their use of resources and the information which is provided for and discussed with students. Such limitations affect the broad and balanced teaching of many subjects including art, English, RE and PSHE. The ban also precludes staff from teaching Sex and Relationships Education honestly and openly. Aspects of Safeguarding and Child Protection related to bullying in and out of school are also jeopardised. Guidance issued by the Secretary of State is clear that teachers should be able to deal honestly and sensitively with sexual orientation and answer questions.

Recruitment and Staffing

55. There are unclear staffing structures in place across all three academies in the Trust. Each of the three headteacher roles are filled on an 'acting basis'. There was no clear timetable for when the headteacher posts would be advertised or made permanent. It was noted that the headteacher post for Nansen Primary School had been advertised in the past but that the appointments process had been cancelled. When we asked the Chair of the Trust about the temporary roles of the headteachers, he said that this gave him greater flexibility. He also said that he had direct involvement in appointments and senior appointments.

56. At Nansen Primary School, as well as the headteacher, there are three further SLT posts which are held by staff in acting positions. These posts are the head of key stage 1, the head of maths and the head of English. We were told in discussion with staff at the school that the Trust has not shared its intentions with the school leaders regarding their permanence.

57. We observed that some staff with little experience had been appointed to senior positions across the Trust. For example, there are only two permanent SLT appointments at Nansen Primary School currently and these are the head of key stage 2 (equivalent to a deputy headteacher) and the senior leadership team member with responsibility for Behaviour, Safety and Attendance, who when asked did not know the current attendance figure. The deputy headteacher was appointed deputy at Nansen Primary School only 3 years after QTS teaching.

58. The lead practitioner in Science at Golden Hillock School () is also the brother of Park View School's headteacher. Discussions with staff at the school revealed that his teaching had been rated as inadequate by the lead practitioner for Teaching and Learning at the academy, but no action had been taken as a result. A review of the lead practitioner in Science's personnel file revealed that his experience was not commensurate with his responsibility. the role was not given to the second in Science; instead, the day before our visit it was given to the sister of a deputy headteacher at Park View School whose substantive post was as a Science teacher at Golden Hillock School. It became clear in discussions with staff and the HR manager at the school that they were unaware of the decision made to put this teacher in place. We concluded that the selection process had not been transparent for this role and have concerns that the same will apply to other positions at the other schools in the Trust.

59. There is a high level of staff turnover across the Trust and we identified that 37 staff left Nansen Primary School following conversion of which 20 were made redundant. The former headteacher was dismissed but we did not see any documentary evidence of the reasons for this.

Compliance and Other Issues

60. The complaints policy is compliant, but the implementation of it is not. It is poorly administered at each of the schools as there is no log of complaints in place and correspondence supporting the implementation of the policy is not included in the file. It was therefore unclear whether all the complaints received by each of the schools were included in the file. Whilst the file notes did not always show clearly that the complaints processes had been followed, when relevant members of staff were challenged they were able to provide additional information required to show the policy had been followed.

61. There is no log of whistleblowing complaints. In discussion it was claimed that none had been received, but this was not evident, there being no log. The whistleblowing policy was adequate, but would benefit from reference to external bodies as a route for raising concerns, such as the Department for Education and Public Concern at Work. Grievance policies and Disciplinary policies were reviewed and tested and had been followed.

RECOMMENDATIONS

62. The Trust must undertake a review of the governance structures in place to ensure that there is accountability between the Chair of the Trust and the executive principal. Similarly the executive principal (as Accounting Officer) must be able to have appropriate oversight of financial transactions. The Trust must consider how this can be achieved and whether academy headteachers should have a clear line of responsibility to the executive principal. The purpose and function of local governing bodies must be included in this review. There should be transparency, compliance and clarity in governance practises.

63. The curriculum, including that for social, moral, spiritual and cultural provision at each of the Academies, must be changed to ensure that it complies with legislation and the requirements of the funding agreement, the Independent School Standards and S.1(5) of the Academies Act 2010.

64. A review of the application of Safeguarding Policies must be implemented. The Single Central Register must be reviewed to ensure that it is up to date and records accurately all the required information for checks on staff. The personnel files must contain copies of references taken up from outside of the organisation. The Trust must have regard to current published statutory guidance issued by the Secretary of State including "Keeping Children Safe in Education – Statutory Guidance for Schools."

65. Park View School must continue to develop its community engagement plan to demonstrate how it will engage further with the broader community and ensure that it is welcoming to those of all faiths and none. A copy should be shared with the Department.

66. The Trust must submit a request for collective determination for Park View School, Nansen Primary School and Golden Hillock School in relation to their collective Islamic

worship, if they wish to maintain it. Such a request may not be granted, and the Secretary of State has power to revoke any determination which is made.

67. The Trust must ensure that any inappropriate gender segregation is eliminated.

68. The Trust should give consideration to developing a policy to vet external speakers.

69. The principles of safe recruitment should be implemented. Statutory guidance must be followed ensuring that two references external to the Trust are taken up for each new employee.

70. The Trust must ensure that it abides by the requirements of the Academies Financial Handbook. In particular:

a) The Trust must establish a separate audit committee with clear terms of reference. The committee must review the risks to the internal financial control framework and must agree a programme of work that will address these risks. [AFH ref: 3.5.4 - 3.5.5]

b) The Trust must assess and record the skills of all directors and governors on the local governing bodies to ensure the skills, knowledge and experience are in place to run the respective academy. [AFH ref 2.1]

c) The Trust must update their financial regulations manual to ensure compliance with all areas in the current AFH. [AFH ref 2.3]

d) The Trust must ensure that the register of business interests for all trustees (directors) has been completed [AFH ref 2.5.2]. We would recommend this includes all senior staff, all budget holders, finance staff and the local governing body governors. The register of business interest forms must be fully completed to include all interests in any outside entity. We recommend that in addition to local governing bodies having the register, that a central register is also held with the Trust in order to be able to identify related party transactions for declaring in the financial statements.

e) Financial procedures should be more standardised within the Trust and each of its academies. Each academy must follow the Trust's policies and internal controls, with measures put in place to test compliance. [AFH ref 2.3]

f) The Trust must ensure that a competitive tendering policy is in place and applied. [AFH ref 2.5.2]

g) The Trust should review the 4% top slice taken from its academies to ensure that it is providing value for money. An appeals mechanism must be in place for the academy headteacher to use should s/he feel their academy has been unfairly treated. [AFH ref 2.6.27 – 2.6.28]

h) The Trust must create for Park View School a fixed asset register and keep this up-to-date along with the fixed asset registers for the other academies in the Trust. [AFH ref: 2.1.2]

71. The Trust is required to meet all Independent School Standards (“Standards”) and in particular must take steps to ensure that it meets the following standards:

a) 5a (ii) – enable pupils to distinguish right from wrong and to respect the civil and criminal law

b) 5a (v) – assist pupils to acquire an appreciation of and respect for their own and other cultures in a way that promotes tolerance and harmony between different cultural traditions

c) 5a (vi) – encourage pupils to respect the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs

d) 5b – precludes the promotion of partisan political views in the teaching of any subject in the school

e) 7a – Arrangements are made to safeguard and promote the welfare of pupils at the school

f) 7b – Such arrangements have regard to any guidance issued by the Secretary of State

g) 22 – A register is kept of checks made, including the date on which each such check was completed or the certificate obtained

Schedule 1: Breaches of the Funding Agreement and/or legislation applicable to Academies

FA Clause No. / ISS Section No.	Subject/Text of Clause:	Evidence of breach:
<p>13a (FA)</p> <p>16b (FA) - Para 5 ISS 2010</p> <p>29A (FA)</p>	<p>Promote Community Cohesion</p> <p>Spiritual, Moral, Social and Cultural Development of Pupils</p> <p>Balanced treatment of political issues</p>	<p>We observed posters on the wall in most of the classrooms we visited in Park View School which advertised the virtues of prayer and promoted Friday prayers. There were posters in some classrooms (e.g. Maths room) which encouraged pupils to begin and end each lesson with a short prayer (<i>dua</i>). Teachers told us that it was the pupils' decision whether they wanted to read the prayers or not. A daily act of Islamic worship is offered.</p> <p>At Park View School: the school had allowed an external speaker, Sheikh Shady Al-Suleiman, known to extol extremist views (e.g. stoning of adulterers), to address the students. These were arranged by the new Spiritual, Moral, Social and Cultural (SMSC) coordinator. The Chair of the Trust confirmed that there was no policy in place to vet external speakers but this is in common with the majority of other schools.</p>
<p>17 (FA)</p> <p>Para 7 ISS 2010</p> <p>Para 22 ISS 2010</p>	<p>The Company shall comply with the requirements of the Education (Independent School Standards) (England) Regulations 2010 (or such regulations as may for some time be applicable) in relation to carrying out enhanced criminal records checks, obtaining enhanced criminal records certificates and making any further checks, as required and</p>	<p>The Single Central Register (SCR) reviewed at Nansen Primary School used a blanket "pre-March 2014" for entries against staff references and does not record the actual date the checks were done. This is not in line with the guidance issued by the Secretary of State "safeguarding children and safer recruitment in education". The relevant paragraph is 4.55. This was observed by the review team.</p>

FA Clause No. / ISS Section No.	Subject/Text of Clause:	Evidence of breach:
	<p>appropriate for members of staff, supply staff, individual directors and the Chair of the Local Governing Body.</p> <p>Arrangements are made to safeguard the welfare of pupils.</p> <p>A register is kept of checks made, including the date on which each such check was completed or the certificate obtained.</p>	
<p>16b S1(5) and 1A AA 2010</p>	<p>Each Academy shall be conducted in accordance with the Articles.</p> <p>All provisions by or under statute which confer rights or impose obligations on Academies including, without limitation, the Independent Schools Standards.</p> <p>The curriculum must be balanced and broadly based.</p>	<p>At Nansen Primary School: Aesthetic and creative education is limited. The school timetable shows that the curriculum, particularly in KS2, is not broad and balanced. The school follows a secondary model with setting throughout and specialist teaching. In year 6 there are no lessons in the humanities, arts, music or PSHE according to the school timetable. Children stated in discussion that there were no clubs or out of hours activities other than English and Maths intervention which are not optional. Two separate members of staff stated in an interview that year 5 pupils only had access to limited humanities provision. Reference to the school website and school timetable indicates that there is limited access to these subjects. The curriculum is also limited in KS1 as shown on the timetable and as stated by the head of KS1.</p>
<p>16b (FA) S13 Equality Act</p>	<p>Compliance with the Equality Act 2010</p>	<p>We observed gender segregation in some classes at Park View School and Golden Hillock School. This was often with boys sitting toward the front of the class and girls at the back or around the sides. Students told us that they were</p>

FA Clause No. / ISS Section No.	Subject/Text of Clause:	Evidence of breach:
2010	Direct Discrimination	required to sit in the places which they were given by the teachers.
27 S13 Equality Act 2010	<p>Where a Mainstream Academy has not been designated with a religious character in accordance with section 124B of the School Standards and Framework Act 1998 or further to Section 6(8) of the Academies Act 2010:</p> <p>a) subject to clause 28, the Company shall ensure that provision shall be made for religious education to be given to all pupils at the Academy in accordance with the requirements for agreed syllabuses in section 375(3) of the Education Act 1996 and paragraph 2(5) of Schedule 19 to the School Standards and Framework Act 1998</p> <p>Direct Discrimination</p>	<p>RE is compulsory for all year groups at both Golden Hillock School and Park View School. At Golden Hillock School, the vast majority complete the Islamic Studies paper and follow Edexcel specification units 4 and 11. There are students in year 11 who are not Muslim and five of these also wish sit the Christian GCSE paper. These students study from different texts. The Head of Department stated that these students attend the same class as those who study the Islamic course but they have to teach themselves because the teacher has to give his/her time to the vast majority of students in the lesson who are doing a different course.</p>
27	Where a Mainstream Academy has not been designated with a religious character in accordance with section 124B of the School	In relation to Collective Worship we observed that worship of an Islamic character has been introduced at all schools in the Trust. Park View School also has a pastoral assembly as well as an Islamic assembly but in interviews, staff could not

FA Clause No. / ISS Section No.	Subject/Text of Clause:	Evidence of breach:
	<p>Standards and Framework Act 1998 or further to Section 6(8) of the Academies Act 2010:</p> <p>subject to clause 28, the Company shall ensure that the Academy complies with the requirements of section 70(1) of, and Schedule 20 to, the School Standards and Framework Act 1998 as if it were a community, foundation or voluntary school which does not have a religious character, except that the provisions of paragraph 4 of that Schedule do not apply. The Academy may apply to the Secretary of State for consent to be relieved of the requirement imposed by paragraph 3(2) of that Schedule, the Secretary of State's consent to such an application not to be unreasonably withheld or delayed.</p>	<p>recall the date of the last pastoral assembly.</p>

Schedule 1: Breaches of the Academies Financial Handbook¹

AFH Ref	AFH Text (extract)	Summary EFA Findings
2.1.2	The principal or chief executive should be appointed as Accounting Officer, under the guidance of the board, and must ensure that there is appropriate oversight of financial transactions.	The Trust has appointed the executive principal as Accounting Officer. However, our review concluded that the Accounting Officer does not have appropriate oversight of financial transactions.
2.3	The academy Trust must have in place sound internal control and risk management processes.	<p>There is no agreed financial regulations (or equivalent) manual for the Trust or its academies.</p> <p>The Trust did have a draft version (due to be presented to the Trust board on 27 March) but this did not make reference to:</p> <ul style="list-style-type: none"> • not for profit requirement • novel and contentious transactions • borrowing or leasing requirements • no mention of the Trusts delegated limits within the AFH • fraud, theft AFH requirements
2.5.2	Academy trusts must ensure that:	Although at each governor meeting, an invitation is made for declarations of interest, a review of the register of business

¹ A breach of any of the requirements of the AFH is also a breach of the Funding Agreement.

AFH Ref	AFH Text (extract)	Summary EFA Findings
	<ul style="list-style-type: none"> • all trustees have completed the register of business interests kept by the Trust and there are measures in place to manage any conflicts of interest • there are no payment(s) to any trustee by the Trust unless such payment(s) is/are permitted by the Articles and (where applicable) comply with the terms of any relevant agreement entered into with the Secretary of State. 	<p>interest forms provided showed that 3 out of the 7 expected forms for the directors were missing. For clarity we would have expected nil returns to have been made where no interest was stated.</p> <p>When taking the local governing body into account, a total of 19 out of the expected 36 forms were missing.</p> <p>Our review highlighted 2 payments to the Chair of the Trust (total of £1,321) and income (total of £17,330 over a 6 month period) from Al-Hijrah school (linked to one of the Trust directors) that appeared to be for lettings at Nansen Primary School. Neither was declared as a related party transaction.</p>
2.5.2	<p>Academy Trusts must ensure that:</p> <ul style="list-style-type: none"> • a competitive tendering policy is in place and applied 	<p>The Trust does not have an approved competitive tendering policy in place. The external auditors noted in the 2012/13 management letter that the appointment of [REDACTED] did not follow a competitive tendering process.</p>
3.5.4	<p>All academy Trusts with an income of over £10 million or capitalised asset value of over £30 million must have a dedicated audit committee.</p>	<p>The addition of Golden Hillock School into the Trust has resulted in the thresholds being met for a dedicated audit committee.</p> <p>An audit committee has not been established, although were informed that a proposal was being taken to the board meeting on 27 March.</p>



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