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Acting Executive Head Teacher
Mr Mark McLaughlin B.A. (Hons)



15th April 2016

RT. Hon David Cameron MP
Prime Minister
10 Downing Street
London
SW1A 2AA

Dear RT, Hon David Cameron MP

I feel I need to write to you once again as I was disappointed to receive a reply to our concerns from Lord Nash. From my perspective this is a bit like the Chief of Police entrusting the burglars with the investigation into the crime they committed.

I need to set out for you once again our very real concerns, which are evidenced, about the bullying and harassment instigated by Lord Nash and his sidekick, Peter Lauener.

We are heartily sick off the constant false allegations made by Lord Nash and senior members of the EFA concerning the governance and financial management of Durand Academy. These alleged concerns are complete fabrication on the part of Lord Nash and Peter Lauener to justify their campaign of harassment and bullying they have been waging against Durand Academy for more than two years now.

Let me deal with the governance issue first.

The alleged conflicts of interest constantly referred to by Lord Nash and Peter Lauener have no substance in fact. You may be unaware that in 2011 the Charity Commission unlawfully, and without DET's knowledge or consent, deregistered the Durand Education Trust, effectively appointing the EFA as regulator as well as being the regulator of DAT.

The EFA visited Durand Academy in 2012 and made it very clear they had no concerns about the governance structure that was very carefully explained to them and evidenced. Further, they oversaw the running of the tendering processes which they instigated and happily accepted.

We were also unaware at this time that someone in the EFA wrongly advised the NAO that DET had been incorrectly incorporated. Perhaps you will find out who this was? This led to Durand Academy being named by the NAO in its report quite wrongly.



The trustees of DET were not provided with a draft copy of the report prior to publication. When the trustees of DET did manage to have sight of this flawed report, their lawyers advised the NAO of their mistake (see enclosed letter). The report made no mention of the EFA's acceptance of the governance structure of DAT, which had been reviewed in 2012. Extraordinarily, the NAO have refused to amend the report to accurately reflect the facts of the matter.

When I was summoned to appear before the PAC, there clearly had been collusion between the EFA and Margaret Hodge and the NAO. Peter Lauener wrongly advised the committee that there were outstanding issues revolving around the ownership of DET's assets. The NAO remained silent at this hearing despite being fully aware that their report was flawed. Margaret Hodge went on to unfairly and wrongly castigate myself and the school and introduced to this hearing The Coterie London. As you must be aware she waved around a piece of paper copied from a twitter account that had nothing to do with me or indeed The Coterie. She continued to make false claims that I was running The Coterie from the school and that it was registered at the school. This is simply not true.

The only explanation for this extraordinary turn of events as far as I am concerned is that there has been collusion between Margaret Hodge and Peter Lauener to generate an image of wrongdoing. It's from these false and misleading comments, which have all been generated from the EFA and Lord Nash to substantiate their false claims of poor governance. These claims are both false and malicious.

It is a matter of fact that the EFA carried out an extensive Feasibility Study of the school's ability and capacity to open and run a secondary boarding school. There were no concerns raised of our school's governance structures which are exactly the same as when the EFA visited in 2012 and 2013 and indeed now.

So Lord Nash and Peter Lauener need to stop making false and damaging allegations of poor governance unless they can be clear exactly to what they are alluding to with clear evidence rather than the evidence they have fabricated. Can you please stop them from continuing to make these false and damaging allegations?

Turning to the false allegation of financial mismanagement, once again Lord Nash and Peter Lauener are long on allegations and falsehood but very short on evidence and facts. Let me provide them for you.

The EFA together with DAT produced an extensive business plan which clearly demonstrated that DAT was hugely successful financially, and still is. This was signed off by none other than Lord Nash. The only change to our financial position has been brought about by Lord Nash and Peter Lauener abusing their extensive powers because we refused to be harassed and bullied by them and DET refused to hand over its assets. It is this, and this alone, that has caused the EFA, led by Lord Nash, to launch a series of attacks against the school, weaponising their powers.

At the extraordinary meeting with Lord Nash, Peter Lauener and members of the DAT Governing Body and our lawyers, Lord Nash made it perfectly clear at the beginning of the meeting that unless we did as they directed then they would issue a Financial Notice to Improve.

When the trusts lawyers carefully and calmly explained to Lord Nash and Peter Lauener exactly why assets belonging to DET could not and would not be handed over to the state, Lord Nash simply dismissed these correct legal arguments (see attached legal paper) telling us all that he has no regard for the law governing trusts..

At the beginning of the meeting Lord Nash sternly advised us there would be a verbatim set of minutes of the meeting made. Frequent requests for a copy of these minutes have been refused for the most spurious of reasons. Of course these verbatim recorded minutes would have recorded Lord Nash's threats and his dismissive regard for the law. Perhaps, Prime Minister, you should let us have a copy.

The fact is that the DAT has demonstrated extraordinary financial resilience and strength. Again the facts are simply these.

£17.4m was promised to the trust in the creation of a boarding school. The trust were required to build a Middle School at its own expense, which it has done. The trust were required to fund the planning application. This it has done. When the planning application failed, the trust was required to foot the appeal legal bill, made unnecessary large by the EFA, this they have done.

The EFA promised to fund the emerging secondary school by way of a Small Schools Grant. They then unilaterally and without reason withdrew it and then demanded a completely unreasonable repayment schedule, currently taking £98,000 a month from our budget, which will shortly be challenged legally.

Lord Nash and Theodore Agnew along with senior members of EFA required the trust to refurbish the existing boarding school site to allow the boarding to commence. The trust was promised drawdown from the £17.4m grant to achieve this. The boarding school has been operating close on 2 years and none of the drawdown has been paid. The trust is owed significant sums by the EFA.

Against this background Peter Lauener claimed that the school was failing to manage its finances effectively because we had an £140, 000 in year reduction in our balance. Hardly surprising given the above. This was the reason given by Peter Lauener to carry out Lord Nash's threat to issue a FNTI. This notice is seriously flawed as shown by the enclosed documents.

Knowing that this notice is irrational and pointless, Peter Lauener once again abused his power and public money by instigating a forensic investigation of the Academy Trust by PWC. The only reason that Peter Lauener and Lord Nash are doing this is to find something, indeed anything, to somehow justify such a flawed financial notice. We have asked how much this is costing the public purse but there is a great reluctance to be open about this. We have asked how many primary schools have been subjected to such a forensic investigation? They refuse to provide the information. This investigation has now gone on for some 15 weeks (some would think we are a major multinational!) as Peter Lauener casts his net wider and wider in this fishing expedition. We have no doubt that PWC will oblige the EFA by cobbling together a report which will purport to demonstrate our financial failures. Given that they must be receiving significant sums of public money from the EFA they can hardly be said to be independent.

We utterly reject Lord Nash's comments into regards working collaboratively with the EFA, Charity Commission and Ofsted. This is a further cynical attempt to portray us in a negative light. We have fully cooperated with all these bodies who have joined the campaign against our school, as Peter Lauener promised us it would happen. What we have done, entirely correctly is to challenge unfair, unreasonable and false allegations and statements made by these various bodies. I guess what Lord Nash means by cooperatively is not challenge unfairness and falsehoods but as he has made clear to us we have to do as we are told. He doesn't seem to recognise those less privileged and less fortunate than himself do have rights too. Let's not forget, he has no regard for trust law, which enshrines people's rights to fairness, transparency and justice.

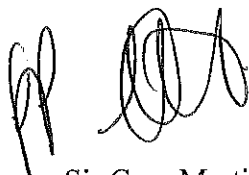
Do you not find it strange Prime Minister that despite being the only true, free state boarding school in the country and with the vast majority of our children being from ethnic minority, relatively disadvantaged backgrounds not one minister, either Junior or Senior, has visited? Why is that?

And so we offer you a further opportunity Prime Minister, to intervene to stop these unelected and hugely privileged people born with, as you would say, not one but two silver spoons in their mouths, denying our parents and pupils a chance to improve their life chances.

It can never be said that you or the Secretary of State were not appraised of the appalling abuse these privileged few are heaping upon those who are not privileged.

I urge you to take action now.

Regards,

A handwritten signature in black ink, appearing to be 'Greg Martin', written in a cursive style.

Sir Greg Martin

Cc Nicky Morgan (Secretary of State for Education)
Kate Hoey (MP)