

The Canterbury Academy and Kent Crusaders DiSE Tender Appeal

Precise details being appealed against

We are writing to appeal against the scores given for sections 2 (Educational Partnership), 3 (Quality Leadership, Coaching and Athlete Support), 5 (Athlete Welfare Provision), and 7 (Performance Gain and Destination Support) in the procurement decision for the DiSE tender.

Grounds of Appeal

We are appealing the procurement decision for the DiSE tender on the following grounds:

- 1. Failure to apply the assessment process in a fair manner.**
 - a) We have included detailed information below outlining instances where scoring was not administered fairly. The evidence provided across all tender bids was not fairly and consistently assessed.

- 2. Decision reached by the assessment panel was unreasonable.**
 - a) We have included detailed information below outlining unreasonable decisions on certain elements of the application. Additionally, letters of support from 5 of the 6 current EABL South academies are included, confirming that a reasonable body would not have reached this decision.

- 3. Failure to comply with the assessment process.**
 - a) The assessment process did not match what was explained to all academies. A crucial element, where all panel members could discuss the bid with each academy, did not occur, creating a significant flaw in the decision-making process.

Precise basis of appeal and application to submit new evidence

We are writing to appeal the procurement decision on our tender submission for the following two reasons:

- 1. The procurement process was significantly flawed and not conducted in accordance with the process guidelines provided to all applicants.** The omission of panel interviews with each candidate denied us the opportunity to have our claims checked and challenged, resulting in a superficial, paper-based evaluation. We provide further detailed information below.

2. The scoring criteria were not accurately applied to our tender. **There are substantial discrepancies between the scores awarded and the evidence provided across all bids.** While we base our appeal solely on our scoring, it must be considered in the context of the consistency of scoring across all bids. We present a point-by-point case below for each scoring criterion.

We acknowledge that the interlinking of each section in our tender may have made it challenging to match the evidence with each criterion and the score awarded. Nonetheless, upon review of the outcome, it is evident that the scoring was not administered fairly, and crucial elements of evidence were overlooked or misunderstood by the assessment panel. We made an assumption that the panel would have a thorough understanding of the educational landscape and industry, which did not appear to be correct. Thus, we have outlined our case below point by point for the sections under appeal.

Please find below the full basis for our appeal.

Failure to apply the assessment process in a fair manner.

During the DiSE meetings that preceded the procurement process, there was an agreement on the need to conduct a forensic analysis and discussion with applicants as a crucial component to ensure the success of the best programs.

Appeal Evidence A supports this assertion, citing an email from Sam Messam affirming that a **full panel interview was scheduled to take place with each appellant.**

However, the panel interviews never took place, with only one member conducting a site visit and no interaction with the remaining four. This led to a situation where the panel had to make judgments off paper with no opportunity to check and challenge the depth of the claims made.

As a result, the majority of the panel was not provided with the chance to assess the tenders' depth, quality, and accuracy, which is a significant flaw and deviation from the agreed and published process.

Furthermore, Basketball England's own SSM staff, responsible for conducting a detailed annual audit of the provision at all EDP academies, were not consulted to verify the accuracy of the information submitted by the appellants.

This lack of consultation, on its own, is a sufficient reason for the appeal to be upheld since the entire process did not provide the panel with a complete and accurate picture to assess.

We will now lay out point-by-point our basis for appealing the application of the assessment process in a fair manner and that a decision was reached that no reasonable body should have reached.

For each assessment point in the four sections we are appealing, we will present the evidence from our original tender (with references to pages and appendices) that demonstrates the incorrect assessment and scoring. We will also provide additional narrative to support some of these points, particularly in the education section, where we believe the panel did not fully comprehend the educational landscape when making their evaluations.

In addition, we will submit a range of new documents in our Appeal Evidence folders to further substantiate the information provided in the original tender. These materials serve as evidence to bolster our case and support the arguments made in our original submission.

We would like to clarify that the evidence presented in our original tender is sufficiently robust to demonstrate that the assessment process was not completed accurately. Nonetheless, we are confident that the supplementary evidence we are submitting will strengthen our appeal and provide a more comprehensive view of our case.

Educational Partnership

2.1

Appendix D in our original tender contains a comprehensive list of all courses available across both schools, which can be verified on the school's website. This extensive list is far greater than what is offered at most schools nationally. We have included a screenshot from the school's website as proof in Appeal Evidence B.

Moreover, on Page 8 of the tender, we have included a quote from Ofsted that further attests to this: "The school will unfailingly do what is right for each individual student regardless of its impact on headline figures."

Furthermore, *paragraphs 7 and 8 on page 8* provide additional detail on how the courses are timetabled around basketball and the academic freedom this provides. We have included evidence in Appeal Evidence C, highlighting individual student timetables that demonstrate the variety of courses they can study. Different courses are highlighted to showcase the range and uniqueness of the offer.

We would also like to draw attention to the core learning program outlined in *paragraph 10 on page 8*, which describes the holistic curriculum provision delivered by the school. Appeal Evidence D provides examples of PowerPoint presentations further illustrating this content.

Despite the strength of our original tender submission and the evidence we have presented, we contend that the panel has not adequately understood the educational landscape or the rare and exceptional package that we offer as a sixth form option. In contrast, many of the other tenders provide a very limited academic choice, with some even requiring students to pursue a singular academic pathway to participate in their academy program.

The uniqueness of our academic offer across a comprehensive and grammar school has been vastly undervalued and unfairly scored. Our offering ensures that student-athletes can pursue any pathway toward their potential career outside of basketball. We believe that the panel's failure to recognise this is a substantial deviation from the agreed and published process and has led to inaccurate scoring.

2.2

On *page 9, paragraph 3* of our original tender, we have detailed the school's success in delivering Maths and English, with evidence of the progress measures used by DfE to assess sixth form provision.

Additionally, we have included evidence of the school's inclusive admission criteria in *Appeal Evidence E*. We accept all students and provide support for those who have not achieved their Maths or English at grade 4 or above. In contrast, some of the other successful tenders do not admit sixth form students who have not already achieved a pass, which is exclusive and does not demonstrate a commitment to providing support for Maths and English. We believe that the panel's lack of recognition in this area, clearly indicates that our bid was not fairly considered.

Furthermore, to provide additional evidence, we have included student timetables in *Appeal Evidence F*, highlighting their timetabled Maths and English provision. Only one student, in the basketball academy, has required retakes in the last two years, so we have included athletes from other sports in the evidence.

2.3

Our original tender submission provides significant detail on the school's vision, specifically in Paragraph 4 on page 8 through to Paragraph 6 on page 9, which is directly linked to the EDP framework in Paragraph 7 on page 10 through to Paragraph 2 on page 11.

We wish to highlight two taglines on page 9 that the school's vision is based on: "*School for all talents*" and "*As much as possible, to as many as possible, as often as possible.*" Additionally, on page 10, the school's Pillars philosophy, of which sport is a key Pillar, is described.

Moreover, we have included additional evidence in Appeal Evidence G, which contains screenshots from the school's website confirming these taglines and the school's vision, as well as the school's main logo with the tagline and a statement from Jon Watson, the CEO of the Trust.

We contend that the panel has failed to recognise the importance of these key components of our submission, which demonstrate our commitment to inclusivity and providing opportunities for all talents.

2.4

Our original tender submission clearly outlines the importance of sport in our school's vision and senior leadership structure, as described on page 10, where sport is identified as one of the four pillars the school is built on. Moreover, the tender includes the senior leadership structure (which includes our Director of Sport) demonstrating the school's commitment to and vision for sport.

We have included additional evidence in Appeal Evidence H, which further supports the importance of sport in our school's vision. This evidence includes examples from the school's website (<https://www.canterbury.kent.sch.uk/pillars/>), marketing material, vision of the sport Pillar, a presentation from an academy coaches' meeting, and the school action plan.

2.5

Our original tender submission described the school's culture in detail on *pages 9-11*, emphasising our inclusive philosophy to catch people in, rather than catching them out.

In addition, we have provided further evidence in Appeal Evidence I, including induction presentations and information for the sports academy.

Further evidence includes our sixth form volunteering scheme and the statement below from Tim Fox, Senior Vice Principal - Academic Pillar.

“We have a Trust-wide programme of mentoring for younger pupils where sixth form students get involved in both our primary and secondary school. They are involved in a variety of areas, from supporting lessons to mentoring young people.

As part of this programme we have had a fantastic response from students that are part of the Basketball academy.

In the first year of setting up and coordinating this programme Elliot Bailey took on the role of timetabling slots for pupils, overseeing the quality of the support. He performed excellently, keeping the momentum going and following up any issues of absence.

Similarly, each year when we seek students from the sixth form to support younger pupils the Basketball academy pupils are always forthcoming, selfless in their commitment and exceptionally powerful as role models.

The Basketball academy is exemplary in its support of whole school interventions and enrichment.”

2.6

Our original tender submission described the school's process for raising standards for quality assurance (QA) in detail beginning at *paragraph 8 of page 11*. We also regularly contract external bodies, such as Ofsted inspectors, to come in and review our processes, as well as conduct safeguarding deep dive reviews.

Evidence of all of this is included in *Appeal Evidence J*, which contains reports from these QA activities.

2.7

Our original tender submission includes the full Ofsted report (Good) in Appendix E. It also highlights key phrases on *pages 11 and 12* including:

The proportion of students who proceed to education, employment or training after leaving is well above average. This is testament to the success of all the sixth-form staff and students' hard work. It also reflects the well above average success rate for students who retake GCSEs in English or mathematics, some choosing to do so to attain a higher grade. Since the previous inspection, the number of students opting for university has almost doubled to over 100.

The sports academies involve pupils from Year 7 up to the sixth form. After a period of varied, enjoyable activities, with an element of coaching, leaders identify pupils who have the potential to achieve at county or national standard. Specialist provision swings into action with a careful eye on the balance between work and training. In key stage 4, vertical tutor groups bring sports together, gym or tennis pupils specialising early for 15 to 20 hours a week.

Some students are attracted by the academic qualifications, others by the professional teaching and coaching of sports, performing arts and practical skills, and several by being able to pick and mix these options. For example, students have combined intensive basketball coaching with a course at the chefs' academy or with a health and social care qualification leading to university. If students cannot combine their options, the school often provides twilight sessions; their timetables are genuinely bespoke.

There are many similarities in the qualities of teaching and learning in the main school Inspection report: The Canterbury Academy, 11–12 October 2017 Page 8 of 14 • A student thought that teachers went ‘above and beyond’. It is evident that sixth form teachers are particularly good at involving all students, even in large classes, bouncing questions around which delve into the subject in depth. Carefully steered by teachers, students learn, particularly in the performing arts and sports, by sharing and discussing their work with each other.

Based on the criteria provided, we have scored this section as **44 marks** out of 56. Despite the evidence being in our tender, the official average score we were given is significantly lower at 38.7. The academic provision across the two schools is unmatched across the other EDP programmes.

Quality Leadership, Coaching and Athlete Support

3.1

Our original tender submission contained substantial information around the vision of our academy, including *paragraphs 4 and 5 on page 13* and *Appendix G*, which outlined the comprehensive, bespoke provision offered to our student athletes and how it is integrated into the school timetable. Additionally, *on page 14*, we detailed the significant amount of video that is built into the programme and the philosophy around developing our student-athletes, with examples and proof.

Furthermore, *Appendix AC* in the original tender provides our coaching manual as evidence of the many things we build our programme around to bring the vision to life. Finally, the quality and quantity of the coaches we have developed (*Case Study – Coaching Tree – page 16*), who have been appointed by BE/BBF to National Team roles, far exceeds any other programme. This is a significant piece of evidence that supports how the quality, vision and culture of the people leading the programme are regarded in the performance pathway.

3.2

As outlined in the tender, Head Coach, Adam Davies’ qualifications are remarkable, including a Level 3 qualification and appointments by BE to numerous roles within the performance pathway. In addition, his participation in the UK Coaching Performance Foundation course, which was recommended by Basketball England, is highlighted. It should also be noted that he was recently appointed as the England U18 Head Coach, which further attests to his ability and quality.

3.3

Included in our appeal evidence, marked as *Appeal Evidence K*, are documents that provide further substantiation of the exemplary behaviour of Head Coach, Adam Davies. These documents include letters from the Kent Crusaders Welfare Officer and The Canterbury Academy’s Director of Sport, which confirm Adam’s good behaviour.

Additionally, the documents include evidence of Adam's annual safeguarding and code of conduct statements, which further emphasise his commitment to upholding high standards of professionalism and ethics in his coaching practice.

3.4

Head Coach, Adam Davies' coaching ability and experience are extensively documented in the original tender. The comprehensive testimonial from Will Raife provides numerous examples and evidence of Adam applying his knowledge and experience to develop players to reach their potential.

Furthermore, Adam's CV highlights the vast amount of coaching he has completed on the performance pathway, including working with National Teams. Appeal Evidence L provides additional evidence to support his coaching ability, including proof of Adam presenting at the South Super Region coaching conference.

3.5

Paragraph 3 on page 13 of the tender clearly states that there are 4 full-time coaches at the academy. However, during the visit, it was stated that one panel member thought that Assistant Coach, Lazurus "Laz" Thompson worked in banking. To provide further evidence, *Appendix L* of the original tender includes Laz's CV, which confirms that he is employed full-time by the programme.

Moreover, the tender emphasises that these 4 coaches are employed solely to work with the 20-25 players in the academy. Unlike other programmes with multiple teams and significantly higher numbers of athletes on the programme, our full-time coaches are fully dedicated to the elite 16-19 academy only.

In addition to the quantity of coaches we have and the small athlete-to-coach ratio, the tender includes Assistant Coach, Jesse Sazant's CV. His knowledge and experience will be on par or beyond the majority of head coaches across EDP and far beyond any assistant coach in EDP. This area is a significant strength of the programme, not matched nationally.

Furthermore, we would like to present that both Laz and Assistant Coach, Rhys Davies (of no relation to Adam Davies) are currently studying their Level 3 Coaching qualification.

3.6

In the original tender, *Appendix M* provides Mark Dayson's CV which showcases his extensive experience in academia and with national teams, including a doctorate based on the EDP athletes at Canterbury. This level of experience and provision is unmatched

across the EDP programme. Additionally, the case study on *page 25* further demonstrates the high regard in which he is held for his work.

To further support our case, we present *Appeal Evidence M* which includes a case study of an athlete, Player T, who benefited from Mark's work, daily. After suffering a tear on the posterior horn of the lateral meniscus, the academy paid for a private MRI and Mark wrote to Player T's GP for a referral. Player T underwent surgery and began his rehab work with Mark, with evidence of the steps taken to get him back to playing, including video. This additional evidence solidifies the value and expertise that Mark brings to the programme.

3.7

In the original tender, we provided clear evidence that The Canterbury Academy provides high-quality academic provision, as quoted by Ofsted. Furthermore, Beverly Farrell, a Trust Executive Vice Principal and national Leader of Education, provides additional evidence of the quality of teaching in *Appeal Evidence N*, including information on raising standards windows where the significant majority of teachers were graded as 1 (outstanding) or 2 (good).

Based on the criteria provided, we have scored this section as **44 marks** out of 56. Despite the evidence being in our tender, the official average score we were given is significantly different at 38.9. The quality of leadership, coaching and athlete support is one of the best in the country.

Welfare Provision

5.1

The screening process and facilities required were clearly outlined in the original tender. *Appendix S* of the tender provided the template used for screening and *Appendix O* provided evidence that the facilities required for screening are in place.

We are submitting further evidence in *Appeal Evidence M* which shows completed screening sheets, including multiple annual screens for the same athlete, showing progression over their time at the Academy.

We are also submitting *Appeal Evidence O* which includes evidence of cardiac screening for DiSE athletes. This was also discussed with the one member of the panel during their visit.

5.2

Appendix T of the original tender contains numerous policies showing that systems are in place to ensure all activities are safe and delivered with care.

Additionally, there is a core learning programme in place for all sixth form students as mentioned in section 2. This programme covers a variety of safety issues for sixth form students. Appeal Evidence P contains the Core learning programme overview.

5.3

In the original tender, *Paragraph 8 on page 25 through to page 26* provides evidence on the holistic ways we support and develop student identities. *Appendix U* of the original tender provided further evidence.

Additionally, the Core learning programme in Appeal Evidence P provides further evidence.

5.4

The original tender provides a clear outline, in *paragraph 2 on page 26*, of the number of Designated Safeguarding Leads (DSLs) present in both the school and the club, which is a significant strength. *Paragraph 3* of the same page includes comprehensive evidence from Ofsted which further reinforces our position. Additionally, *Appendix T* of the original tender includes the Safeguarding policy, confirming that all safeguarding systems are in place.

To further substantiate this, we present Appeal Evidence Q which includes an example of the safeguarding posters displayed around the school, as well as confirmation of the annual safeguarding session for all staff, including coaches. This evidence highlights the school's commitment to safeguarding and demonstrates that all necessary measures are being taken to ensure the safety and wellbeing of our student-athletes.

5.5

In the original tender, the Whistleblowing Policy is included in *Appendix T*. In addition, *pages 26 and 27* provide multiple examples of the ways that young people are listened to, including evidence on safeguarding, student voicing, and various forms of student athlete feedback. This evidence is also included *in Appendix V* of the tender.

To further support our case, we are submitting additional evidence in Appeal Evidence R, which includes the complaints policy that was not included in the initial tender. We would also like to provide evidence of the leadership group we operate with the senior players in the academy. The leadership group meets weekly with the coaching staff and communicates on a daily basis. To further support our claim, we have also included evidence from WhatsApp conversations in Appeal Evidence R.

5.6

In the original tender, *Paragraphs 2-4 on page 28* provide a clear outline of how load management is a key element in all that the academy does.

The academy has also recently invested in XPS to significantly increase their ability to track players' loads. **Evidence of this was shown on the official visit to the member of the panel.** Appeal Evidence S provides proof of this being fully in place including overviews for 4 players of their health, daily readiness, weekly readiness and their acute, chronic and training loads.

Appeal Evidence T includes student timetables, showing how their loads are carefully organised and managed through the week (as stated in the tender).

Appeal Evidence U shows evidence of rest days communication and the 36 hours weekly rest period referred to in the tender.

5.7

In the original tender, the relevant school policies are included in *Appendices T and AB*.

Additional evidence around the basketball academy's specific procedures is included in Appeal Evidence V.

We have scored this section as **40 marks** out of 56, based on the criteria provided. Despite the evidence being in our tender, the official average score we were given is significantly lower at 35.2. The welfare provision for our athletes is exemplary, further evidenced by the DiSE audits and the annual DiSE Audits conducted directly by Basketball England.

Performance Gain and Destination Support

7.1

In the original tender, *paragraphs 1 and 2 on page 31* state that there is evidence of this throughout the document. We would particularly refer to *pages 26, 27 and Appendix V* of the tender for examples of the comprehensive self-reporting and monitoring that takes place.

Appeal Evidence W provides further proof of the review collected by the staff at the end of each season.

7.2

In addition to the information provided on *page 31* of the original tender, Appeal Evidence X contains a testimonial from Sarah Kendrick-White outlining the UCAS support provided for all students and the academy's careers policy. Appeal Evidence Y

provides testimonials from 3 students on the IAG they provided. Of these students, one went on to university in the US, one to a university in Canada and one remained to study in the UK. (Elliot, Kieran, Chester)

7.3

In the original tender, *paragraph 5 on page 31* refers to the Turing visit recently completed. As stated earlier in the tender, we were the first programme to receive both Erasmus and Turing funding as a result of the quality of our partnership work. We have completed 4 of these partnership trips. Appeal Evidence Z provides an overview of the planning for our most recent trip as further evidence. It also includes testimonials from Michael Darlow and Liam Jefferson on the support provided, to highlight various progression routes for our student athletes.

The case studies on *pages 31 and 32* provide comprehensive examples on the variety of destinations to which our student athletes progress. They are clear evidence of the support and IAG they receive on appropriate destinations, always taking into account the student's wishes.

7.4

In the original tender, the case studies on *pages 31 and 32* provide the evidence in a comprehensive fashion. The testimonials in Appeal Evidence Y also provides further supporting proof.

We have scored this section as **26 marks** out of 32, based on the criteria provided. Despite the evidence being in our tender, the official average score we were given is significantly lower at 18.2. The performance gain of our athletes is what we are known for. From a significantly lower level of recruit, we regularly develop players who play for the National Team and progress to professional careers.

Letters of Support

Included in Appeal Evidence AA are letters of support from 5 of the 6 academies in EABL South. These letters clearly show that no reasonable body would have reached the same decision as the panel. These are the coaches who persistently lead the DiSE programme and have extensive knowledge around all other programmes. Their picture of the Canterbury Academy and Kent Crusaders is one built on over 10 years of delivery and a wealth of evidence. Moreover, these leaders, vociferously and unequivocally statements that the panel findings are incorrect is a crucial piece of evidence.

In summary, we believe that our tender was unfairly scored in several areas and that the evidence we provided should have warranted a much higher score, resulting in our tender being successful. Inconsistencies in how evidence was scored across different tenders is also of major concern.

We have provided additional evidence to support our case, but even without it, the original tender, as demonstrated throughout this appeal document, provided ample evidence to support a sufficient score.

Furthermore, the process stated that a full panel interview would take place with each appellant, which never took place. As a result, the panel chose to operate with limited understanding of the bids and the quality of provision on offer to reach their decision. This flaw undermines the validity of the entire process, as the most crucial part of the evaluation was non-existent. We respectfully request that you reconsider your decision in light of the grounds for appeal as detailed in this document and supporting documents to the original tender or attached.