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Kelly Tolhurst MP

Minister of State for Schools and Childhood

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Dame Meg Hillier DBE MP

By email: meghilliermp@parliament.uk

18 October 2022

Dear Dame Meg,

Thank you for your letters of 28 July and 30 August, addressed to the former Minister of State for School Standards, about the creation of a new curriculum arm's-length body (ALB). I am replying as the minister responsible for this policy area and I apologise for the delay in responding.

Oak National Academy (Oak) was created in April 2020 as a sector-led, national response to support schools in educating pupils remotely during the coronavirus (COVID-19) pandemic. It was incubated by the Reach Foundation and part funded by government grants. Building on its success, we have converted Oak into a new ALB to the department, focused on supporting teachers to plan and deliver an excellent curriculum, building on Oak's success.

We are providing the Reach Foundation, a charitable organisation, with an indemnity to cover liabilities, claims, costs, and obligations that may be made in relation to the transfer of free assets, licenses, and undertakings of Oak to the ALB. The Reach Foundation and its directors will be covered under this indemnity for liabilities up to the total sum of £10 million.

While there is no end date to this indemnity, any claims that may be brought must be made within clear limitation periods; the time limit for possible claims is expected to be no more than a maximum of six years. The department has undertaken due diligence to assess the likelihood of a claim, and the prospect of a claim materialising is considered low risk. The risk of any claim is expected to diminish every year now that the transfer of Oak to the ALB is complete. We do not expect the indemnity to give rise to any additional commitments beyond the indemnity's value.

I regret that in laying this contingent liability, the period for Parliamentary review fell short of the 14 days expected. This was due to the pressing need to transfer assets to the ALB by 1 September (the Reach Foundation's arrangement to host Oak ended on 31 August) and the timing of the dissolution of Parliament. We will ensure any future liabilities allow sufficient Parliamentary scrutiny.

Thank you for writing on this important matter. I hope you find this reply useful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kelly', written in a cursive style.

Kelly Tolhurst MP
Minister of State for Schools and Childhood