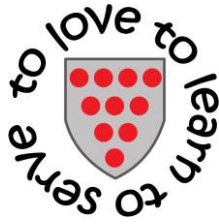


## Diocesan Education Team

### Worcester Diocesan Board of Education: Policy for Academisation

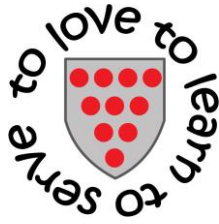
#### I Introduction

- I.1 The aim of this document is to provide governors, headteachers and other stakeholders of church schools within the Diocese of Worcester with information about the process of conversion to academy status and the policy and approach of the diocese to the academisation of its schools.
- I.2 The mission of the Diocesan Board of Education (DBE) is to support and equip its academies in their work of:
- providing effective and deeply Christian education
  - raising standards of achievement
  - contributing to the transformation of lives and communities through their inclusive Christian ethos
- I.3 The DBE acknowledges that a 'one size fits all' model is not appropriate for all schools. Therefore, Church of England schools in the Diocese of Worcester, have three options when considering conversion to academy status, at a geographical proximity which will allow a close and active working relationship. These options are further explained, including the governance requirements, in points 8.1 – 8.3 below and are as follows:
- join the Diocese of Worcester Multi Academy Trust (DoWMAT)
  - set up a school-led multi academy trust (MAT)
  - convert into an existing MAT
- I.4 *All church schools require the consent of the DBE to convert to an academy.* Schools thinking about conversion should speak with Margaret James (Diocesan Director of Education (DDE)), at the earliest opportunity to discuss potential plans. The DBE and the DDE want to work alongside you to establish the right structure and find the best partners, moving forward to conversion within a time frame that suits you. We are committed to ensuring that all our church academies maintain, embody and grow in their deeply Christian character and ethos.



### Diocesan Education Team

- 1.5 The DBE will not make a decision on behalf of a school about which, if any, MAT it should join (unless directed to by the Department for Education (DfE)), or whether it should partner with another school to form a MAT. The DDE will advise governors on appropriate partnerships, however, as necessary.
- 1.6 We recognise the increasing need for our schools and academies to develop effective collaborative relationships with other local schools, regardless of status or category. We wish to support you in developing inclusive collaborations that facilitate church and community schools and academies across the Diocese of Worcester to work together, and to preserve and support the different categories within them into the future.
- 2 Applying to the DBE for Conditional Consent to Convert to an Academy**
- 2.1 As stated above, all church schools seeking to convert to an academy *must* obtain the consent of the DBE. In deciding whether to grant consent, the DBE has a duty to ensure that the new academy will be viable and will continue to maintain and develop its Christian character. Our core concern is that the arrangements for the prospective academy and MAT provide the best foundation upon which to serve the children and young people in our care by means of a high quality Christian education.
- 2.2 Before the DBE will give its conditional consent the chair of the governing body, accompanied by the headteacher, must present the case for conversion at a meeting with the DDE. In the case of a proposed new MAT, at least one representative of each church school should attend. In the case of a church school wishing to join an existing MAT, the CEO or senior representative of the MAT should attend.
- 2.3.1 The DDE will be looking for evidence that the governing body has considered ways in which:
- becoming an academy is in the best interests of the children at the school in improving learning and achievement
  - the school will maintain and develop its Christian character and is supportive of the wider community



### Diocesan Education Team

- the proposed Trust will enable the school to flourish as a deeply Christian learning community
- local governance of the academy will be implemented
- the governing body has fully explored the option of the school joining the DoWMAT before considering other options

2.4.1 The DBE will **expect to approve an application** in the following cases.

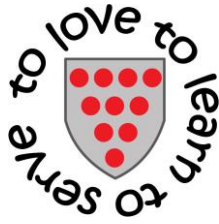
- a) There has been negotiation and agreement between the DDE and the Regional Schools Commissioner relating to the sponsorship of a church school with a directive academy order (DAO), following an Ofsted judgement of Inadequate. Such an agreement is expected to ensure that the school can be supported in its improvement, can continue to develop its deeply Christian character, and the wider interests of the Church of England in education will be protected.
- b) A school has applied to join the DoWMAT and the application has been accepted by the DoWMAT Board.

2.4.2 The DBE will **usually approve an application** in the following cases.

- a) By joining a MAT, a church school will strengthen the local pyramid or family of schools, providing greater cooperation between schools and opportunities to raise standards, and for the church school to flourish as a Church of England school.
- b) Where there is geographical proximity with other schools in the MAT, providing greater cooperation and opportunities to raise standards and for the church school to flourish as a Church of England school.
- c) Where the church school will clearly benefit from demonstrable expertise available within the MAT in order to raise standards and for the church school to flourish as a Church of England school.

2.4.3 The DBE is **unlikely to approve an application** in the following cases.

- a) The MAT in question has not or is unwilling to sign the DBE's Members' Agreement.
- b) The MAT in question does not already have a local cluster of schools in which there is demonstrable strength.

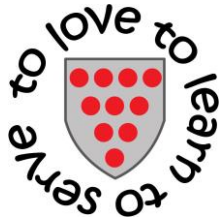


### Diocesan Education Team

- c) The church school wishes to form its own MAT and cannot provide a clear and sustainable business and growth plan.

## 2.5 Information and Forms

- 2.5.1 The DDE and DBE will need to be assured by governor representatives of the community schools within the MAT that they share a full understanding of the implications of becoming a 'mixed MAT' and that safeguards are in place for the protection and promotion of the Christian character and links with the diocese of the church school/s. A Members' Agreement (Appendix 1), which sets out the conditions under which the diocese will ensure that the academy's Christian character is maintained and enhanced once part of the MAT, is required by the DBE before consent is granted. A copy of the Members' Agreement can also be found on the Worcester Diocesan website via the following link:  
<https://www.cofe-worcester.org.uk/children-youth-education/schools-and-education/becoming-an-academy/>.
- 2.5.2 The Diocese of Worcester Academy Application form, which addresses the areas set out in 2.5.1, is attached to this policy as Appendix 3. It can also be accessed on the Worcester Diocesan website via the following link:  
<https://www.cofe-worcester.org.uk/children-youth-education/schools-and-education/becoming-an-academy/>. This form must be completed and submitted to the DBE for consideration.
- 2.5.3 The DBE requires information about the Trust for consideration as part of the process of granting the school conditional consent to convert. The Diocese of Worcester MAT Information Form is attached to this policy as Appendix 4. It can also be found on the Worcester Diocesan website via the following link:  
<https://www.cofe-worcester.org.uk/children-youth-education/schools-and-education/becoming-an-academy/>.



### Diocesan Education Team

#### 2.6 **The long-term Christian distinctiveness of the Academy**

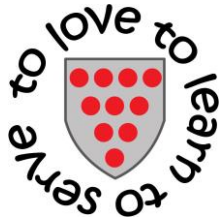
The long-term Christian distinctiveness of the academy must be maintained through:

- the inclusion of an ethos statement in the Articles of Association of each academy and in other relevant documents to ensure that each academy will maintain and develop its Christian character as a Church of England school
- retaining local governance arrangements which reflect the voluntary aided (VA) or voluntary controlled (VC) foundation of the school
- the academy seeking continued diocesan support through its Service Level Agreement for the development of its Christian ethos
- the academy following the principles and practices of the Church of England for collective worship and religious education; for example, by the use of high quality resources for the provision of effective and engaging Christian worship, the in-depth teaching of Christianity and use of the locally agreed syllabus for religious education
- a continuing commitment to the wider family of church schools and to developing its relationship with the local, national and international Church
- a continuing involvement in the development and support of other schools and academies, including Church of England schools and academies
- continuing to be subject to inspection under SIAMS arrangements, as will be required by the Funding Agreement
- the requirement that the principal or educational leaders of the academy be committed to and capable of supporting and developing its Christian character
- the admissions criteria conforming to the Christian principles of inclusion and serving the local community

#### 2.7 **A Business Plan confirming the financial stability of the academy**

All academies are charitable companies and their Trustees must ensure that they are financially viable. The business plan for the proposed academy should be submitted as part of the application to the DBE and should include details of:

- overall budget forecasting and some analysis of the funding expected
- how services currently being received from the LA are going to be replaced and funded



### Diocesan Education Team

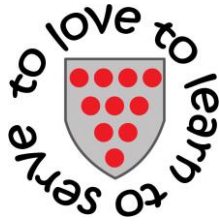
- how any on-going liabilities are to be met and how continuity of service will be provided in the event of an emergency (e.g. fire)
- how the academy is going to organise the preparation of annual accounts and the appointment of independent, registered auditors to audit the annual accounts
- the need to make provision for the pension deficit

### 3 Governance of the Academy Trust

3.1 The role of the Board of Trustees is to manage the business of the Academy Trust and they are accountable to the Members. Members appoint all the Trustees, with the exception of *ex-officio* Trustees (e.g. the Principal / Chief Executive).

Trust Members are accountable to the Secretary of State for the way in which the company carries out its duties. The agreement with the Secretary of State is a legal contract between both parties and carries obligations on both sides. Members, both individual and corporate, of the academy company must assure themselves of the extent of their obligations and their capacity to meet them. In cases of serious failure, an academy can be removed from a MAT either temporarily or permanently. Consequently, Members need to take very careful account of their duties when appointing Trustees. It is essential to appoint on the basis of the skills required to make the operation of the MAT and its academies a success.

A corporate Member may appoint an individual to act both as a Trustee and to attend Members' meetings on its behalf (as its nominee). In the Diocese of Worcester, the Worcester Diocese Academies' Trust (WDAT) will be a corporate member of every MAT within which there is a Church of England school and will be responsible for the nomination of its representative. Consequently, WDAT will appoint the appropriate number of WDAT Trustees. Members will want to ensure there are sound selection methods for these appointments. The DDE and the WDAT Board are happy to advise you regarding this process.



## Diocesan Education Team

Current DfE advice details that there should be at least five Trustees on a MAT board and a maximum that is felt reasonable. The complex requirements for committees which form part of maintained school law and practice do not apply to academies, although academies may decide to adopt a similar, if perhaps smaller, structure. All Trustees may be removed by the person or persons who appointed them.

All local governors (except parent governors) may also be removed by the person or persons who appointed them. Governors' normal period of service and other such details are contained in the Articles of Association.

### 3.2 Members

3.2.1 In the Diocese of Worcester, WDAT requires corporate representation at Member level in every MAT within which there is a Church of England academy. The Membership of the multi academy trust will need to meet the DBE's requirements, including through signing a Members' Agreement.

#### 3.2.2 Voluntary Aided Schools: Members

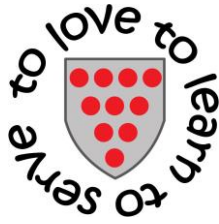
For a VA school to join or to form a MAT, the majority of the Members need to be appointed by WDAT. This includes WDAT acting corporately.

#### 3.2.3 Voluntary Controlled Schools: Members

For a VC school to join or to form a MAT, WDAT will appoint not in excess of 25% of the Members. This includes WDAT acting corporately. This is also the case where a VC school proposes to join a MAT that includes community schools.

### 3.3 Trustees

3.3.1 All academy trusts must have Trustees (Directors). The number of Trustees appointed by the WDAT nominated Member on behalf of WDAT is expected to reflect the proportion of foundation governors in the predecessor VA or VC school.



### Diocesan Education Team

#### 3.3.2 Voluntary Aided Schools: Trustees

WDAT will appoint the majority of Trustees in a MAT which has a former VA school.

#### 3.3.3 Voluntary Controlled Schools

WDAT will appoint not in excess of 25% of Trustees in a MAT which has a former VC school. This is also the case where a VC school proposes to join a MAT that includes community schools.

#### 3.4 ***It is essential that the DBE is convinced that the Members and Trustees of any existing MAT, or the founding Members and Trustees of any new MAT, understand this requirement and have identified suitable individuals to fulfil these roles as a condition of the inclusion of a church school within a mixed MAT.***

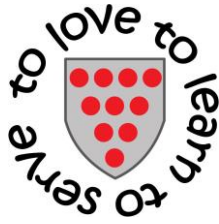
The application should include evidence to show that any governors agreeing to become Trustees understand the increased responsibilities that they would be undertaking, including the responsibility to ensure that the academy trust complies with charity and company law.

#### 3.5 Mixed MATs

Any group of schools considering a mixed church and community school MAT should speak with the DDE at the earliest opportunity, to discuss the proportion of WDAT-appointed Trustees. As stated above, this would never be less than the 25% for a MAT containing a VC school and the majority for a MAT containing a VA school.

Community schools do not have to become a church school if they wish to form a MAT with church schools. We support collaborative arrangements between schools of different categories and the preservation of their original character and ethos. All we require is that those collaborating with us respect and support our commitment to maintaining and developing the Christian character of our schools and academies and sign a Members' Agreement to that effect. It is





### Diocesan Education Team

unlikely that the DBE will grant consent for a school to join a MAT which is outside of the Diocese of Worcester.

### 3.6 The Local Governing Body

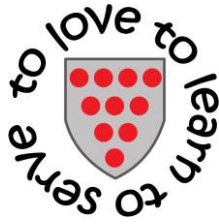
All Church of England academies will have a number of local governors appointed by WDAT and, in a MAT, school governors are known as members of the local governing body (LGB) or equivalent. The proportion of LGB members appointed by WDAT is expected to replicate the proportion of foundation governors in the predecessor school and the role of foundation governor is expected to continue. Therefore, there will be 25% WDAT-appointed foundation governors for a former VC school and a majority of WDAT-appointed foundation governors for a former VA school.

Before pursuing an intention to join a MAT of any description, it is important that all governors have a clear understanding, via the Scheme of Delegation, of the remit of LGBs in the MAT. It is not uncommon in a MAT for the LGB to become little more than a sub-committee with far less responsibility than that enjoyed as a governing body of a maintained school.

## 4 School Land

- 4.1 The trustees of church school land are those in whom the land and buildings of a VA or VC school are vested. For many church schools the trustee is the Diocesan Board of Finance (DBF), but for historical reasons the trustee can sometimes be the vicar and church-wardens, or another charitable trust. In each case the trustees will have to be identified and their approval sought for the transfer of the land. The diocese will assist with this process but the DDE must be advised as early as possible in the process of the school considering academy conversion, in order to facilitate what can often be a complex and lengthy process. The trustees have to adhere to the objects of the trust in which the land is held, which will usually be for the land to be used to provide education according to the teachings and ethos of the Church of England.

Land owned by the local authority (such as a playing field), is usually transferred to the academy company under a 125 year lease.



## Diocesan Education Team

### 5 Consultation

- 5.1 There is an expectation that governors will have carried out consultation with staff and the wider community about their decision to convert to an academy, including with:
- teaching and support staff
  - parents
  - the wider community
  - the Parochial Church Council (PCC) and incumbent
  - any other stakeholders

When considering whether to grant consent to convert, the DBE will consider how the school informed and consulted with each group (e.g. staff meeting, letter to parents, newsletter, etc.), and how each group responded.

### 6 Conditional Consent

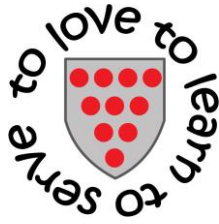
- 6.1 Consent by the DBE is a requirement of academy conversion for a Church of England school.

If the school's application is approved by the DBE, the DDE will send the school a letter of conditional consent. The letter will include the conditions which must be met before the diocese will enter into the agreements necessary for conversion. It is a requirement that the school then send a copy of this letter to the DfE, along with your application for an Academy Order. The DBE also requires that the school confirms that it has met the conditions set out in the letter of conditional consent.

In cases where the DBE declines to grant its consent, the governing body will be sent a letter in which the reasons for the decision will be set out.

### 7 Costs and legal representation

- 7.1 The school will agree to meet all costs (legal and otherwise) relating to the conversion to an academy (including those incurred by the diocese), using its own funds and / or the conversion grant of £25,000, which is currently available from the DfE.



## Diocesan Education Team

The DBE and DBF's costs are set out in the letter of conditional consent which is sent to the school's governing body. Meeting these costs is a condition of the DBE's consent, in cases where such consent is granted.

- 7.2 Once a governing body has received the letter of conditional consent from the DBE, they will need to appoint solicitors to act for the school in connection with the conversion. Anthony Collins Solicitors are appointed by the DBE to act for them in connection with academy conversions (contact: Chris Whittington (Head of Education); direct line 0121 214 3661; email [chris.whittington@anthonicollins.com](mailto:chris.whittington@anthonicollins.com)).

While schools are free to instruct whichever solicitors they wish to, choosing to instruct Anthony Collins Solicitors will reduce overall legal costs, due to the efficiency of having a single firm acting for both parties.

## 8 Being part of a MAT

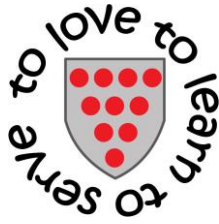
### 8.1 Diocesan MAT

The Worcester Diocesan Board of Education has set up a MAT, the Diocese of Worcester Multi Academy Trust (DoWMAT). See separate document for full details of the Trust offer for schools. Both church and community schools can apply to join the DoWMAT which is governed in line with the VA model of governance.

A full due diligence process will be carried out before a school is able to join the DoWMAT. This due diligence will be a robust process and will consider:

- the school's standards / education snapshot
- financial status
- staffing and personnel
- building condition

This process will be funded by the school through the conversion grant. A time frame will be agreed between the governors and the Trust as to when conversion is most appropriate, following successful completion of the due diligence.



### Diocesan Education Team

#### 8.2 School-led MAT

Local groups of schools may wish to formalise existing collaborative working relationships by establishing a MAT. If you are considering this please speak with the DDE at the earliest opportunity.

We recognise and value the existing collaboration / cluster working among schools of different categories and advise church schools to consider their community school colleagues in any potential MAT. It is possible for each school to retain its unique character and mode of local governance once it becomes an academy.

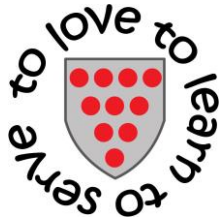
#### 8.3 Conversion into a pre-existing MAT

Schools may choose to join an existing MAT, or might be required by the DfE to convert into one as part of sponsorship arrangements. Joining an existing MAT can be an attractive option for a school or group of schools who want to work collaboratively with other schools already in a MAT. Strong and effective MATs, with developed central resources, may offer an attractive support package.

Church schools are reminded that the MAT governance arrangements will need to reflect those set out above for VC and VA schools; that is, 25% diocesan representation at Member and Trustee level for MATs wishing for a VC school to join, and a diocesan majority at Member and Trustee level for MATs wishing for a VA school to join. In some cases, this will require governance changes to be made to the existing MAT and, in all cases, a Members' Agreement will be entered into. The makeup of LGBs of community schools within such a mixed MAT need have no diocesan representation.

DBE consent will not be granted for church schools to join MATs whose governance arrangements do not reflect those outlined above for Church of England schools, unless there are exceptional circumstances. This is because of the requirement to protect the Christian character of church schools by means of their governance structures.

For church schools that require sponsorship, or that wish to convert into a pre-existing MAT, DBE consent will only be given where it is assured that the



### Diocesan Education Team

Christian character of the academy will be protected and the MAT has the correct proportion of diocesan appointed Members and Directors.

#### 8.4 Existing Church of England Academy converting to become a MAT

Should an existing Church of England Academy wish to become a MAT it must consult with the DBE before inviting schools to join it.

### 9 Specific Issues

#### 9.1 The Consultation Process

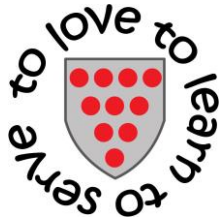
As stated above, governors are required to carry out consultation with staff and the wider community about their decision to convert to an academy. There are three different aspects to this general duty to consult, all of which need to be undertaken.

- 9.1.1 All schools need to conduct a general consultation. It is the task of the governing body to decide on the exact form of this consultation – but they should follow DfE guidance. One of the features of consultation is that, although you must undertake it in a sufficient way, the decision to convert is not affected by the outcome of the consultation. However, the DBE would wish to understand a governing body's reasons for over-riding the outcomes of any such consultation.

We recommend that a wide consultation be carried out over a four week period, supported by the distribution of a short leaflet setting out the reasons for the proposed conversion. Schools converting together into a MAT may wish to co-ordinate their consultations.

- 9.1.2 The second consultation is with the staff regarding the prospective change of employer, as the proposed MAT will employ the staff after conversion. We would advise that schools take legal advice as to the appropriate way to consult with staff.

Consultation with staff normally consists of both an informal stage and a formal process once the governing body has decided to submit an application. It may be that the governing body wishes to discuss informally with the staff prior to



### Diocesan Education Team

submitting an application. The Local Authority can provide support regarding this process.

- 9.1.3 The third consultation is with the trustees of the land and with the bodies who appoint foundation governors. The agreement of each of these bodies separately and independently is required. If more than one body appoints foundation governors the governing body must obtain the consent of all parties. The trustees and the appointing bodies each have an absolute independent power to prevent the school converting if they feel that it would not be right for it to do so.

### 9.2 Admissions Policy

Becoming an academy is not intended to have any effect on a school's admissions arrangements and the DBE expects that church academies will continue to serve all the children in the local community.

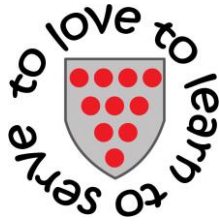
On becoming part of a MAT, former VA and VC schools do not need to change their previous admissions policy, unless there are very good and specific local reasons for doing so. A point to note is that former VC schools converting into a MAT become responsible, through the MAT, for admissions for the first time.

All the admissions arrangements for the schools within a MAT will be incorporated into the Funding Agreement which cannot be changed without consultation. We would strongly advise schools to closely examine these issues with the greatest of care as they prepare to convert into a MAT. The school, DfE and any trustees or religious authorities involved will all need to be satisfied with the admissions position after conversion.

### 9.3 Financial Planning

All academies are charitable companies and their Trustees have duties under company law to ensure that they are financially viable and suitably managed.

MATs must develop and evaluate an operational and strategic business plan (covering both recurrent and capital costs) which demonstrates continuing viability and



### Diocesan Education Team

growth. This business case must recognise the consequences on resources and capacity associated with the extra range of duties undertaken by a MAT.

#### 9.4 **Employer considerations**

When a school, as an academy, joins a MAT, the MAT becomes the employer of all staff. Consequently, all members of staff transfer to it from the employment of the VA governing body or Local Authority, as the case may be.

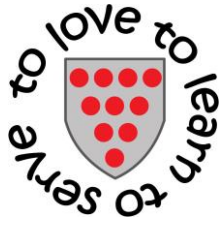
The law relating to the mandatory transfer of employment and accrued rights, known as the Transfer of Undertakings Protection of Employment Regulations (TUPE), applies and the TUPE consultation procedures must be followed.

Existing employed members of staff have their current terms and conditions of employment protected under TUPE. The majority of academies will also comply with the standards of the national pay and conditions for new staff, but governing bodies may wish to consider whether there are opportunities to provide the leadership in the proposed MAT with greater flexibility regarding staff contracts and conditions of service.

As you will be aware, all matters in relation to TUPE and the employment of staff are complex and sensitive and specialist legal and / or HR advice should be sought regarding the consultation process and any related considerations.

Teaching staff in a MAT continue to be members of the Teachers' Pension Scheme and non-teaching staff will continue in the Local Government Pension Scheme.

*For further details on all aspects of academy conversion please contact the DDE, Margaret James ([mjames@cofe-worcester.org.uk](mailto:mjames@cofe-worcester.org.uk)).*



**Diocesan Education Team**

 THE CHURCH  
OF ENGLAND

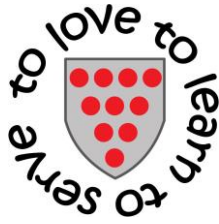
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**Appendix 1**

**MEMBERS' AGREEMENT**  
**relating to**  
**[Multi-Academy Trust]**  
**(Company registration number)**

Anthony Collins Solicitors LLP  
134 Edmund Street  
Birmingham  
West Midlands  
B3 2ES





**Diocesan Education Team**

**MEMBERS' AGREEMENT** dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**BETWEEN**

- (1)
- (2)
- (3)
- (4)
- (5)

**1. DEFINITIONS**

In this Agreement the following terms shall have the following meanings:

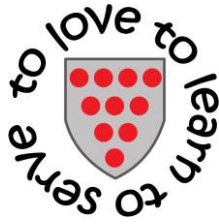
**"Academy(ies)"** means the school(s) known as [name(s) of the Academy(ies) and address(es)] carried on by the Academy Trust and such other Church of England schools as may join the Academy Trust at a later date;

**"Academy Trust"** means [Multi-Academy Trust] (Company registration number [ ]);

**"Church Supplemental Agreement(s)"** means the Church Supplemental Agreements dated [ ] made between (1) The Secretary of State (2) Multi-Academy Trust (3) The Board of Education for the Diocese of Worcester and (4) the [landholding trustees] and any Church Supplemental Agreement which may be put in place in relation to any subsequent Church of England school joining the Academy Trust;

**"Diocesan Bishop"** means the Bishop of Worcester or a diocesan official appointed by him/her for the role to be undertaken by the Diocesan Bishop in this Agreement;

**"Diocese"** means the Church of England diocese in which the Academy is situated.



## Diocesan Education Team

"**Diocesan Authority**" for the purposes of those functions prescribed in the Diocesan Boards of Education Measure 1991 means the Diocesan Board of Education for the diocese in which the Academy is situated;

"**Foundation Directors**" means the Directors appointed from time to time under Article 50A of the Memorandum and Articles;

"**Local Governor**" means a member of any Local Governing Body established for the Academy Trust under the provisions of Article 100(a) of the Memorandum and Articles;

"**Members**" mean the company Members from time to time of the Academy Trust;

"**Memorandum and Articles**" means the Memorandum and Articles of Association of the Academy Trust;

"**Secretary of State**" means the Secretary of State for Education;

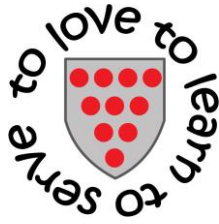
"**SIAMS Report**" means a report undertaken following the procedures of the Statutory Inspection of Anglican and Methodist Schools;

"**Trustees**" mean the directors of the Academy Trust;

"**Working Day**" means Monday to Friday, excluding any public holidays.

## 2. CONTEXT

- 2.1 This Agreement covers issues which are agreed by the Members in order that the religious character of the Academies may be protected and given full effect but which are not the concern of the Secretary of State and hence do not form part of the Memorandum and Articles of the Academy Trust, in its Funding Agreement or Supplemental Funding Agreement or in the Church Supplemental Agreement. The Members agree to be bound by the contents of this Agreement and may not amend this Agreement without the written consent of the Diocesan Authority.



### Diocesan Education Team

- 2.2 The Members acknowledge that the sites of the Academies are wholly or partly owned by trustees and to the extent that they are so owned are provided for occupation by the Academies under the terms of the Church Supplemental Agreements. The Members agree not to do anything that would breach the trusts or cause a breach of the trusts upon which the sites of the Academies are held and acknowledge that actions that would bring about such a breach may at the absolute discretion of the relevant trustees (but subject to any powers of the Diocesan Authority) lead to the immediate issue of a notice of termination under the terms of the Church Supplemental Agreement.

## 3. OPERATIVE PROVISIONS

### 3.1 New/additional members

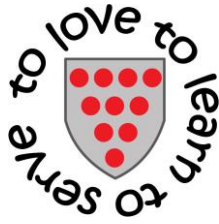
It is agreed that just as the parties to this Agreement are bound by it any new or additional Members of the Academy Trust shall enter into a short agreement requiring compliance with the terms of this Agreement which agreement shall be in the form set out in the Schedule hereto or such other form as the parties may agree.

### 3.2 Members' Undertaking

The Members undertake to the Diocesan Authority to uphold the Objects of the Academy Trust including the requirement to maintain and promote the religious character of the Academy.

### 3.3 Maintenance of the designated religious character of the Academy

- 3.3.1 The Diocesan Authority may inform itself at any time as to the effectiveness of the religious character of any Academy:
- (a) from the most recent SIAMS report;
  - (b) by commissioning and meeting the costs of a special SIAMS report;
  - (c) by means of reports from any advisers to the Diocesan Authority; or
  - (d) from reports made by the Foundation Directors.



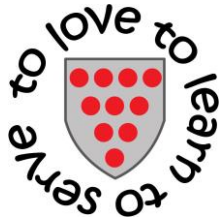
### Diocesan Education Team

- 3.3.2 There must be an annual general meeting of the Academy Trust held each year and Members will require the Foundation Directors to report at it on the effectiveness of the religious character of any Academy.
- 3.3.3 The Members will facilitate and (so far as they have the power to do so) will ensure that the Trustees facilitate whatever consequent investigation into the religious character of any Academy the Diocesan Authority shall think fit and will similarly ensure (so far as they have the power to do so) that the Trustees give effect to any consequent recommendations made by the Diocesan Authority.
- 3.3.4 Any disagreement as to such recommendations will be referred to the Diocesan Bishop whose decision will be final.
- 3.3.5 The Members accept that as part of such recommendations the Diocesan Authority may exercise its temporary appointment rights as set out in clause 3.6 of this Agreement or in Articles 45A or 103 of the Memorandum and Articles as applicable.
- 3.3.6 If such recommendations conclude that the Academy Trust is not capable of maintaining the designated religious character of an Academy or if the Members are unwilling to accept the recommendations and/or any decision on such recommendations made by the Diocesan Bishop, the Members will facilitate and (so far as they have the power to do so) will ensure that the Trustees facilitate the transfer of that Academy from the Academy Trust to an alternative academy trust company agreed between the Diocesan Authority and the Secretary of State.

### 3.4 The role of the Diocesan Bishop

If any question or dispute shall arise with regard to:

- 3.4.1 the meaning of the principles, practices and tenets of the Church of England;



### Diocesan Education Team

- 3.4.2 the extent to which any Academy is adhering to the same; or
- 3.4.3 the extent to which any Member, Trustee or Local Governor of the Academy Trust is acting in accordance with the undertaking given to uphold the religious character of an Academy pursuant to clause 3.2 of this Agreement or to Articles 45A or 103 of the Memorandum and Articles

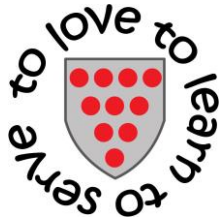
it shall be referred, on the application of any of the Members, to the Diocesan Bishop whose decision on the matter shall be final and binding.

### 3.5 A response to the Diocesan Bishop

The Members agree to take such action as may be necessary to comply with any decision taken by the Diocesan Bishop so as to ensure that the Academy is conducted in accordance with the principles, practices and tenets of the Church of England and that the Members, Trustees and Local Governors of the Academy Trust will act in accordance with the undertaking in clause 3.2.

### 3.6 Temporary Appointment Rights

- 3.6.1 The Members acknowledge and agree that the Diocesan Authority has the power to appoint for a temporary period up to a majority of Trustees to the board of the Academy Trust (Temporary Appointment Rights) in circumstances where:
  - (a) the Diocesan Bishop determines that there has been a material breach by the Members of the undertaking in clause 3.2; and
  - (b) such breach has been notified to the Members in accordance with the provisions of clause 3.8 and has not been remedied.



### Diocesan Education Team

3.6.2 The Diocesan Authority confirms that:

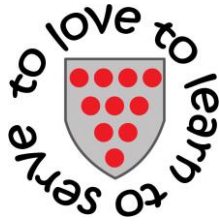
- (a) it will only exercise the Temporary Appointment Rights to ensure that any breach of the undertaking in clause 3.2 is remedied and not to intervene in or direct the conduct of any other aspect of the operation of the Academy Trust; and
- (b) should it exercise the Temporary Appointment Rights in accordance with the circumstances set out in clause 3.6.1, it will immediately remove the Trustees it has appointed once those circumstances have been resolved to the satisfaction of the Diocesan Authority.

### 3.7 Dispute Resolution Procedure

3.7.1 If a dispute arises out of or in connection with a breach of the undertaking in clause 3.2 or the performance of it (Dispute) then the parties shall follow the procedure set out in this clause:

- (a) the Diocesan Authority shall give to the Academy Trust a written notice of the Dispute, setting out its nature and full particulars (Dispute Notice) together with any supporting documents. On service of the Dispute Notice, the Academy Trust shall attempt in good faith to resolve the Dispute;
- (b) if the Academy Trust is for any reason unable to resolve the Dispute within [30] days of the service of the Dispute Notice, the Dispute shall be referred to the Bishop and the Trustees who shall attempt in good faith to resolve it.

3.7.2 If the Bishop and the Trustees are for any reason unable to resolve the dispute within [30] days of it being referred to them, the Diocesan Authority may exercise the Temporary Appointment Rights set out in clause 3.6.



**Diocesan Education Team**

### 3.8 Notices

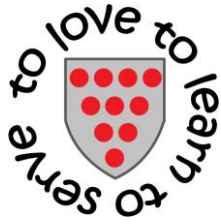
3.8.1 Any Dispute Notice given under or in connection with this Agreement shall be in writing and shall be:

- (a) delivered by hand or by pre-paid first-class post or other next day delivery service at the registered office of the Academy Trust or its principal place of business (in either case); or
- (b) sent by email to [specify email address].

3.8.2 Any Dispute Notice shall be deemed to have been received:

- (a) if delivered by hand, at the time the Dispute Notice is left at the proper address;
- (b) if sent by pre-paid first-class post or other next day delivery service, at 9:00am on the second Working Day after posting or at the time recorded by the delivery service; or
- (c) if sent by email, at the time of transmission, or if this time falls outside working hours at the place of receipt, when working hours resume. In this clause, working hours means 9:00am to 5:00pm in a Working Day.

**AS WITNESS** the parties hereto have hereunto set their hands



Diocesan Education Team

## SCHEDULE

### Adherence Agreement

This Adherence Agreement is made the                      day of                      20

#### BETWEEN

(1) The existing members namely

.....; and

(2) ..... ('the New Member')

#### 1. DEFINITIONS

In this Agreement the following terms have the following meanings:-

"Academy Trust" means The                      Multi-Academy Trust (company registration number [    ]).

"Members' Agreement" means the Members' Agreement dated [                      ] relating to the Academy Trust.

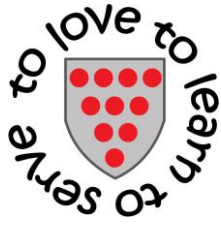
#### 2. INTERPRETATION

Terms defined in the Members' Agreement shall have the same meaning in this Agreement.

#### 3. OPERATIVE PROVISIONS

Pursuant to clause 3.1 of the Members' Agreement the New Member agrees and undertakes to be bound by the Members' Agreement as if the New Member had been an original party to it.





**Diocesan Education Team**

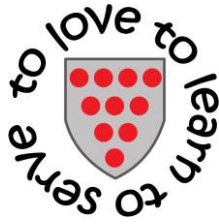
**IN WITNESS** the parties have hereunto set their hands

**SIGNED** by [ ]

Authorised for and on behalf of all of the existing members

**SIGNED** by [ ]

In the presence of .....



Diocesan Education Team

## Appendix 2

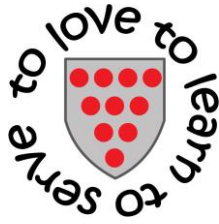
### Protocol for the Worcester Diocese Academies Trust (WDAT) in monitoring the performance of Church of England academies in multi academy trusts

#### Introduction

1. WDAT is an umbrella trust which has a responsibility to monitor educational standards and the Christian ethos of all Church of England academies within the Diocese of Worcester.
2. WDAT is a corporate Member of multi academy trusts (MATs), within which there is a CofE academy.
3. In addition, WDAT appoints not exceeding 25% of the Members of MATs which consist of community schools and former voluntary controlled (VC) schools, and the majority of Members of MATs with voluntary aided (VA) governance arrangements.
4. WDAT appoints 25% of the Trustees of MATs which have a former VC school and the majority of Trustees in MATs with a former VA school.
5. In line with the Memorandum of Understanding between the National Society and the Department for Education (April 2016), in order that Church of England academies have appropriate governance and strategic direction, the Diocese of Worcester requires all multi academy trusts containing a Church of England academy to enter into a Members' Agreement (Appendix 1) to safeguard the religious character and ethos of the school.

#### Members

6. WDAT has the responsibility to protect the Christian ethos of CofE academies within a MAT. All WDAT representatives have a responsibility to represent the corporate interests and values of WDAT in line with the Church of England's vision for education, *Deeply Christian, Serving the Common Good* (Church of England Education Office, 2016).
7. Members will appoint Trustees, uphold and monitor the vision and values of the MAT, and receive the annual accounts.
8. WDAT will hold an annual gathering, to which all WDAT representatives are invited, to develop and share a commonality of approach across the various MATs.



### Diocesan Education Team

#### Trustees

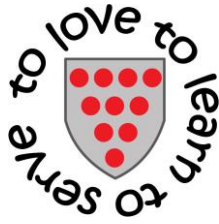
9. Trustees appointed by WDAT are accountable to WDAT for the academic standards and Christian ethos of each CofE academy.
10. Trustees appointed by WDAT must make decisions in the best interests of *all* academies in the MAT, not just the CofE academies, and they represent their own views and opinions.
11. Trustees appointed by WDAT are expected to contribute to decision making in a manner which is aligned with the Church of England's vision for education and to express views which reflect this vision.
12. Trustees appointed by WDAT are asked to maintain close contact with WDAT and to report on decisions taken by the MAT Board, seeking advice and support when appropriate.
13. In turn, WDAT will maintain regular communication with the Trustees whom it has appointed. For example, WDAT will hold an annual gathering to which all WDAT appointed Trustees are invited and will request school data on an annual basis.
14. As a last resort, Trustees appointed by WDAT can be removed by WDAT.

#### The Diocesan Board of Education and Diocesan Education Team

15. Following conversion, and as a condition of the Diocesan Board of Education's (DBE) consent to convert, all Church of England academies in the Diocese of Worcester are expected to maintain a relationship with WDAT, the DBE, and the Diocesan Education Team.
16. This relationship is based on a shared commitment to the development of the academy's Christian ethos, the provision of an effective Christian education, and the expectation of high academic standards within the academy.

#### Christian Ethos and SIAMS

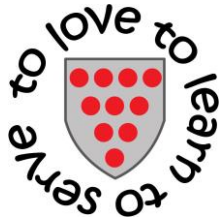
17. On conversion to academy status, the governance arrangements of the new academy are expected to reflect those of the former maintained school. This is a condition of the DBE's consent to convert. Part of this is the inclusion of foundation governors on an academy's local governing body or equivalent.
18. The academy will sustain its relationship with the Church of England partly through remaining part of the Training and Support Service Level Agreement (SLA), which is



### Diocesan Education Team

offered by the Diocesan Education Team and which has a focus on training and support in relation to the Statutory Inspection of Anglican and Methodist Church (SIAMS) agenda.

19. In addition to the services available through the Training and Support SLA, and in order to enable the academy to develop its Christian ethos, the DBE, through the Diocesan Education Team, provides all Church of England academies with the following *at no cost to the academy*:
- i. ongoing advice and support related to church school governance, admissions, and school organisation
  - ii. diocesan mailings
  - iii. regular regional headteacher and governor meetings
  - iv. free places for governors at all centrally-held diocesan training
  - v. an annual partnership meeting with a Diocesan Adviser
  - vi. SIAMS administration as well as telephone support and advice
  - vii. a diocesan representative at Ofsted section 5 feedback whenever possible
  - viii. pastoral support
  - ix. attendance of an adviser at and support with headteacher recruitment
  - x. an initial pastoral visit to all new headteachers
  - xi. attendance at a training course at the Old Palace for newly appointed headteachers
  - xii. advice on legal issues related to church school property, site ownership, and trust deeds
  - xiii. academy conversion advice
  - xiv. advice, training, and resources from the Diocesan Youth Worker and Children's Worker
  - xv. monthly drop-in surgeries for school staff and governors
  - xvi. representation with the Regional Schools Commissioner and Regional Ofsted Lead
20. There is an expectation that the academy will be judged by SIAMS as being at least a Good Church of England academy. As part of an academy's SIAMS inspection, the inspector will have a discussion with a representative of the Diocesan Education Team. This will usually be with the Diocesan Director of Education (DDE) or the Deputy DDE and will form part of the evidence base for the inspection.
21. Any concerns shared with the DDE, Diocesan Education Team, DBE, or WDAT by parents, members of the parish, or local community with regard to the school's Christian ethos will be shared with the WDAT appointed Trustee/s.



### Diocesan Education Team

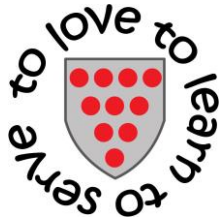
22. The academy headteacher and governors will have an annual Keeping in Touch meeting with a member of the Diocesan Education Team at which the academy's development as a church school will be discussed, usually within the context of the SIAMS agenda and criteria.

### Monitoring of Academic Standards

23. As a Church of England school/academy, there is an expectation that appropriate Church oversight of academic performance is undertaken.
24. In line with the DBE's expectations of maintained church schools, once a year, during the summer term, WDAT will contact each CofE academy head and Chief Executive Officer (CEO) with a request for school data. The data return form will include information on academic standards, school development priorities, attendance and exclusions, financial information, and leadership and staffing changes/priorities. This information will enable the WDAT Board to carry out its responsibility to monitor standards and to prioritise the support which it offers to CofE academies.
25. Following the Annual Partnership meeting and WDAT's scrutiny of the data return, a representative of the WDAT Board or the Diocesan Education Team will make contact with the academy leaders to share findings and to arrange to meet, if appropriate.
26. WDAT will offer the academy support to address any areas of concern which have been identified.

### Concerns and Support

27. Where concerns continue, including concerns relating to governance, and/or support offered through the SLA and the Keeping in Touch meetings not being accepted, and/or appropriate bespoke support not being sourced, for example, from the Diocesan Education Team, the WDAT appointed Trustee/s will be asked to meet with WDAT to discuss the situation.
28. All attempts will be made by WDAT, through the actions outlined above and through discussions with those involved at Trustee and Member level of the Trust, to ensure that the academy retains and develops its Christian ethos.
29. Should the attempts to ensure an ongoing relationship with the DBE and/or WDAT persist without success, and/or the academy fail to be judged at least as a Good CofE academy by SIAMS, the Members will be approached once more about steps which need to be taken to safeguard the academy's Christian ethos. The outcome of this meeting will be recorded and shared with the Members, the Bishop of Worcester, the Chair of



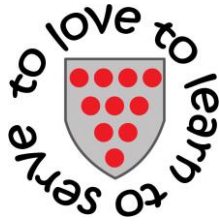
**Diocesan Education Team**

the DBE, the Diocesan Director of Education, the Regional Schools Commissioner, and the Chief Education Officer for the Church of England.

30. In the event that all other avenues have been exhausted and co-operation by the Trust not be forthcoming resulting in a failure to uphold the academy's Christian ethos, as a last resort, WDAT will recommend to the DBE that the Members' Agreement is actioned in order to allow remedial action to be taken.

Margaret James

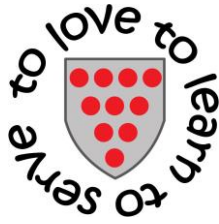
Diocesan Director of Education (DDE), November 2019



Diocesan Education Team

Appendix 3

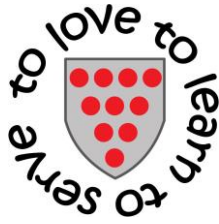
<p><b>Diocese of Worcester BOARD OF EDUCATION</b></p> <p><b>Application to the Diocesan Board of Education for a Church of England school wishing to become a Church of England Academy under the Academies Act 2010.</b></p>					
1	<b>Name and Type of School</b>				
	<b>Name (inc VC/VA status)</b>				
	<b>Age Range</b>				
	<b>Existing Federation (if applicable)</b>				
	<b>Name of MAT which the school would like to join</b>				
	<b>Names of other schools in this MAT (please state VC/VA status where appropriate)</b>				
2	<b>Number on Roll</b>				
	At the time of writing, the school has <b>[number]</b> pupils on the roll. The children are distributed as follows throughout the following years:				
	(a)	Yr R	[number]	Yr 7	[number]
	(b)	Yr 1	[number]	Yr 8	[number]
	(c)	Yr 2	[number]	Yr 9	[number]
(d)	Yr 3	[number]	Yr 10	[number]	



Diocesan Education Team

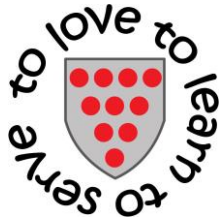
(e)	Yr 4	[number]	Yr 11	[number]
(e)	Yr 5	[number]	Yr 12	[number]
(e)	Yr 6	[number]	Yr 13	[number]
<p>Forward estimates indicate that numbers will <b>increase / fall</b>.  Please give details:</p>				
<p><b>Number of pupils with an Education and Health Care Plan</b></p>				[number]
3	<b>Location</b>			
	<b>Name of town/village:</b>			
	<b>Names of existing maintained schools in current pyramid:</b>			
	<b>Local Authority:</b>			
4	<b>Feeder Schools (where appropriate):</b>			
5	<b>Number of Staff</b>			
	<b>Full time equivalent teaching staff</b>			[number]
	<b>Full time equivalent ancillary staff</b>			[number]
6	<b>The school wishes to become a Church of England Academy in order to:</b>			





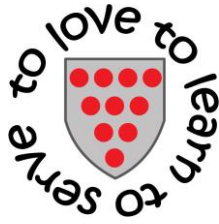
Diocesan Education Team

<b>7</b>	<b>Governors' Consent</b>		
	Date of the meeting at which the decision to seek Academy status was agreed: <i>(please attach a copy of the Agenda and Minutes)</i>		
	<i>If the Headteacher is not a school governor, please attach a copy of a letter from the Headteacher giving his/her support to this decision.</i>		
<b>8</b>	<b>School Community Consultations</b>		
	The Conditions of Consent document clearly states that there is an expectation that governors will have informed staff and the wider community (including parents, the local incumbent and the PCC) of their intention to explore academy status <u>before</u> applying to the Diocesan Board of Education (DBE) for conditional consent. Please specify when and how you consulted with each group of your decision to explore academy status and attach copies of relevant questionnaires, reports of Consultation meetings, etc...		
	<b>Group</b>	<b>Date of Consultation</b>	<b>Method (e.g meeting)</b>
a)	Teaching and associate staff		
b)	Parent body		
c)	Wider community		
e)	Parochial Church Council and incumbent		
f)	Other Trusts associated with the school		
g)	Local Authority		



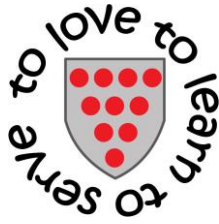
Diocesan Education Team

	h)	Other		
<b>9</b>	<b>School Financial Statement</b>			
	Annual School Budget:			
			<b>£ Surplus</b>	<b>£ Deficit</b>
	a)	Please specify surplus/deficit from last year's revenue budget		
	b)	Please specify surplus/deficit from last year's capital budget		
	c)	Please indicate if the school has run a deficit budget in the last three years		
	d)	<i>If current figures suggest a future deficit please indicate the school's plan to address this:</i>		
e)	Is the school subject to a Local Authority Recovery Plan?	<b>YES</b>	<b>NO</b>	
<b>10</b>	<b>Links with The Diocese of Worcester</b>			
	<b>Name of Parish:</b>			
	<b>Name of Deanery:</b>			
	<i>Please state below how the school intends to maintain and further enhance these links in order that the children will continue to receive an outstanding education with a deeply Christian character:</i>			



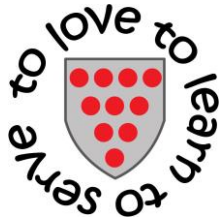
**Diocesan Education Team**

	<p><b>Diocesan Education Department:</b> <i>It is an expectation that all Church of England Academies will actively engage with the Diocesan Department for Education, for example, through the annual Training and Support Service Level Agreement.</i></p>
<b>11</b>	<p><b>Structure of Academy Trust</b></p> <p>a) <i>The Worcester Diocese Academies' Trust (WDAT) will appoint Members of the Academy Trust, who, in turn, will appoint Academy Directors. The Diocesan Director of Education will discuss these arrangements with the school and will need to be convinced that the Trust has these arrangements in place.</i></p> <p>b) <i>Proportionally, these Academy Trust Members will be the signatories of the Memorandum and Articles of Association.</i></p>
<b>12</b>	<p><b>Appointment of Governing Body</b></p> <p>a) <i>It is the expectation of WDAT that the constitution of the new Academy's LGB reflects that of the school's FGB prior to conversion</i></p> <p>b) <i>The Governing Body understand the roles and responsibilities of the LGB post conversion as set out in the Trust's Scheme of Delegation.</i></p>
<b>13</b>	<p><b>Land and Buildings</b></p> <p><i>The Governing Body understands that there is no requirement to lease the school's site from the trustees of the religious foundation. However there is a requirement for a supplementary agreement to identify and confirm the ownership of the school's assets with the Secretary of State. The process requires the Governors to fund the registration of the land owned by the trustees of the religious foundation.</i></p> <p><i>The governing body accepts that the Diocesan Board of Education will have to give consent to all future capital building projects.</i></p>
<b>14</b>	<p><b>Appointment of Solicitors</b></p> <p><i>The DBE's solicitors are Anthony Collins, whose Head of Education is Chris Whittington (chris.whittington@anthonycollins.com).</i></p>



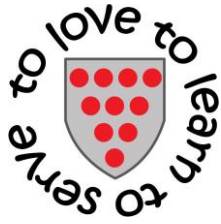
**Diocesan Education Team**

	Please state the solicitors representing the school in the conversion to Academy status (if different from those engaged by the DBE)	
	<p><i>Should the school elect to engage the same firm of solicitors as the DBE ie. Anthony Collins, a preferential rate will be levied for the school.</i></p> <p><i>The school will meet all legal fees incurred by the Diocese of Worcester as a result of academy conversion.</i></p>	
<b>19</b>	<b>Statement of Awareness</b>	
✓	<i>The Governing Body confirms that it is aware that (please tick)</i>	
(a)	the Academy Act does not allow a school to convert to Academy status with the intention of substantially changing its admission arrangements	
(b)	it must continue to consult with the Diocesan Board of Education on admission arrangements	
(c)	the Academy Act does not allow conversion to a new Academy with intent to lose its status as a Church of England School as shown in the Designation of Schools having a Religious Character (England) Order	
(d)	the Academy Act does not allow conversion to a new Academy with intent to become a selective school	
(e)	it will need to recompense the DBE for legal costs incurred in the process of conversion	
(f)	it will cease to exist as the Governing Body of a Maintained School with an Anglican designation. The new Academy will be an Independent School with an Anglican designation, and with a new Governing Body	



**Diocesan Education Team**

	(g)	as an Academy, existing VA/VC funding routes for capital building projects will no longer apply.
	(h)	it will be responsible for the school with regard to staff pensions, employer's liability and insurance, and when in difficulties (e.g arson, explosion) will not have support from a Local Authority. The Governing Body accepts that WDAT does not have the financial resources to step into the role of a Local Authority in such circumstances.
	(i)	it is the expectation of WDAT that the constitution of the new Academy's LGB reflects that of the school's FGB prior to conversion.
<b>20</b>	<b>The governing body (please tick) :</b>	
	(a)	has read and completed this form
	(b)	understands the statements set out in number 19 above
	(c)	acknowledges that, following consideration of this application, the DBE may impose additional conditions before assessment to convert will be granted
	(d)	will meet the costs incurred by the Diocese of Worcester as a result of academy conversion
<b>Signed:</b>		
<b>Headteacher</b>		<b>Print name</b>

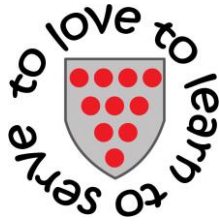


Diocesan Education Team

<b>Chair of Governors</b>		<b>Print name</b>
<b>Date</b>		

List of documents to be attached to this application:

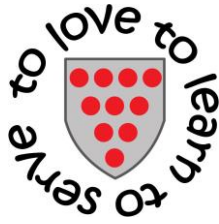
- **Consultation documents**
- **Governor Minutes**
- **Multi Academy Trust's Scheme of Delegation**
- **Multi Academy Trust's Articles of Association (if the MAT is already in existence)**



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Appendix 4

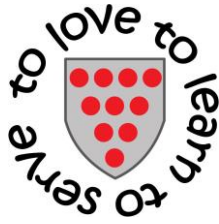
<b>Worcester Diocesan Board of Education</b>		
<p><b>Information for the Diocesan Board of Education (DBE) about a multi academy trust which is to be joined by a Church of England school/academy. This should be completed by the trust and forms part of the approval process of the DBE.</b></p>		
<b>1</b>	<b>Name of multi academy trust (MAT)</b>	
	<b>Name of CofE school wishing to join</b>	
<b>2</b>	<b>Names of other schools in this MAT</b> <i>(please state age range, current Ofsted grade, and church or non-church school status)</i>	•
	<b>Location/s of schools within the MAT</b> <i>(nearest large town/s)</i>	
<b>3</b>	<b>Number of children educated within the MAT</b> <i>(please indicate total as well as separate academy numbers on role)</i>	



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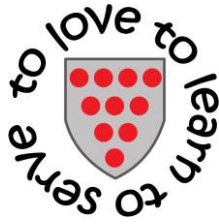
	<p><b>Number and roles of MAT central staff team</b></p>	
<p><b>4</b></p>	<p><b>Please outline the MAT's reasons for wishing to take on the church school in question</b></p>	
<p><b>5</b></p>	<p><b>Please outline the MAT's vision and values and explain how these are sympathetic with the Church of England's 2016 vision for education, 'Deeply Christian, Serving the Common Good'</b></p>	





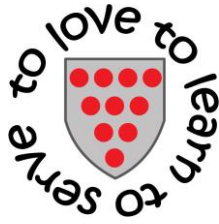
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<b>6</b>	<b>Please outline the MAT's plans for supporting and promoting the deeply Christian nature of the church school, thereby enabling the school to retain and develop its Christian ethos, vision, and values</b>		
<b>7</b>	<b>Please outline the MAT's plans and capacity to provide effective school effectiveness support and challenge to the new academy. Please include reference to existing demands on the MAT's resources.</b>		
<b>8</b>	<b>MAT Financial Statement</b>		
	Annual MAT Budget:		
		<b>£ Surplus</b>	<b>£ Deficit</b>
a)	Please specify surplus/deficit from last year's revenue budget		
b)	Please specify surplus/deficit from last year's capital budget		



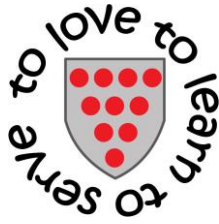
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	c)	Please indicate if the MAT has run a deficit budget in the last three years		
	d)	<i>If current figures suggest a future deficit please indicate the MAT's plan to address this:</i>		
	e)	<i>Please attach a copy of the Trust's financial plan.</i>		
<b>9</b>	<b>Governance structure of the MAT</b>			
	a)	<i>In order for a Church of England school to join a mixed MAT, the Worcester Diocesan Academies Trust (WDAT) needs to appoint Members of the Academy Trust who, in turn, will appoint Trustees. The requirements are 25% diocesan representation for a voluntary controlled school to join a MAT and 75% for a voluntary aided school. The Diocesan Director of Education will discuss these arrangements with MAT Members and Trustees and will need to be convinced that the Trust has these governance arrangements in place before DBE consent is granted.</i>		
	b)	<i>Proportionally, these Academy Trust Members will be the signatories of the Memorandum and Articles of Association.</i>		
	c)	<i>The Members of the MAT will be asked to sign a Members' Agreement with the Worcester DBE and agreement to this is a condition of a church school being granted consent to join the MAT.</i>		
<b>10</b>	<b>Appointment of Governing Body</b>			
	a)	<i>It is the expectation of WDAT that the constitution of the new academy's LGB reflects that of the school's FGB prior to conversion.</i>		



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	b)	<i>The MAT has ensured that members of the current governing body understand the roles and responsibilities of the LGB post conversion, as set out in the Trust's Scheme of Delegation.</i>
<b>II</b>	<b>Statement of Awareness</b>	
✓	<i>The MAT Members and Trustees confirm that they are aware that (please tick)</i>	
	(a)	any Church of England school in the Trust is to continue to offer an education which is in harmony with the Church's 2016 vision for education, 'Deeply Christian, Serving the Common Good'
	(b)	they agree that the MAT will work closely with the Diocesan Education Team to promote and develop the church school's deeply Christian ethos, vision, and values
	(c)	they must consult with the DBE on admission arrangements for any church school
	(d)	they are giving assurance to the DBE that the Trust has the capacity and expertise to provide appropriate school effectiveness support and challenge to the new academy
	(e)	they are giving assurance to the DBE that the Trust is financially robust and sustainable
	(f)	the DBE requires 25% governance representation if the MAT wishes to take on a VC school, and 75% governance representation in the case of a VA school
	(g)	the DBE requires the Members of the MAT to sign a legally binding Members' Agreement which sets out the Trust's commitment to its conditions



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	(h)	the DBE requires that the constitution of the new academy's LGB reflects that of the school's FGB prior to conversion
	(i)	the DBE expects that the Trust has made clear to the school governors the changes to their roles and responsibilities once the school is part of the Trust
<b>Signed:</b>		
<b>Chair of the Board of Trustees</b>		<b>Print name</b>
<b>Chief Executive Officer (or equivalent – please state)</b>		<b>Print name</b>
<b>Date:</b>		