

Diocese of Worcester Board of Education

Academisation Policy

2025 -2026



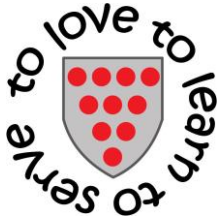
Deuteronomy 33:27

The eternal God is your refuge, and underneath are the everlasting arms.

1 Peter 4:10

Each of you should use whatever gifts you have received to serve others, as faithful stewards of God's grace in its various forms.

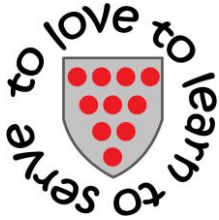
Loving together, Learning together, Serving together.



Worcester Diocesan Board of Education: Policy for Academisation

I Introduction

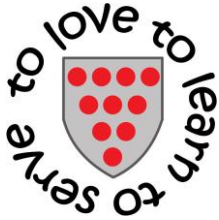
- 1.1 The aim of this document is to provide governors, headteachers and other stakeholders of church schools within the Diocese of Worcester with information about the process of conversion to academy status and the policy and approach of the Diocese to the academisation of its schools.
- 1.2 The mission 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
- 1.3 The DBE acknowledges that there must be sufficient capacity within the local education system to facilitate the academisation of all schools. Therefore, Church of England schools in the Diocese of Worcester, have a number of options when considering conversion to academy status. These options are further explained, including the governance requirements, in points 8.1 – 8.2 below and are as follows:
- schools in Worcestershire to join the Diocese of Worcester Multi Academy Trust (DoWMAT)
 - schools in the Metropolitan Borough of Dudley to join Elements Diocesan Learning Trust (EDLT)
 - convert into an existing MAT that have adopted the current and appropriate Articles of Association
- 1.4 *All church schools require the consent of the DBE to convert to an academy. Schools thinking about conversion must speak with Tim Reid (Diocesan Director of Education (DDE)), at the earliest opportunity to discuss potential plans. This should be followed by a formal meeting with the governing body where the process and options pertaining to the particular school are shared and discussed.*
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 an agreed time



frame. We are committed to ensuring that all our church academies maintain, embody and grow in their deeply Christian character and ethos.

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 full governing board must have had a formal meeting with the DDE to discuss the Diocesan Academisation Strategy and associated policies.
- 2.3 The school must have completed and have recorded evidence of their due diligence process including dates and minutes of meetings held with short-listed trust options.
- 2.4 The school must facilitate a formal ratification meeting of the full governing body, where a decision to apply for conditional consent to the DBE to join an approved trust from within the Diocesan Academisation Strategy.
- 2.5 Following the ratification meeting, a meeting must be held between the DDE and the CEO or senior representative of the MAT.
- 2.6 The Chair of the Governing Board must make a case for the conversion through the formal application process.
- 2.7 The DBE 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



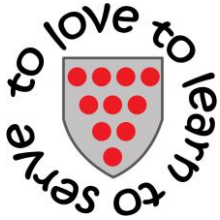
- the school will maintain and develop its Christian character and is supportive of the wider community
- the school has considered the financial position of the chosen Trust and its strategy for growth and development and is assured that is a sustainable option long term
- the proposed Trust will enable the school to flourish as a deeply Christian learning community
- local governance of the academy will be retained
- the governing body of Worcestershire schools have fully explored the option of the school joining the Diocese of Worcester Multi-Academy Trust before considering other options
- the governing body of schools within the Metropolitan Borough of Dudley recognise that the DBE option is for schools to join the Elements Diocesan Learning Trust

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

- 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). 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.
- A Worcestershire school has applied to join the DoWMAT and the application has been accepted by the DoWMAT Board.
- A school within the Metropolitan Borough of Dudley has applied to join Elements Diocesan Learning Trust (EDLT) and the application has been accepted by the Board.

2.7.2 The DBE will **usually approve an application** to a MAT with appropriate Articles of Association and recognised in the Diocesan Academisation Strategy in the following cases.

- By joining a MAT, a church school will benefit from greater cooperation between schools and opportunities to raise standards. It will also provide an opportunity for the church school to flourish as a Church of England school.
- 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.



- To ensure the long-term viability of the school within a strong MAT.

2.7.3 The DBE is **will not approve an application** in the following cases.

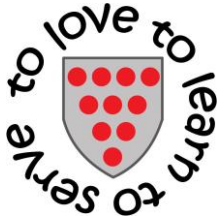
- If the trust is not an approved MAT identified in the Diocesan Academisation Strategy.
- The MAT in question does not have the current, appropriate Articles of Association.
- The MAT in question has not or is unwilling to sign the DBE's Members' Agreement.
- The MAT or school is in considerable financial difficulty, threatening the viability of one or both parties.
- The MAT does not have continued engagement with the Diocesan Education Team.
- The MAT in question does not already have schools in which there is demonstrable strength or an approved growth strategy to create such strength.
- The church school wishes to form its own MAT or become a Stand-Alone Academy.
- The MAT is in another diocese.

2.8 **MAT Mergers from within the Diocese of Worcester**

Where an approved MAT within the Dioceses of Worcester is considering a merger, the DBE should be consulted at the trust's earliest convenience. As per the [Memorandum of Understanding](#) section 9(c), where any merger of MATs that include church academies is proposed, the governance and form of the MAT resulting from that merger will be formulated in accordance with this strategy. There would be a requirement for consent from the DBE and Site Trustees as established under the Church Supplemental Agreement. All trusts must have adopted the most recent Church of England Articles of Association which ensures the involvement of Diocesan appointed members (Including the diocesan corporate member) and directors.

2.9 **Information and Forms**

2.9.1 In the case of a school wishing to join a 'mixed MAT' within the Diocesan Strategy, the DDE and DBE will need to be assured by the MAT Board that they and the community schools within the MAT 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:

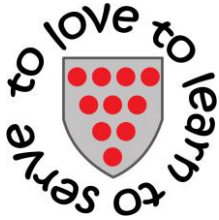
<https://www.cofe-worcester.org.uk/children-youth-education/schools-and-education/becoming-an-academy/>.

- 2.9.2 The Diocese of Worcester Academy Application form, which addresses the areas set out in 2.7.1, is attached to this policy as Appendix 2. 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.
- 2.9.3 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 3. 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/>.

2.10 **The long-term Christian distinctiveness of the Academy**

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

- the vision of the Trust resonating with the church school's theologically rooted Christian vision in a way that enhances the work of the school and its Christian foundation
- the trust ensuring it has a positive impact on the culture of the school
- 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 for the development of its Christian ethos
- the Trust and school leaders following the principles and practices of the Church of England for collective worship and religious education; for



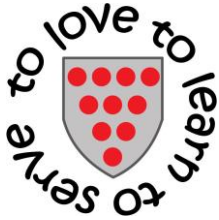
example, by the use of high-quality resources for the provision of effective and engaging Christian worship, the in-depth teaching of Christianity and use of the locally agreed syllabus for religious education

- 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 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, with the diocese represented upon the board that appoints them.
- in line with the Articles of Association, the Diocese Corporate Member and DBE must be involved and provide consent on the appointment of the Chief Executive Officer.
- the admissions criteria conforming to the Christian principles of inclusion and serving the local community

2.11 **Confirming the Financial Stability of the Academy**

All academies are charitable companies, and their Trustees must ensure that they are financially viable. The financial forecasts 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
- the reserve position of the school intending to become an academy
- how services currently being received from the LA are going to be replaced and funded
- 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 potential pension deficit



3 Governance of the Academy Trust

- 3.1 The role of the Board of Directors (Trustees) is to manage the business of the Academy Trusts within the MAT and they are accountable to the Members.

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, Please find the Members' Role Descriptors [here](#).

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 directors, reporting any concerns immediately to the diocese, using the members cause for concern form. It is essential to appoint on the basis of the skills required to make the operation of the MAT and its academies a success.

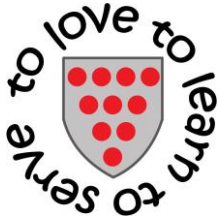
A Corporate Member may appoint an individual to act both as a Director and to attend Members' meetings on its behalf (as its nominee). In the Diocese of Worcester, the Worcester Diocese Academies' Trust (WDAT) will be a corporate member of every MAT within which a Church of England school sits and will be responsible for the nomination of its representative. Consequently, WDAT will appoint the appropriate number of WDAT Directors. 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.

All Directors may be removed by the body who appointed them.

All local governors (except parent governors) may also be removed by the body who appointed them.

3.2 Members

- 3.2.1 In the Diocese of Worcester, WDAT requires corporate representation at Member level in every MAT within which a Church of England academy sits. The



Membership of the Multi Academy Trust will need to meet the DBE's requirements, including through signing a Members' Agreement.

3.2.2 All Trusts must have adopted the appropriate Article of Association and adhere to the Memorandum of Understanding between the National Society and the DfE and Diocese.

3.3 Directors

3.3.1 All academy trusts must have Directors (Trustees). The number of Directors appointed by the WDAT nominated Member on behalf of WDAT is expected to reflect the proportion identified in the 'Articles of Association'. The role and expectation of Diocesan Directors can be found [here](#) on the Diocese of Worcester website.

3.3.2 It is essential that the DBE is convinced that the Members and Directors of any existing 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'.

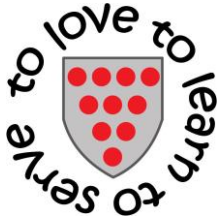
3.4 The Local Governing Body or Local School Board

All church academies will have a number of local governors appointed by WDAT and, in a MAT, school governors may be known as members of the Local Governing Body (LGB), Local School Board (LSB), Local Academy Board (LAB) or Local Committees. 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 up to 25% WDAT-appointed foundation governors for a former VC school and a majority of WDAT-appointed foundation governors for a former VA school (75%).

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.

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 churchwardens, 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 must 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 all parties is usually transferred to the MAT under a 125-year lease.

5 Consultation

- 5.1 Governors must 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

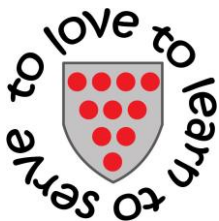
When considering whether to grant consent to convert, the DBE will consider how the school informed and consulted with each group (e.g. staff meeting, letter to parents, newsletter, etc.), and how each group responded.

Where a school is converting by virtue of a Directive Academy Order (DAO) instructed by the Regional Director no such consultation is necessary.

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.

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.

- 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: Phil Watts phil.watts@anthonycollins.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.

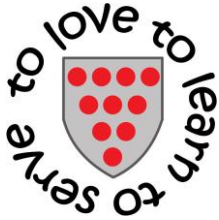
8 Being part of a MAT

8.1 Diocesan MATs

The Diocese of Worcester has supported the setup of two MATs, the Diocese of Worcester Multi Academy Trust (DoWMAT) and Elements Diocesan Learning Trust (EDLT). Both church and community schools can apply to join the MATs which are 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 DoWMAT or EDLT. This due diligence will be a robust process and will consider:

- the school's standards / quality of education



- financial status and viability
- staffing and personnel
- building and grounds condition

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.

8.2 Conversion into an existing MAT

Schools may choose to join an existing MAT within the strategy or might be required by the DfE to convert into one as part of Directive Academy Order. 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. All Trusts should aspire to meet the descriptors in the DfE [Trust Quality Descriptors](#) document.

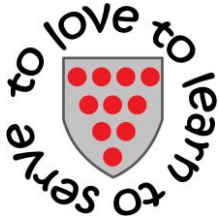
Church schools are reminded that the MAT must adopt the most up to date appropriate Articles of Association with the governance arrangements reflecting at those set out above.

DBE consent is not granted for church schools to join MATs whose governance arrangements do not reflect those outlined above for Church of England schools. 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 academisation through a Directive Academy Order, or who wish to convert into a pre-existing MAT, the above still applies.

8.4 Existing Church of England Academy wishing to join an approved MAT

Should an existing Church of England Stand Alone Academy wish to join a MAT within the strategy, it must consult with the DBE in line with the process outlined for maintained schools. The previous VC or VA governance structure must be adhered to when selecting an appropriate MAT.



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.

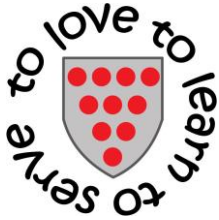
- 9.1.1 All schools need to conduct a general consultation. It is the task of the governing body to decide on the exact form of this consultation – but they should follow DfE guidance. One of the features of consultation is that, although you must undertake it in a sufficient way, the decision to convert 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.

- 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 and include union representation 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 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.



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 Trust reasons for doing so.

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

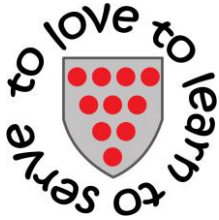
All academies are charitable companies, and their Directors/Trustees have duties under company law to ensure that they are financially viable and suitably managed. They must fully adhere to [The Academy Trust Handbook](#).

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.

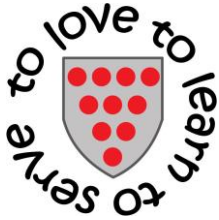
Existing employed members of staff have their current terms and conditions of employment protected under TUPE. The majority of academies will also comply with the standards of the national pay and conditions for new staff, but governing bodies may wish to consider whether there are opportunities to provide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



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, Tim Reid (treid@cofe-worcester.org.uk).



Appendix I

BLANK MEMBERS' AGREEMENT

relating to

Multi-Academy Trust

(Company registration number)

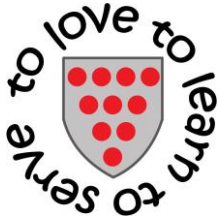
Anthony Collins Solicitors LLP

134 Edmund Street

Birmingham

West Midlands

B3 2ES



MEMBERS' AGREEMENT dated the day of 20

BETWEEN

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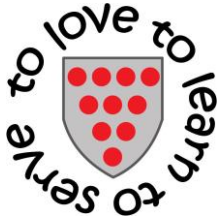
1. DEFINITIONS

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

"**Academies** " means the school(s) known 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)

"**Articles**" means the Articles of Association of the Academy Trust.



"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.

"Designated religious character" means a character which reflects the principles and practices of the Church of England, in line with the requirements of the Trust Deed of the original school.

"Diocesan Bishop" means the Bishop of Worcester or a diocesan official appointed by him/her.

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

"Diocesan Authority" for the purposes of those functions prescribed in the Diocesan Boards of Education Measure 2021 means the Diocesan Board of Education for the diocese in which the Academy is situated.

"Members" means the company members from time to time of the Academy Trust.

"Secretary of State" means the Secretary of State for Education.

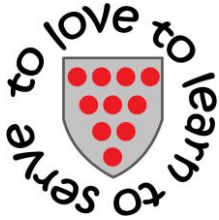
"SIAMS Report" means a report undertaken following the procedures of the Statutory Inspection of Anglican and Methodist Schools.

"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 Articles



or 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.

- 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 (Clause 24).

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.

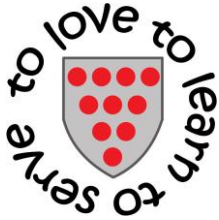
3.2 Members' Undertaking

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 the Academies:

- (a) from the most recent SIAMS report;
- (b) by commissioning and meeting the costs of a special SIAMS report; or



(c) by means of reports from any advisers to the Diocesan Authority.

3.3.2 The Members will facilitate and (so far as they have the power to do so) will ensure that the Directors facilitate whatever consequent investigation the Diocesan Authority shall think fit and will similarly ensure (so far as they have the power to do so) that the Directors give effect to any consequent recommendations made by the Diocesan Authority.

3.3.3 Any disagreement as to such recommendations will be referred to the Diocesan Bishop whose decision will be final.

3.3.4 The Members accept that as part of such recommendations the Diocesan Authority may exercise its step-in rights as set out in clause 3.6.

3.3.5 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 academy trust company agreed between the Diocesan Authority and the Secretary of State.

3.4 **The role of the Diocesan Bishop**

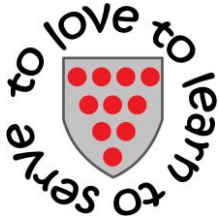
If any question or dispute shall arise with regard to:

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

3.4.2 the extent to which any Academy is adhering to the same; or

3.4.3 the extent to which any Member or Director of the Academy Trust is acting in accordance with an undertaking given to uphold the objects of an Academy

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 each Academy is conducted in accordance with the principles, practices and tenets of the Church of England and that the Members and Directors of the Academy Trust act in accordance with the undertaking that can be required of them to uphold the object of the Academy Trust.

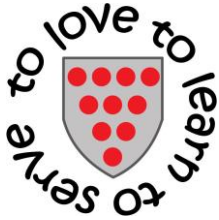
3.6 Step-in Rights

3.6.1 The Members acknowledge and agree that the Diocesan Authority has the power to appoint up to a majority of Directors to the board of the Academy Trust (Step-in 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.

3.6.2 The Diocesan Authority confirms that:

- (a) it will only exercise its Step-in 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 its Step-in Rights in accordance with the circumstances set out in clause 3.6.1, it will immediately “step out” by removing the Directors it has appointed once those circumstances have been resolved to its reasonable satisfaction.



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 Directors (Trustees) who shall attempt in good faith to resolve it.

3.7.2 If the Bishop and the Directors (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 Step-in Rights set out in clause 3.6.

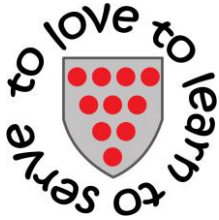
3.8 Notices

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].

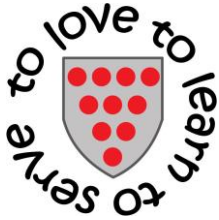
3.8.2 Any Dispute Notice shall be deemed to have been received:

- (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



Appendix 2

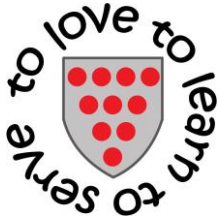
Protocol for the Worcester Diocese Academies Trust (WDAT) in monitoring the performance of Church of England academies in multi academy trusts

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 Directors (Trustees) of MATs which have a former VC school and the majority of Directors in MATs with a former VA school.
5. In line with the Memorandum of Understanding between the National Society and the Department for Education (September 2023), 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 I) 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 Directors (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.



Directors (Trustees)

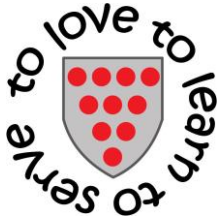
9. Directors appointed by WDAT are accountable to WDAT for the academic standards and Christian ethos of each CofE academy.
10. Directors appointed by WDAT must make decisions in the best interests of *all* academies in the MAT, not just the CofE academies, and they represent their own views and opinions.
11. Directors 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. Directors 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 Directors whom it has appointed. For example, WDAT will hold an annual gathering to which all WDAT appointed Directors are invited and will request school data on an annual basis.
14. As a last resort, Directors appointed by WDAT can be removed by WDAT.

The Diocesan Board of Education and Diocesan Education Team

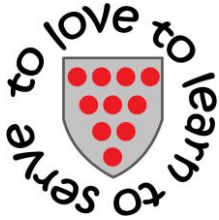
15. Following conversion, and as a condition of the Diocesan Board of Education's (DBE) consent to convert, all Church of England academies in the Diocese of Worcester are expected to maintain a relationship with WDAT, the DBE, and the Diocesan Education Team.
16. This relationship is based on a shared 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 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. regular information and resources from the education team via electronic mailings and the Diocesan website.
 - iii. regular regional headteacher and governor meetings
 - iv. places at Governor specific training events listed in the Diocesan Training and support SLA Training schedule.
 - v. a Diocesan keeping in touch meeting - an annual meeting with a member of the education team to discuss your school's current context and priorities.
 - vi. telephone or support advice pre and post SIAMS and Ofsted inspection.
 - vii. conversation with SIAMS or Ofsted Inspector during visit.
 - viii. attendance at SIAMS and Ofsted feedback by a member of the education team.
 - ix. on-going pastoral support
 - x. attendance of an adviser at, and support with, headteacher recruitment
 - xi. an initial pastoral visit and induction for all new headteachers
 - xii. attendance at the two-day induction programme at the Diocesan Offices for newly appointed headteachers
 - xiii. advice on legal issues related to church school property, site ownership, and trust deeds
 - xiv. advice, training, and resources from the Diocesan Youth Worker
 - xv. representation with the Regional Director and Regional Ofsted Lead
20. There is an expectation that the academy will be judged by SIAMS as being at least a 'Good' (SIAMS Schedule 2018) or 'Judgement One' (SIAMS Framework 2023) 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 Director/s.
22. The academy headteacher and governors will have an annual Keeping in Touch (KiT) meeting with a member of the Diocesan Education Team at which the academy's



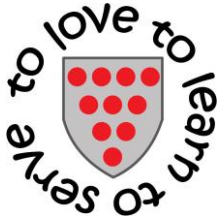
development as a church school will be discussed, usually within the context of the SIAMS agenda and criteria.

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 WDAT will contact each CofE academy head and Chief Executive Officer (CEO) with a request for school and governance data. The data return form will include information on academic standards, school development priorities, attendance and exclusions, financial information, governance 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. The Education Team, on behalf of WDAT will undertake a number of Teaching and Learning reviews in a range of Trusts each year, these will be published at the beginning of each academic year.
26. Following the annual Keeping in Touch 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.
27. WDAT will offer the academy support to address any areas of concern which have been identified.

Concerns and Support

28. Where concerns continue, including concerns relating to governance, and/or support offered through the SLA and the Keeping in Touch meeting 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.
29. All attempts will be made by WDAT, through the actions outlined above and through discussions with those involved at Director and Member level of the Trust, to ensure that the academy retains and develops its Christian ethos.
30. 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' or 'Judgment One' 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

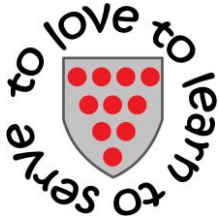


Worcester, the Chair of the DBE, the Diocesan Director of Education, the Regional Schools Director, and the Chief Education Officer for the Church of England.

31. 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.

Tim Reid

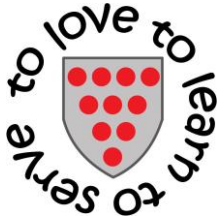
Diocesan Director of Education (DDE), January 2025



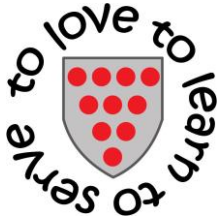
Appendix 3

Diocese of Worcester Academisation Application Form

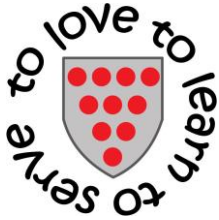
<p>Application to the Diocesan Board of Education for a Church of England school wishing to become a Church of England Academy under the Academies Act 2010.</p>			
<p>Prior to submitting this application, the school must consult with the Diocesan Director of Education and give due regard to the Diocese of Worcester Board of Education's Academisation Strategy.</p>			
I	Name of School		
	Status of School (VC/VA)		
	Age Range		PAN
	Does the School have a nursery provision?	Y/N	NOR
	Existing Federation (if applicable)		
	Name of MAT which the school would like to join		
	Names of other schools in this MAT <i>(please state VC/VA status where appropriate)</i>		
	Has the School given due regard to the Diocesan Strategy?	Y/N	
	Has the school board met with the DDE prior to this submission?	Y/N	Date of Meeting:
	Has the appropriate Diocesan MAT been considered, and formal meetings held?	Y/N	Date of Meeting:



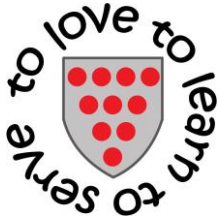
2	Number on Roll	
	PAN	
	Forward estimates indicate that numbers will increase / fall over the next 5 years. <i>Please give details:</i>	
3	Location	
	Name of town/village:	
	Names of existing maintained schools in current cluster/pyramid:	
	Local Authority:	
4	Feeder Schools (where appropriate):	
5	Number of Staff	
	Full time equivalent teaching staff	<i>[number]</i>
	Full time equivalent ancillary staff	<i>[number]</i>



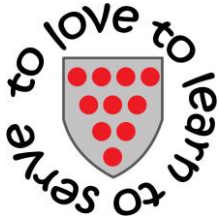
6a	<p>Please outline the other Trusts that were considered as part of your decision making:</p>
6b	<p>Please outline what the Board sees as the benefits in becoming an Academy in the chosen trust over the other trusts considered:</p>



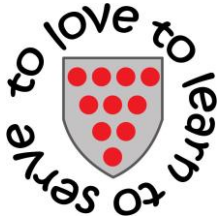
6c	<p>Please give details of the due diligence that the school has undertaken on the chosen trust and on those trusts that were considered:</p>
6d	<p>Has the School Board had sight of, considered and understood the chosen Trust's Scheme of Delegation?</p>
	<p>Y/N</p>
6e	<p>Has the School Board had sight of, considered and understood the Trust's Financial Statement (Audited accounts)?</p>
	<p>Y/N</p>
6f	<p>Has the Board had sight of, considered and understood the Trust Offer including the financial contribution of the school to the trust?</p>
	<p>Y/N</p>
6g	<p>Has the Board had sight of the long-term growth strategy of the trust?</p>
	<p>Y/N</p>
	<p>Please outline what the impact could be on the school?</p>



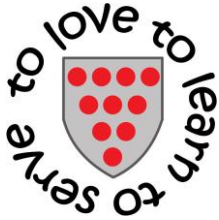
7	Trust Actions
7a	Please outline how the Trust will support and enhance teaching and learning in the school.
7b	Please outline how the Trust will support and strengthen the Christian Distinctiveness of the school.
8	Governors' Consent
	<p>Date of the meeting at which the decision to seek Academy status was agreed: <i>(please attach a copy of the Agenda and Minutes)</i></p> <p><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></p>



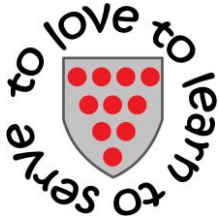
9	School Community Consultations			
	<p><i>The Conditions of Consent document states that there is an expectation that governors will have informed staff and the wider community (including parents, the local incumbent and the PCC) of their intention to explore academy status <u>before</u> applying to 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...</i></p>			
		Group	Date of Consultation	Method (e.g meeting)
	a)	Teaching and associate staff		
	Please detail the outcome of the consultation with any % figures for and against			
	b)	Parent body		
	Please detail the outcome of the consultation with any % figures for and against			
	c)	Wider community		
Please detail the outcome of the consultation with any % figures for and against				



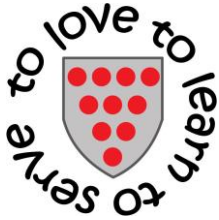
	e)	Parochial Church Council and incumbent		
	Please detail the outcome of the consultation with any % figures for and against			
	f)	Other Trusts associated with the school		
	Please detail the outcome of the consultation with any % figures for and against			
	g)	Local Authority		
	Please detail the outcome of the consultation with any % figures for and against			
	h)	Other		
	Please detail the outcome of the consultation with any % figures for and against			



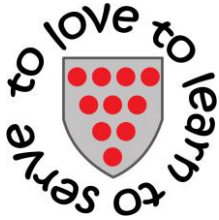
10	School Financial Statement			
	Annual School Budget:			
			£ Surplus	£ Deficit
	a)	Please specify surplus/deficit from last year's revenue budget		
	b)	Please specify surplus/deficit from last year's capital budget		
	c)	Please indicate if the school has run a deficit budget in the last three years		
	d)	Please indicate if the school indicates a deficit budget in the next three years		
	e)	<i>If current figures suggest a future deficit, please indicate the school's plan to address this:</i>		
f)	Is the school subject to a Local Authority Recovery Plan?	YES/NO		
11	Trust Financial Statement			
	Annual Trust Budget:			
			£ Surplus	£ Deficit
	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 trust has run a deficit budget in the last three years			



	d)	Please indicate if the trust indicates a deficit budget in the next three years		
	e)	Please indicate if the trust has had any interventions from the DfE/ESFA and detail the circumstances and outcomes.		
12	Appointment of Governing Body			
	a)	<i>It is the expectation of Worcester Diocesan Academies Trust (WDAT) that the constitution of the academy's Local Governing Board (LGB) or equivalent reflects that of the school's Governing Body prior to conversion</i>		
	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>		
13	Land and Buildings			
	<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 through the academy conversion grant.</i>			
	<i>The governing body accepts that the Diocesan Board of Education will have to give consent to all future capital building projects.</i>			
14	Appointment of Solicitors			
	<i>The DBE's solicitors are Anthony Collins, whose Senior Associate is Phil Watts (phil.watts@anthonycollins.com).</i>			
	Please state the solicitors representing the school in the conversion to Academy status if different from those engaged by the DBE			
	<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>			



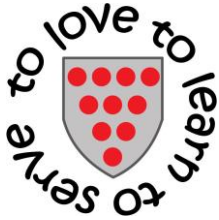
	<i>The school will meet all legal fees incurred by the Diocese of Worcester as a result of academy conversion.</i>	
15	Statement of Awareness	
✓	<i>The Governing Board confirms that it is aware that (please tick)</i>	
	(a)	the Academy Act does not allow a school to convert to Academy status with the 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 and will become an Academy with an Anglican designation with a new Governance structure. The Academy will continue to be inspected by SIAMS under the existing cycle of inspection
	(g)	as an Academy, existing VA/VC funding routes for capital building projects will no longer apply
	(h)	it will be responsible for the Trust and not the Local Authority (LA) with regard to staff pensions, employer's liability and insurance, and when in difficulties (e.g arson, explosion). The Governing Body accepts that it is not the role of WDAT to step into the role of the LA in such circumstances
	(i)	it is the expectation of WDAT that the constitution of the new Academy's LGB or equivalent reflects that of the school's FGB prior to conversion
	(j)	WDAT appointed Trustees will report to WDAT termly.
	(k)	A review of teaching and learning in at least one of the trust's Church of England schools will be undertaken annually by the Diocesan Education Team.



	(l)	The school will not change its name or logo without prior consent from the DBE.
16	The governing board (please tick) :	
	(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 through the Academy Conversion Grant.
	(e)	will reconcile any outstanding payments or loans to the Diocesan Board Finance.
Signed:		
Headteacher:		Print name:
Chair of Governors:		Print name:
Date:		

List of documents to be attached to this application

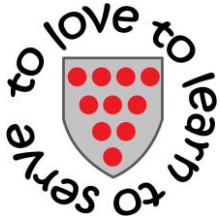
- **Consultation documents**
- **Governor Minutes**
- **Multi Academy Trust's Scheme of Delegation**
- **Multi Academy Trust's Articles of Association**



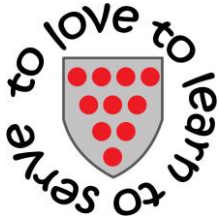
Appendix 4

Diocese of Worcester Trust Application Form

<p>Worcester Diocesan Board of Education</p> <p>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.</p>		
1	Name of multi academy trust (MAT)	
	Name of CofE school wishing to join	
2	Names of other schools in this MAT <i>(please state age range, current Ofsted grade, and church or non-church school status)</i>	
	Location/s of schools within the MAT <i>(nearest large town/s)</i>	
3	Number of children educated within the MAT <i>(please indicate total as well as separate academy numbers on role)</i>	



	Number and roles of MAT central staff team	
4	Please outline the MAT's reasons for wishing to take on the church school in question	
5	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'	
6	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.	



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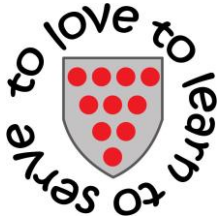
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7	Please outline the MAT's plans and capacity to provide effective school improvement support and challenge to the new academy. Please include reference to existing demands on the MAT's resources.
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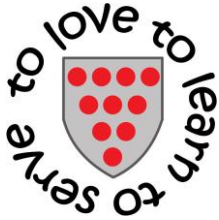
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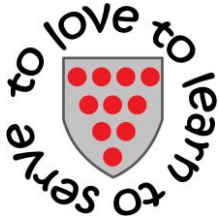
MAT Financial Statement			
Annual MAT Budget:			
		£ Surplus	£ Deficit
a)	Please specify surplus/deficit from last year's revenue budget		
b)	Please specify surplus/deficit from last year's capital budget		
c)	Please indicate if the MAT has run a deficit budget in the last three years		
d)	Please indicate if the trust indicates a deficit budget in the next three years		



		<i>If current figures suggest a future deficit please indicate the MAT's plan to address this:</i>
	e)	Please indicate if the trust has had any interventions from the DfE/ESFA detailing the circumstances and outcomes.
	f)	<i>Please attach a copy of the Trust's financial plan.</i>
	g)	Please outline the growth plan for the Trust
		<i>Please attach a copy of the Trust's growth plan.</i>
9	Governance structure of the MAT	
	a)	<i>In order for a Church of England school to join a mixed MAT, the Worcester Diocesan Academies Trust (WDAT) will appoint Members of the Academy Trust who, in turn, will appoint Directors. 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 Directors 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 (only applicable if creating a new MAT).</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>



10	Appointment of Governing Body	
	a)	<i>It is the expectation of WDAT that the constitution of the new academy's Local Governing Boards (or equivalent) reflects that of the school's Full Governing Board prior to conversion.</i>
	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 Delegated Authority.</i> Please attach the most recent Scheme of Delegated Authority.
11	Statement of Awareness	
✓	<i>The MAT Members and Directors 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 through the Diocesan Training and Support Service Level Agreement
	(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
	(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.
	(j)	WDAT appointed Directors will report to WDAT termly.
	(k)	A review of teaching and learning in at least one of the trust's Church of England schools will be undertaken annually by the Diocesan Education Team
	(l)	The Trust will not change the school's name or logo without prior consent from the DBE.
Signatures:		
Chair of the Board of Directors		Print name:
Signed:		Date:
Chief Executive Officer (or equivalent – please state)		Print name:
Signed:		Date: