

## **Peterborough Diocese – Board of Education** **Guidelines on approval of Academy conversion proposals**

All Church of England Schools, whether VA, VC or Foundation, require the consent of the body that appoints Foundation Governors, which is always the Diocesan Board of Education (DBE), before the Department for Education will issue an Academy Order. (Similarly, the consent of the DBE is needed by standalone academies which wish to join a particular MAT.) Occasionally consent is also required from an external Trust as well and the Trustees of the school site, often the DBE, but sometimes the Vicar and Churchwardens.

This paper outlines the different types of proposals and explains the basis on which the DBE will reach its decision as to whether to give consent. Schools and MATs are expected to undertake thorough due diligence. To assist in this, DBE officers lead introductory governing body presentations and discussions on this theme, after which governing bodies should invite their shortlisted MATs (always including PDET) to present to them. Due consultation should take place with staff, parents and pupils about governors' preferred MAT. Schools are then expected to attend a meeting of the DBE or DBE Executive Committee, with their preferred MAT, to present their proposal.

### **Proposal details**

Details of the information that the DBE / DBE Executive Committee will require include:

- The vision and values of the school and how these accord with the vision and values of the proposed MAT and the vision of the DBE for pupils' educational experience
- Track record of the MAT in achieving successful Ofsted and SIAMS outcomes
- The MAT's scheme(s) of delegation and the implications for local school governance
- The MAT's strategic growth plan and how this is linked to the planned evolution of the MAT staffing structure
- RSC (Regional Schools Commissioner) / RD (Regional Director) annual review and approved rate of MAT growth
- The MAT's track record in making successful TCaF (Trust Capacity Fund) bids to the ESFA
- The finances of the school and the MAT
- The MAT's approach to staff restructuring and ensuring that their schools are financially viable
- Services to be provided by the MAT from the % 'top slice' of the school's budget and how this represents value for money
- School self-evaluation and improvement plan
- MAT engagement the national Church of England Education Office
- The MAT's commitment to the DBE.

### **Guiding principles**

In reaching a decision about whether to support a particular academy conversion proposal, the DBE Executive Committee will be guided by the following principles:

- To protect the Anglican heritage of our church schools and ensure the Christian character will continue to be developed.

- To ensure sufficiently robust partnerships of church schools supporting one another to ensure long-term and sustained improvement for the schools, with improved standards of achievement and enhanced well-being of the children in their care.
- To encourage schools of a suitable size to benefit from economies of scale together.
- To support the sustainability of our small schools by actively promoting multi-academy trust (MAT) structures.
- To establish sufficiently strong MATs, which may be in a position to support (sponsor) an 'underperforming' church school where action is needed to raise standards. Peterborough Diocese Education Trust (PDET) will normally be the sponsor for underperforming church schools requiring sponsorship, but if this is not possible it will normally be a VA style / church majority governance MAT.
- To enable governing boards to have a healthy choice of MAT options for academy conversion.
- To promote a coherent and cohesive organisational and governance structure for diocesan schools.
- To avoid the fragmentation of the diocesan church school family into too many different Trusts, making it hard for the DBE to maintain any meaningful relationship with them and creating the challenge of finding sufficient experienced and skilled individuals to sit as Members and Directors.
- To provide a secure structure that can welcome and support non-church schools too.
- To be open to the possibility of our MATs expanding by taking in financially viable maintained schools, if that helps them to take in a more vulnerable Church of England school, and does not dilute the Christian ethos of the MAT.
- To be willing to work together on a regional basis with other dioceses, when approached by other dioceses about taking one or more of their Church of England schools into one of the MATs with Church of England schools in Peterborough Diocese.
- To be proactive in educating and influencing school leaders and governors to make the best possible strategic decisions for the long-term future of their schools, taking all of the opportunities and relevant contextual factors into account.
- To support schools through the process of academy conversion and joining a MAT.
- To support schools and MATs, following conversion, through the DBE SLA and additional cost free support that is available to them, and through the DBE's SS&E Committee's annual reviews with MATs (with the exception of PDET, as the diocesan MAT).

### **Academy Models**

A range of Academy Models is available. The current position of the DBE with respect to each model is given below. This is intended to provide clear guidance both to DBE members and to schools; the precise details of each proposal will be considered carefully.

**Peterborough Diocese Education Trust (PDET):** All church schools in the Diocese are invited to consider joining the diocesan multi-academy trust. Whilst consent will generally be readily given, schools may find it necessary to wait for an appropriate time to join PDET. It is important that the capacity of PDET to support schools grows appropriately, as the number of schools in the MAT increases and as a healthy balance between schools causing concern and high performing schools is maintained. Officers of PDET are always happy to explain how the Diocesan MAT works and outline the range of services provided.

**Standalone Academy:** The DBE will not consent to any church primary school converting to a standalone academy, as pupil numbers will be insufficient for long-term viability. Moreover, the DBE wishes to encourage greater collaboration between all its schools and academies, which is most readily achievable through MAT structures and through collaboration and cooperation with the DBE.

**Local VA Multi-Academy Trust of Church Schools:** A group of church schools (and non-church schools) within the Diocese may seek to form a MAT. School based MATs will be regionally based, largely, but not exclusively, within existing local authority boundaries.

- The DBE has identified two regions for the further growth and / or formation of multi-academy trusts: the RD regions of East Midlands (encompassing the LAs of Rutland, West Northants and North Northants) and East of England (Peterborough).
- VA Model Articles are to be used although local governing boards will reflect the VA, VC or non-church status of the school.
- The DBE will need to be convinced of the long-term robustness of the proposal.

**Local VC Multi-Academy Trust of Church Schools:** The DBE will not allow the creation of additional VC style MATs. Joining an existing VC style MAT will be considered on a case-by-case basis.

**A proposal to join a 'chain' run by a non-Church organisation:** The school's long-term Anglican distinctiveness cannot always be assured within such an arrangement. Therefore, proposals for schools to join a national or regional chain of academies will not normally be approved.

The strong advice of the Diocesan Board of Education is for schools considering Academy status to discuss options with officers at a very early stage. This will avoid the raising of expectations that it might be impossible to meet.

### **Actions to be pursued once the approval of the DBE is received**

Your chosen MAT will advise you further on this, but normally the sequence of actions to follow will be:

- Register your school's interest in converting to an academy with your chosen MAT using the Department for Education's online form: [A2C - GOV.UK \(apply-convert-academy.service.gov.uk\)](https://www.gov.uk/apply-convert-academy.service.gov.uk).
- Your school starts its formal consultation with key stakeholders to join your chosen MAT.
- The Governing Body of your school meets to consider the outcome of the stakeholder consultation and, if generally favourable, resolves to convert to any academy with your chosen MAT.
- The MAT Board meets to approve the school joining the MAT, following further due diligence by the MAT Executive and a supportive report to the MAT Board.
- A letter of support from the DBE will be provided by the DDE to permit the application for convert.
- The MAT takes the proposal to the Headteacher Board which provides advice to the relevant Regional Director, who advises the Secretary of State.
- The Secretary of State approves your school's proposal to convert to an academy with your chosen MAT and makes an Academy Order.

- The TUPE consultation process commences. This will be led by your chosen MAT, often in consultation with the LA.
- Your school should work closely with your chosen MAT to prepare the legal documentation to convert your school to an academy. This may involve the following due diligence actions on the MAT's part, with your school's assistance: carrying out a property, staffing and commercial review.
- Your MAT, the LA and the Governing Body of your school enter into the Commercial Transfer Agreement and land documentation.
- Your MAT and the Secretary of State sign the Supplemental Funding Agreement for your school.
- Pre-opening actions will include ensuring that DBS checks are up-to-date and that financial systems and insurance are in place.