

## Public Consultation: Proposal to form a multi-academy trust

Consultation opens: **Friday 11<sup>th</sup> May 2018**

Consultation closes: **Monday 15<sup>th</sup> June 2018**. All responses received by this date will be considered by the governors. The governors welcome responses to this consultation either by email to: [consultation@nclt.academy](mailto:consultation@nclt.academy) or in writing to: Jon Lawrence, Chief Executive Officer, Sir James Smith's School, Dark Lane, Camelford, PL32 9UJ.

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## MAT Consultation - Frequently Asked Questions

### General

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| 1 | <b>What is this consultation about?</b><br>The governors of Camelford Primary, Otterham Primary, St Breward Primary, St Teath Primary and Sir James Smith's Community School are consulting on the schools' intention to form a multi-academy trust (MAT). |
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2	<p><b>What is a Multi Academy Trust?</b></p> <p>A Multi Academy Trust (MAT) is normally where a number of schools leave the local authority, join together and form a single trust with a Board of Trustees answerable to the trust's Members and accountable for all the schools within the trust. Our schools have already moved away from the local authority and have been managing their own affairs for several years. In the NCLT no one school is dominant, all have equal weighting with Trustees and the success of the MAT depends on the success of all schools. Each school in the MAT will retain its identity keeping its own unique character, name, ethos, local governing body, uniform and Headteacher.</p> <p>Members of the Trust are responsible for the strategic oversight of the Trust. They are the 'guardians' of the Trust, ensuring that strategic objectives are upheld. They appoint Trustees who determine the policies of the Trust, monitor the effectiveness of individual academies, manage central services and report to the Secretary of State. Trustees work to ensure each school within the trust is performing to the best of its ability and it gets the support it requires. And then each school has its own local governing body. The responsibilities allocated to the various levels of governance within the Trust are set down in the Scheme of Delegated Authority (SoDA).</p>
3	<p><b>Are other schools also creating MATs?</b></p> <p>The majority of secondary schools are now academies and just under half of all primary schools. Many of these schools are now in multi-academy trusts, some are primary-only, others secondary-only and a few cross-phase (primary and secondary). Some MATs are in national chains; most MATs are locally based and geographically clustered. In Cornwall there are 23 MATs the smallest with 2 schools the largest with 31 primary schools. There are no other planned local cross-phase MATs in our locality.</p>
4	<p><b>Why are we looking to form a MAT?</b></p> <p>In the schools' opinion there are many reasons why forming a MAT is a good idea:</p> <ul style="list-style-type: none"> <li>• Sharing expertise, resources, and best practice in order to raise standards and develop innovative teaching and learning.</li> <li>• Create more and better opportunities both within and beyond the classroom for pupils</li> <li>• Greater capacity to support each other and other local schools directly and through other agencies such as Teaching Schools and partner MATs.</li> <li>• We will have economies of scale when it comes to purchasing goods and services making it possible to maximise funding.</li> <li>• We will be able to better support and develop our staff with opportunities to experience a wider range of teaching and learning pedagogies helping with staff retention and future recruitment.</li> <li>• We will be able to provide centralised services on a larger scale such as training new teachers and providing higher quality professional development helping with retention.</li> </ul>
5	<p><b>What are the wider benefits of forming a MAT?</b></p> <p>There will be numerous other benefits:</p> <ul style="list-style-type: none"> <li>• Common teaching and learning practices across each phase.</li> <li>• Higher quality cross-phase transition – with secondary staff better able to build on primary experience.</li> <li>• Curricular enhancement and a wider range of opportunities for pupils.</li> <li>• Better outcomes for students.</li> <li>• A common professional development programme (CPD) for all staff that adds real value to the education of the young people.</li> </ul>

	<ul style="list-style-type: none"> <li>• Efficiencies in administrative functions and joint procurement; this will help us in these more austere times to advantage the students.</li> <li>• Improved and different ways of governance with a clear focus on strategic development, teaching and learning, and accountability.</li> <li>• Enhanced reputation for excellence encourages other schools to join the Trust.</li> <li>• Improved leadership, management and governance that impacts directly upon the students.</li> <li>• Recruitment, retention and growth of staff.</li> <li>• Long-term sustainability of all schools in the area.</li> </ul>
6	<p><b>Are there any disadvantages in becoming a MAT?</b> Appendix A lists 13 possible 'risks' and provides a response.</p>
7	<p><b>Will other schools join us?</b> We hope and expect that others will do so, in the future, when we consider it to be the right time for us. These could be secondary and/or primary schools. Priority will be given to local schools in the North Cornwall region. The RSC is also likely to 'recommend' schools join the Trust. Due diligence checks will be undertaken before any school joins. Whilst we expect to grow, priority will be given to those schools sharing our ethos which means growth will be limited to like-minded schools. The focus of the NCLT will remain firmly on what's right for our pupils not growing an academy chain/empire building.</p>
8	<p><b>Do we need to get permission to convert to a MAT?</b> We will need to obtain the permission (Academy Orders) of the Secretary of State for Education via the Education Funding Agency (EFA). The EFA requires the Academy Trust to prepare a business plan which sets out:</p> <ul style="list-style-type: none"> <li>• the details of the change, including any potential issues/risks relating to the proposals and evidence of demand;</li> <li>• when the change is to be implemented and how;</li> <li>• the effect on other schools, academies and educational institutions within the immediate locality, and an overview of the responses to the consultation;</li> <li>• the degree of Local Authority support and what the academy has done in response to any consultation responses from them; any indicative costings and an indication of how these might be met, including how the change will be sustained in terms of capacity and value for money;</li> <li>• any suggested changes to the admission arrangements.</li> </ul> <p>The government has issued Academy Orders and Cornwall Council fully supports our plans.</p>
9	<p><b>Do we need to consult?</b> The Department for Education (DfE) guidance on making significant changes requires the schools to consult with key stakeholders, including the Local Authority, for a minimum period of 4 weeks. The key stakeholders are: staff; parents/carers; local primary schools; local secondary schools; Cornwall Council; Camelford Town Council; parish councils; MP. Information will be sent to other local groups.</p> <p>Every query/question will receive a response on-line and all objections detailed in the business case to the EFA.</p>
10	<p><b>What changes do we need to make to become a MAT?</b> There are a number of things which will change:</p> <ul style="list-style-type: none"> <li>• Adopt Articles of Association and agree a Scheme of Delegation (SoDA).</li> <li>• Adopt the MAT funding arrangements i.e. converting our current funding agreement into a</li> </ul>

	<p>Master Funding Agreement and entering into a Supplemental Funding Agreement on behalf of each academy school.</p> <ul style="list-style-type: none"> <li>• Decide on the governance structure for our MAT (see below).</li> <li>• Establish local governing bodies for each school in the MAT (see below).</li> </ul>
11	<p><b>When will this happen?</b> Subject to the outcome of the consultation and approval from the EFA, we would hope to be a MAT for 1<sup>st</sup> October 2018.</p>
<p><b>Governance</b></p>	
12	<p><b>Will the governors' role change when we become a MAT?</b> Currently each school has one governing body. In the MAT there will be three levels of governance: the Members; the Board of Trustees; and the Local Governing Body. The SoDA provides the framework for the delegation of authority and decision-making to each level:</p> <ul style="list-style-type: none"> <li>• The Members sit above the Board of Trustees. Members 'own' the academy trust and are like shareholders; they monitor the performance of the trust and hold the trustees to account. They meet annually. Their role is 'hands-off'.</li> <li>• MATs have a Board of Trustees (sometimes known as Directors).The Trust Board should contain a wide range of professional experiences that can deliver the dual responsibility of building strategy to deliver great outcomes for pupils alongside a culture of accountability. Responsibility for all schools in the MAT rests with the board. The Trustees focus is on people, purpose and resources across all schools. Their role is 'hands-on'. Trustees make the climate!</li> <li>• Under the Board of Trustees individual schools have a local governing body. The LGB will be responsible, through the school's Headteacher, for the implementation of school and Trust strategy and policies within each individual school. The LGB focus (see below) is on standards, welfare, safeguarding and stakeholders – the core business of the school. LGBs make the weather!</li> </ul>
13	<p><b>What is the role of the local governing board (LGB) ?</b> Our MAT believes in the importance of LGBs as part of accountability and local democracy. Each LGB should have strong voice – that strength comes from its governors. There should be a minimum of 5 people (to include 2 parent governors, 1 staff member and the Headteacher) but LGBs are able to decide how they manage their own school. LGB work with the Headteacher to ensure opportunities are available to all pupils and staff. They concern themselves with effective deployment of resources and appoint teachers to the school. They need to understand the curriculum, how it is organised and why. They keep a close eye on the quality of teaching and effectiveness of learning. They need to be data-savvy. The MAT will deal with compliance, H&amp;S matters, premises and other strategic matters leaving LGBs to concentrate on what happens in the classroom and the day-to-day running of the school.</p> <p>Local governors need a strong skills set to be able to deal with finance, staffing issues, standards and safeguarding.</p>
14	<p><b>What will be the Leadership structure?</b> Each school will have their own Headteacher who is responsible for the day to day operational management of the school which includes: T&amp;L; behaviour; safeguarding and welfare and progress. Headteachers work with the CEO and may be a member of the Strategy Advisory Panel (SAP) or the School Improvement Group (SIG) which are two practitioner panels.</p> <p>Above the schools' Headteachers will be a Chief Executive Officer who provides overarching strategic leadership and direction for the MAT. This person is also the Accounting Officer and</p>

	<p>works closely with the Board of Trustees and the Chief Financial Officer. The CEO is the single point of accountability for the MAT and is responsible for the outcomes of all schools. There will be primary and secondary headteacher representation on the Board of Trustees.</p> <p>The Trust Strategic Advisory panel is a practitioner panel reporting to the Trust Board. This advisory group will ensure the Trust Board keeps in the vanguard of educational change and remains a step ahead when it comes to strategic decision making.</p> <p>The Trust School Improvement Group is a practitioner panel reporting to the Trust Board. The SIGs primary role is to deliver and review the annual Schools' Improvement Programme.</p>
15	<p><b>How do the finances work?</b></p> <p>All our schools face constrained funding settlements and rising costs over the next few years. The way schools allocate funding has to change if schools are to remain solvent.</p> <p>As a MAT, the funding mechanism is one of the biggest changes. Between 80 – 85% of expenditure is on fixed costs such as staffing. There are other overheads such as premises, grounds and energy. When combined with staffing this takes allocated expenditure up to 90-95% of funding. The NCLT will pool fixed expenditure to maximise economies of scale and procurement efficiencies to make our £s go further. Trustees will work closely with the CEO and CFO to ensure best value and the most effective use of funding. Non-fixed expenditure may be variable according to the needs of individual schools – this means one school may receive more one year, maybe for upgrading IT, with another school benefiting the year after.</p> <p>The Trustees will then redistribute the remainder to the academies. The Trust must act fairly and consistently with its distribution and the funds remaining can be spent by each school as long as they are within the guidelines of the Scheme of Delegation. For the MAT to be successful all schools have to perform well – this means all schools need to be championed by Trustees.</p> <p>Individual schools often organise their own fund-raising activities – monies raised will be kept by the school.</p>
<b>Staff</b>	
16	<p><b>What happens to Terms and Conditions?</b></p> <p>The Trustees become the employer similar to the current situation where each governing body is the employer. Rules for conversion to academy status mean that Transfer of Undertakings Protection of Employment (TUPE) regulations apply and all staff will transfer on existing terms and conditions to the Trust as the employer. However, although academies are not bound by the School Teachers' Pay and Conditions Document, the Trust will honour the national teachers' pay and conditions and Teachers' Pensions Scheme arrangements and will also ensure that the Local Government Pension Scheme arrangements stay in place for support staff. As part of the conversion process, the LGPS scheme's administrators will undertake an actuarial assessment to determine how much the Trust will need to contribute.</p> <p>There are currently no plans for systematic change or re-negotiation of contracts and conditions for staff who TUPE across; however, it may be necessary to iron out anomalies and promote equality through harmonisation across support staff contracts. The Trust approach to this will be based on its underlying values and will be committed to doing everything it can to retain and reward good staff.</p>

	Full union recognition agreement and acknowledgement of union duties and reasonable time off for trade union duties will be given.
17	<p><b>How secure are jobs?</b></p> <p>Job security is determined by funding levels. If our schools are successful and continue to attract pupils, staff jobs will be secure. Effective use of resources – making our funding go further – will further secure jobs.</p> <p>LGBs will have responsibility, in accordance with the SoDA, for appointing staff to their academy and for deciding the staffing structure that best meets the needs of the school within available budgets. However, the Trustees have ultimate responsibility for recruitment and staffing across the MAT.</p> <p>One employer across a family of academies can allow for more effective use of staffing. There may be opportunities for excellent staff to gain more experience by supporting another school. New staff will be employed by the MAT and could work in more than one school. Existing staff will be asked if they would like to work in more than more school.</p>
18	<p><b>What are the statutory requirements with regard to the TUPE process?</b></p> <p>It is best practice to consult staff and their representatives and to allow a reasonable period for this consultation. TUPE consultation will take place in June-July. There is a statutory obligation on the current employer to inform employee representatives (i.e. the recognised union or if there isn't one, elected representatives) of certain matters in writing. These are:</p> <ul style="list-style-type: none"> <li>• the fact that the transfer is to take place;</li> <li>• the date of the transfer and the reasons for it; and</li> <li>• the legal, economic and social implications of the transfer for any affected employees and the measures which the employer envisages it will, in connection with the transfer, take in relation to any affected employees or, if it envisages that no measures will be so taken, that fact.</li> </ul>
19	<p><b>How will it work for new staff?</b></p> <p>New staff appointed from 1<sup>st</sup> October will be employed by the Trust and could work at more than one school within the Trust. It will be clear at appointment where the main base or bases will be.</p>
20	<p><b>Will there be a re-structure of the staff?</b></p> <p>There are no plans to re-structure during 2018-2019. In future years and as schools join there will be more flexibility within the staffing structure and it might be appropriate to restructure. In the event of staff restructuring normal safeguards apply.</p>
<b>Parents/Carers and the community</b>	
21	<p><b>What changes will I see?</b></p> <p>There will be very little visible change as a direct result of forming the MAT. The Headteacher, staff, uniform, premises and curriculum will all continue to be very much the remit for each individual school – there are no plans for corporatisation. The changes that we hope you'll see will be a general continued improvement in the performance and running of the schools.</p>
22	<p><b>How will forming the MAT improve standards for our children?</b></p> <p>This will enable us to utilise the expertise of staff from schools in the MAT to accelerate progress for all our children. We will develop a set of specialists which will operate over schools within the MAT, releasing staff to focus on developing wider opportunities and exciting</p>

	<p>experiences in a new and broad curriculum. This could be in middle and senior leadership, as well as with support staff. The talents of schools together become greater than the sum of their parts.</p>
23	<p><b>Will teachers work at different schools?</b></p> <p>Generally staff will remain in their own schools. Being part of the MAT will provide many professional development opportunities. Staff from schools who are part of the MAT will attend joint training, skills will be shared and good practice will spread between schools. There will be some exchange of staff for training and professional development purposes. In future some staff may choose to work in more than one school.</p>
24	<p><b>How does the admissions process work for academies?</b></p> <p>The NCLT schools will all follow local authority admissions arrangements. Our schools are here to serve the local community. Admission arrangements clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than available places. Trustees will ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective.</p>
25	<p><b>What inspection regimes and assessment data information do academies have to provide?</b></p> <p>All academies are inspected by Ofsted using the same framework and timescales as for maintained schools. As a MAT, all schools will continue to be inspected as separate schools and will receive a separate Ofsted report.</p> <p>Academies will still have to take part in national tests and in teacher assessments of students' performance as they apply to maintained schools. The results of public tests are reported in performance tables in the same way as they are now.</p> <p>The MAT will introduce similar assessment and reporting cycles across schools. This will help increase the robust nature of self-review making it easier to compare outcomes across the schools. Apart from Ofsted and the Local Authority, academies also come under the gaze of the Regional Schools Commissioner.</p>
26	<p><b>Will the schools have to follow the National Curriculum?</b></p> <p>Academies are not required to teach the National Curriculum but rather a broad and balanced one that includes English, Mathematics, Science and Religious Education and promote spiritual, moral, social and cultural (SMSC) aspects as well as mental and physical development of students preparing them for the opportunities, responsibilities and experiences of later life. In reality, the curriculum in most schools is largely determined by public exams because that is how pupils, teachers and schools are judged.</p> <p>Within the Trust the individual academies will be responsible for their own curriculum development and grouping arrangements in accordance with the Scheme of Delegation and in line with expressed aims and values of the Trust. However, we shall look to have common assessment systems and the Trust will co-ordinate and promote its academies to work together more closely to encourage curriculum innovation and sharing of good practice; this will be most evident in our primary schools.</p>
27	<p><b>How do I take part in the consultation?</b></p> <p>The Governing Body is consulting with all its stakeholders and the wider local community. You are invited to submit your comments and views on the proposal to the email address.</p>

	There will be a public meeting in a central location where the plans will be presented. There will be an opportunity to ask questions.	
	<b>Abbreviations:</b>  LGB Local Governing Body MAT Multi- academy trust	SoDA Scheme of delegated authority SMSC Spiritual moral social and cultural TUPE The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) protects. employees' terms and conditions when a business or undertaking, or part of one, is transferred. to a new employer (the transferee)
	<b>LGB</b> <b>MAT</b> <b>SoDA</b> <b>SMSC</b> <b>TUPE</b>	Local Governing Body Multi-academy trust Scheme of delegated authority Spiritual, moral, social and cultural The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). Protects employees' terms and conditions when a business or undertaking, or part of one, is transferred to a new employer (the transferee).

## Appendix A: Going down the academy route. What are the risks?

Prior to changing long established structures, it is a useful exercise to anticipate some of the 'risks' that change may imply. Any change to the 'usual way of doing things' can cause anxiety and concern amongst key stakeholders; this includes staff, parents/carers and governors. Good leaders will anticipate many of the concerns and seek to alleviate them during the consultation process.

The possible risk	However...
There is no requirement for academies to have a qualified member of the teaching staff in every classroom.	We want the best for our pupils and so will continue to recruit the best teachers possible to ensure standards continue to rise across all our schools.
Each primary school could lose its identity and just become part of a bigger amorphous 'blob'.	The Trust is predicated on each school keeping its own Headteacher, identity, uniform, governing body and so on. A thriving school should be at the heart of every village community – bland uniformity does not engender great outcomes.
A MAT is just a 'take-over' by the secondary school.	The NCLT comprises primary and secondary partners but will be under the directional leadership of the Trust Board which operates for the benefit of all schools. There is no one dominant school. Each school will retain its own unique identity.
Local governors feel threatened by loss of influence and control – loss of local voice.	Each school will retain its own local governing body responsible for standards, safeguarding, and stakeholders. Under this system they will be able to spend more time on 'education of children' and less on business bureaucracy and compliance related duties.
Academies can choose their own curriculum which means that the offer could narrow or become skewed.	Our schools are committed to a broad and balanced curriculum; this includes the arts, humanities and technology. In reality, all schools are restricted by performance tables, this is especially the case at secondary level.
Academies are able to change term dates and can change the timings of the school day. This could cause serious issues for working parents/carers with children in more than one school.	Differences exist between schools already. Governors of maintained schools can change school times – they have to consult. There will be an advantage in harmonising start and finish times for each primary school and term dates for all schools.
Some academies have a bad record of changing admissions policies and excluding some local children from enrolling.	As Foundation Trust schools we can already alter our admissions policies and have chosen not to use this 'freedom'. The Trust is committed to serving all pupils in the community.
Some academies have a poor record, and a negative impact, on the provision of special education needs support and advice.	As noted above, the Trust schools serve the local community and would continue to be inclusive. The Trust will continue to argue for more resources to ensure it can remain inclusive.
Teachers could be asked to work across schools.	The Trust is likely to create opportunities for some staff to work in more than one school. There will be support for this to happen.

<p>The Trust could choose to redirect funding away from schools to their detriment.</p>	<p>The Trust does have strategic oversight of funding and there may be times when one school needs help – this could be financial. But it is important to remember the success of the Trust is dependent on all schools doing well. All decisions go through the Trust Finance Committee which has representation from all schools.</p>
<p>Current leaders and Trustees will move on – how can we ensure the Trust doesn't lurch in a different direction.</p>	<p>The Articles of Association for the MAT put safeguards in place re the recruitment and elections of future leaders and Trustees. The Members are also responsible for the maintenance of the ethos. However, with time there will inevitably be some changes but these will be evolutionary not revolutionary.</p>
<p>The Trust will still be a small trust in terms of pupil numbers. Will it be vulnerable to take-over?</p>	<p>The main reason for any take-over is a school not performing well. Making sure each school does well is our best guarantee against predators. It is likely the Trust will grow as other schools want to join.</p>
<p>Pupils in the primary schools not in the MAT may lose out on opportunities</p>	<p>All local primary schools will be encouraged to join the MAT. It will be possible for schools not in the MAT to enter into service level agreements. The MAT will be outward facing which means it values working with external partners for the benefit of all children.</p>