

## **Newcastle East Academy Trust (NEAT) – Proposal**

### **Information on Academies**

The landscape of education is changing. Schools are already taking much greater responsibility for many areas than was the case five years ago. By becoming an academy we would have even greater freedom and flexibility to make the decisions which support our pupils and staff as we continue to grow and develop.

The choice of Newcastle East Academy Trust (NEAT) was made following the successes of The Riverside Learning Trust working collaboratively together. The governing bodies considered this trust as it offers high levels of autonomy alongside partnerships with local schools – Benfield School, Central Walker Church of England Primary School, Tyneview Primary School, Walkergate Community School and West Walker Primary School.

As an academy, we would be funded directly from central government and not through the local authority (LA). We would use this funding to buy in the best services for our pupils and staff from a range of partners, including the LA. We would still be inspected by OfSTED and our pupils would still be assessed at the end of Key Stage 1 and Key Stage 2, and results would still be published to parents. We would continue to invest in our relationships with our neighbouring schools, in particular with Walker Technology College, and with the wider community.

We believe that now is the right time to build a new and exciting relationship with the NEAT in the best interest of our pupils and staff.

### **Frequently Asked Questions**

#### **What is a Multi Academy Trust (MAT)?**

A MAT is the structure that allows more than one school to work together under an academy trust. It has one overall board of directors which runs the trust, with each school having its own local governing body.

The MAT gives us the chance to share knowledge and teaching and learning between schools. It gives the schools within the Academy trust the opportunity to make collective decisions about contracts with strategic partners thereby releasing more time and money for teaching and learning.

#### **What are the advantages of becoming an academy?**

Becoming an academy means that our school would have greater freedom to innovate and raise standards. We would have much greater freedom around the delivery of the curriculum, using our budget to work with the best partners available. We have worked very hard at creating a curriculum which is relevant to our pupils and our community and which meets the needs of all our pupils. We want to continue developing that curriculum whilst taking on board what we consider to be the best parts of the National Curriculum. We would still be subject to OfSTED inspections and the pupils would still be prepared for SATs in the same way as they are now.

### **Would your school receive more money as an academy?**

Academies receive the same level of per-pupil funding as maintained schools receive from the LA, but they also receive an additional amount called the education service grant which is currently retained by the LA to pay for some services they provide. However, out of this money we would have to purchase some services which are currently provided by the LA. The Government states that becoming an academy should not bring about a financial advantage or disadvantage to a school. This main change is that academies have greater freedom over how they use their budgets. As an academy we would, therefore, have more freedom to buy the services we need from a range of providers and obtain best value for money and the best quality services. We do believe that the greater flexibility and the ability to innovate would mean there is likely to be more money to invest in the school for the benefit of the pupils.

### **Why should your school consider becoming an academy?**

In the rapidly changing educational landscape, we believe the greater freedoms and flexibilities available to the school as part of a MAT offer the best opportunities for the school to continue delivering outstanding pupil progress. Central services provided by the LA continue to reduce (e.g. fewer educational advisers, closing down of school's library service) and the services which we receive are much more limited than they were a few years ago (e.g. fewer regular visits from advisers). A decision to remain as foundation school does not mean we would be able to stay exactly as we are now. Our status as a maintained/foundation school has served us well in the past and there are many LA services which we would want to continue using even if we became an academy (for instance payroll, human resources). However, becoming part of a MAT gives the opportunity for control over all of our budget, greater freedom over what and where we spend the money and the ability to pool that decision making and spending with a group of like-minded schools.

The Government's policy is to strongly encourage conversion and they are currently providing funding to assist with the cost of doing so. As a good school, we are in the fortunate position to make this decision at a time and in a manner of our choosing. The governing body therefore feels that we need to engage actively with this issue; if we wait and ignore the changes that are happening around us, we may lose our choices and have a model of academy conversion imposed upon us.

### **How accountable are academies?**

Academies are subject to inspections by the school inspectorate OfSTED, in the same way as other schools are. Academies' SATs results will continue to be published as at present, alongside those of other state schools in league tables. Academies are accountable directly to the Secretary of State for Education.

### **Would conversion to academy status affect the school's admissions policy?**

No. We do not propose to alter the criteria on admissions or appeals on admissions.

Although a MAT is the admissions authority for the academies it operates, rather than the LA, (or the governing body in the case of a Voluntary Aided school), this has no real impact on admissions when

the criteria on admissions (and appeals on admissions) remain the same, this is because the allocation of places would continue to be administered by the LA for us as a local school, although the final decision would lie with the MAT board as the admissions authority. Academies are subject to the same admissions codes as other state schools, which set the rules for fair admissions.

### **Will the working relationship with Walker Technology College change?**

We do not anticipate this changing. Most importantly, staff will continue to work closely together to ensure the transition from Primary to Secondary is as smooth and happy as possible for all our pupils.

### **Would we continue to be a community school?**

Yes, it is a non-negotiable requirement that we remain a community school should we become an academy. When a school converts it does so "As is", therefore we retain exactly the same status. We will not "become a church school"; we are and will continue to be a community school serving our catchment area.

We are very proud of the values and distinctiveness of West Walker Primary School and intend to preserve it whether or not we become an academy. Becoming an academy as part of the NEAT would not require us to alter our mission statement or school aims.

We believe the NEAT Academy trust can provide a home in which the distinctiveness of our school will be valued.

### **What about the way in which your school is governed? Would that change?**

Yes and no. Yes, in that legally the NEAT would have responsibilities for the governance of the school. No, in that the current governing body would continue to exist in a similar form called a **Local Governing Body (LGB)** and the NEAT would delegate to the **Local Governing Body** responsibility for virtually all tasks required for the running of the school. The arrangements by which responsibilities are passed to the **Local Governing Body** and the head teacher would be set out in a document called the Schemes of Delegation. The Schemes of Delegation gives these powers to the **Local Governing Body** however the Directors will be called to account by the DfE on financial issues, performance, and effectiveness of leadership. Therefore within the Scheme of Delegation there will be an acceptance of a right to intervene if a school requires support.

### **Would staff remain the same after conversion?**

All current permanent school staff at our school would transfer to employment with the NEAT if we became an academy and there are no plans to change the staffing structure at the school. The governing body is committed to continuing to recruit and retain high quality staff and will support existing staff through the transition and beyond, if the school does become an academy. We intend to work alongside and maintain open dialogue with all staff and unions and their representatives throughout this process.

### **Would staff pay and conditions change?**

When a school becomes an academy, all members of staff are entitled to transfer to the academy trust under their existing employment terms and conditions – on academy conversion their terms and

conditions of employment are legally protected by something known as the TUPE regulations. Thereafter, the academy trust, which will govern the academy, may consult with staff and their union representatives on changes to these terms and conditions, for example to enable the academy to operate over different term times or change the length of the school day.

When consulting on becoming a foundation school, a commitment was made that staff terms and conditions would be no less favourable than they would be if staffs were employed by the LA and the governing body of our school wishes to make the same commitment. NEAT will use their current provider of payroll and pensions services so continuity and security of records can be maintained. In the longer term NEAT may wish carry out a procurement exercise, in consultation with the unions, to review the payroll and pension provision currently provided by the LA to see if a better scheme is available by an alternative provider to ensure best value for money. Until this time the current arrangement with the LA would continue.

### **What does the process of becoming an academy entail?**

Initially, schools register their interest in becoming an academy online with the Department of Education (DfE). A school then completes and submits an application to become an academy to the DfE and notifies the LA of their decision. When the Secretary of State for Education approves the school's application to convert, they issue an academy order.

A school must consult with parents, staff and all other stakeholders about its proposal to become an academy. The school's governing body will take account of any issues raised during the consultation process before making its final decision about whether to convert to an academy. Only when the resolution to convert has been passed by the governing body is a funding agreement entered into between the academy trust and the Secretary of State for Education.

### **Do schools have to cover the cost of conversion to academy status?**

The DfE pays a flat-rate grant of £25,000 into the school's bank account after an academy order has been issued to cover the costs of conversion. To reduce potential legal costs, the DfE has produced a model legal document. PFI schools receive an additional grant of £12,000.

### **What else would change at your school?**

There will be very little that obviously changes in the day to day running of our school. Keeping all that is special about our school whilst allowing us to continue to grow and develop is one of the drivers for an academy conversion. Academies are required to follow the laws and guidance on admissions, special educational needs and exclusions, as in maintained schools. Academies have to ensure that the school will be at the heart of its community, collaborating and sharing facilities and expertise with our schools and the wider community. The governors are committed to retaining our existing names within the new academy structure. There are no plans to alter school uniforms and, importantly, we expect continuity of all staff.

### **Is the funding received by the MAT ring-fenced for each school or do schools within the MAT have to compete/bid against one another for the funding?**

The funding received by the MAT for each school is directed in the same way as it is for the LA and Foundation Schools. The amount is calculated by the Department for Education using the LA per

pupil formula. It comes directly to the Trust and is called the General Annual Grant. The General Annual Grant (GAG) funds for all schools are calculated and come through to the Trust together. Normally, of course the distribution of the GAG to each school is as indicated but there might be particular occasions when it is to the benefit of all NEAT schools to contribute to a central fund for a specific purpose. There is no competition or bidding between schools in the MAT.

**Is money raised by the PTA of our School kept by our School or is it available to be used generally by the MAT?**

Normally this would happen however there might be particular occasions for example when schools pool resources together i.e. Shared Mini Buses. The Trust Board must oversee all accounts in case there are any irregularities as the Trust bears the responsibility for this, not the individual school. If we joined NEAT there would continue to be a dialogue between the school and the PTA to agree how money raised by the PTA is spent in supporting and developing the individual school and collective NEAT schools.

**What legal protections are there to ensure the autonomy of our School and the preservation of its non-religious character?**

In any MAT, the constituting documents will give powers to the MAT to make decisions which can have a significant impact on the schools in the MAT. However, these powers must be exercised:

- to further the objects for which the MAT was established;
- so as to comply with all academies legislation or legal requirements which apply to academies; and
- so as to comply with all its agreements with the Secretary of State for Education.

We have received legal advice that the object for which the proposed NEAT will be established allows the MAT to include community schools. Although the object describes establishing and running Church of England schools, this does not limit the initial, wider object which embraces community schools.

If our school becomes part of NEAT, the Secretary of State would require NEAT to ensure our school provided religious education as a community school and in accordance with the agreed syllabuses.

These provisions provide the legal protection which underpins the assurances we have received in our discussions with NEAT.

**Is there any legal protection provided to our school which would prevent NEAT from changing the school into a church school or changing its admissions policy?**

Yes, there is legal protection. It is not legally possible for NEAT to unilaterally change our School into a church school or change its admission rules without the consent of the Secretary of State or the Members of the MAT.

**Please can you explain in more detail the reporting structures and areas of responsibility for Members, Directors and Local Governing Bodies**

At the end of this document is a diagram showing the relationship between members, directors and local governing bodies.

The extracts below in italics are from the National Governors' Association/BrowneJacobson publication "Introduction to Multi Academy Trusts" and describe the various roles within a MAT.

*"The **members** of the academy trust have a very hands off role in terms of management of the academy trust. The members' role is to monitor the performance of the trust and hold the trustees to account. In reality, the members will meet rarely (for example once a year to approve the auditors and the accounts), although they do have an important role in appointing persons to the central MAT board. Under the current model articles a member of staff (including the head teacher) cannot be a member."*

The **directors** have "specific legal responsibilities including:

- *making sure the academy trust complies with the law and its governing document, e.g. regard must be had to guidance released by the Charity Commission, as well as the requirements in the funding agreement, articles of association and the Academies Financial Handbook;*
- *acting responsibly, in the interests of the academy trust;*
- *exercising independent judgement;*
- *managing any conflicts of interest;*
- *exercising reasonable care and skill - using relevant personal knowledge or taking professional advice where appropriate;*
- *promoting the academy trust's success.*

*While most MATs have some sort of local governance at individual academy level, the actual responsibility and authority delegated to these local committees differs hugely from one MAT to another. Some MATs have chosen to establish **local governing bodies** that function in much the same way to a maintained school governing body. These local governing bodies will have local governors on them that may be appointed or elected."*

NEAT is establishing **local governing bodies** for all schools joining the MAT. In the short-term and mid-term this is true, however, in the future as the Trust is established reviews could take place to ensure the Trust is accountable for good governance in line with the Nolan Principles of Public Life. These require the directors to act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The responsibility of the directors is to act in the best interests of all the schools in the MAT. If, for example, governance was failed in an Ofsted inspection the Trust would be required to take action.

Prior to making a final decision about whether to become part of NEAT we will agree with the MAT what decisions will be delegated to our local governing body (this agreement is known as the Scheme of Delegation). It is the intention of all involved that the Scheme of Delegation will delegate to the local governing body of our school as much decision making responsibility as is possible. This principle has been agreed between all schools forming NEAT but the detail of the Scheme of Delegation has yet to be agreed.

We are keen to ensure that parent's feel valued and engaged in this process. If at the end of our consultation process we go ahead and join NEAT, we are planning to establish a parent forum. Through the forum parents would have a specific link governor with whom they could discuss questions and concerns arising from the school being part of NEAT.

### **Will Ofsted inspect individual schools or the MAT as a whole?**

Ofsted will inspect individual schools and, from comments made by Michael Wilshaw, the head of Ofsted, it is anticipated that this will continue to be the case for the foreseeable future.

### **If we resolve to go ahead, when will the conversion happen? Will it be this academic year?**

If we decide to join NEAT, the earliest date for conversion is 1 June 2016. It is likely to be in this academic year if we decide to proceed.

### **What happens if we decide not to join NEAT?**

We will remain as a Foundation school and work with the local authority and other schools in the area.

As a governing body, we have concluded that now is the right time to consider academy conversion as the widest range of options is available to us. Therefore, we would continue to explore these options.

### **Would joining NEAT reduce diversity and parental choice in education in our area?**

No. Diversity in education is more than a choice between non-church and church schools, although this is a very important consideration for some parents. Real choice comes from having schools with different characters – our school has a very special character as a school at the heart of its local community. This has developed over a long period of time. We believe that by joining NEAT this special character will be respected and allowed to develop.

### **Would the MAT be considered full if all five schools join?**

Almost. Discussions are taking place with a couple of other schools but it is not certain where those discussions will lead. It has always been the intention that the MAT should be modestly sized and local.