

Questions that the Consultation Raises

QUESTION

Has the decision to convert to an Academy already been made?

RESPONSE

- NO!! Until the consultation has been completed and everyone's views have been obtained a decision will not be made. The Governing body/Trustees will meet in December to consider parent and staff views before a final decision is made. However, as it will be the academy trust, rather than the governing body, who signs the funding agreement, it will be the Trust Board that takes the final decision.

Where a Governing Body/Trust took an original decision to apply for an academy order, it is entitled to revoke that decision during the conversion process. If the Governing Body/Trust revokes its decision to become an academy, the Secretary of State for Education will be notified.

What is the position of the Local Authority?

- Poole Local Authority have been supportive of schools converting to Academy status and recognise the political changes and pressures upon schools. However, they are also keen to provide, where they can, a good service delivery and are liaising closely with Poole schools over this.

Will the governing body in the future be made up in the same way?

- It is expected that the current governing body structure would become more streamlined and would focus on matters specific to each school. A clear scheme of delegation will be discussed between the MAT and each governing body before a decision is taken on conversion. The appointed solicitors would support this process.

Is the decision being driven by financial implications?

- The government continually state that the actual money available for schools is the same whether or not they are maintained or academies. The difference is that the funding will come straight to the school not via the Local Authority, and the Trust will have more freedom to purchase services and collaborate on arrangements. However, finances have always been tight in Poole. There is an attraction in having increased freedom to do things differently. The Trust will consider a 2 year detailed Business Plan to consider costs before a final decision is made in December.

What services will the Local Authority still have to provide following conversion?

The Local Authority will retain responsibility for a number of statutory services which cannot be delegated to any school eg. Special Educational Needs provision.

What could be the potential problems of not being part of the LA maintained family of schools?

- Trustees/Governors may feel less supported as no local Authority officers to turn to should the school/Trust get into difficulties (financial, standards etc).
- Trustees become directly accountable to the DFE and the local Academy Commissioner.
- No financial support from the Local Authority if major structural problems to buildings. Need to apply direct to DFE for capital funding.
- Trust needs to comply with company law. Complex area. Need to purchase employer and public liability cover currently provided by the LA. Important the Trust have robust financial arrangements in place.

When the schools converted to being a Foundation Trust in April 2013 they already received increased freedoms not available to Maintained Schools. What do the Trustees see are the key benefits to becoming a Multi Academy Trust rather than staying as a Foundation Trust?

- a) Funding is received direct from the DFE. Trust will have more control over school finances. LA cannot claw back funds from an Academy, although this is rare.
- b) Increased authority to take strategic decisions on behalf of all 4 schools.
- c) Access to capital funds held by the DFE.
- d) Academies are the `direction of travel` in education, and there is currently significant funding available from the DFE to support conversion. £110,000 grant.
- e) Freedom to create a curriculum that best meets needs of our children.
- f) More authority to benefit from economies of scale.
- g) Increased strategic responsibility to consider possible amalgamations re. staff, resources, usage of buildings.
- h) Freedom to set own pay and conditions for staff. This should not be seen as a

negative. When possible this could be used to greatly enhance staff pay and conditions (private health care etc)

- i) A stronger entity bringing the primary schools even closer together.
- j) Freedom to increase pupil intake if there is parental preference.

Can governing bodies break the funding agreement once the academisation process is complete?

Once the funding agreement has been signed the process for disentangling a Multi Academy Trust is challenging.

In a multi-academy trust structure, it is possible for one school's individual funding agreement (supplemental funding agreement) to be terminated without other schools/academies in the group and their funding agreements being affected. However, there are only certain circumstances in which the supplemental funding agreement can be terminated, for example, where an academy is underperforming or in financial difficulty. In addition, the Multi Academy Trust itself can terminate with seven years' notice. However, this is a decision for the academy trust board not the individual school, so it would be very difficult for a school to remove itself from a particular multi-academy trust without the board and DfE's agreement. It must be remembered that there is a loss of an individual school's autonomy once they become part of a Multi Academy Trust.

In addition, in the event of successful termination of the funding agreement, there is currently no mechanism to allow a school to revert back to the control of the local authority. Rather, it would remain as a single academy and would be required to find a sponsor or, if permitted by the DfE, establish its own academy trust.

What happens if standards are not maintained by one of the schools?

As with local authority schools which experience a fall in standards, or are placed in a category of 'Requires Improvement' or 'Special Measures', a school which receives one of these Ofsted judgements will become eligible for intervention under the terms of its funding agreement. This will mean intervention, not from the local authority, but from the DfE through the involvement of the local Academy Commissioner (Sir David Hart for the South West). However, by being part of a MAT the expectation is that the other schools in the MAT would support the school to improve and there is some 'protection' in this. However, if improvement is slow or non

existent then this may result in the Department for Education requiring the school to leave the MAT and become part of a 'sponsored' academy chain.

What if a member of staff is made redundant in an academy?

One of the issues, under TUPE transfers, is employees' redundancy rights. As the academy trust is the employer it is important that the Trust ensures that a reasonable sum is factored into an effective insurance plan to cover any future costs relating to potential redundancies.

What about legal advice and support for the Academy?

Schools currently enjoy the financial support of the 'local authority' which can cover some tribunal fees and awards. The Trustees will need to take into careful account its legal service provision. A good legal provider will be secured by the academy, and the Trust will shop around to secure the services of the best provider available.

What will happen to staff pensions?

An academy's funding agreement requires the academy to offer local government pension scheme (LGPS) membership to all support staff, and teachers' pension scheme (TPS) membership to teaching staff. Staff who already have membership of one of these will be unaffected by the conversion and new staff will be able to join LGPS or TPS. Academies are not permitted to opt-out of either arrangement and are subject to the provisions of the respective schemes, including increased employer contributions. Unlike TPS, the LGPS will require an academy (a 'scheduled employer') to contribute at whatever employer rate is determined by the scheme actuary in order to ensure that the contributions cover both future and past benefits.

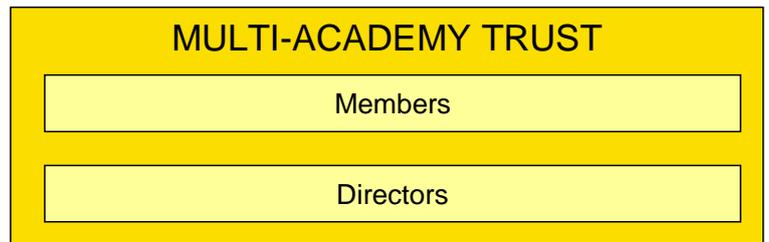
There may be a range of other questions staff and parents have. Headteachers are more than willing to try to answer these. Please contact your schools Headteacher in writing or arrange an appointment.

Option 1. Multi-Academy Trust Model

(Example)

There is only one legal entity accountable for all schools within the chain, the Multi Academy Trust (MAT). The MAT has one set of Articles which governs all the Academies in that chain.

The MAT has a master funding agreement with the Secretary of State



The MAT may set up either a local governing body or advisory body for each Academy. The MAT can agree to delegate some matters to this local governing body.

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