

Academy Conversion (Multi Academy Trust) Frequently Asked Questions

Board of Trustees

Q Headteacher is reluctant to be a Member because he feels, completely understandably, that there should be a degree of accountability that he is held to. This will be difficult if he is the head, a governor and a trustee.

A The Headteacher cannot be a member of the Academy Trust Company so this allows the GB still to hold him to account

Q I am reluctant to ask the incumbent priest to automatically become a trustee as I am aware that in our rural Benefices it is possible that the incumbent may be asked to become governor and trustee at two or more schools and this seems to be an imposition that is unreasonable to assume. I am also aware that there are likely to be people who simply do not wish to take on this additional responsibility.

A We agree with you and there is no 'ex officio' position on a Local Governing Body any more

Q I would like to understand how the church academies in the Diocese have chosen to define the LGB. I understand that other governing bodies have not actually written role descriptions for each of the trustees.

A In principle the role of the LGB is the same as the previous GB, to hold the school to account to provide the best possible education for all pupils, and ensuring that the GB is meeting their requirements.

An extra partner – the head, Chair and gobs can determine if they want an extra partner

Costs

Q What are the expected legal costs?

A Each proposed Academy is expected to pay the Diocese legal costs and their own, as well as agreeing to cover the professional services costs. To see the current costs please go to the Academy Conversion support and costs section on the website

Funding

Q Will my school be entitled to Local Authority Central Spend Equivalent Grant (LACSEG) protection?

A Schools that applied and convert from 1 September 2011 will not qualify for LACSEG protection.

Q Will there be an insurance top-up grant? Approximately how much is this?

A There is no longer an insurance top up grant. Insurance funding is calculated at a per head allowance It is up to academies to arrange and pay for their own insurance. It is recommended to check the current status with DfE

Q Can academies access LA centrally negotiated contracts, e.g. energy/ banking/ insurance?

A If they wish to do so, academies are quite free to buy services and supplies in from the local authority or regional purchasing consortia, although some local authorities may not feel able to offer some services. Local authorities may not feel able to offer insurance.

Q We already have our own bank account, do we need to set up a new one?

A Yes. The funds in the current bank account belong to the local authority, even though there will be provision to pay over the surplus. The academy trust needs to set up its own new bank account to receive The Education Funding Agency (EFA) grant payments. It is important to set up the new bank account as early as possible in the process.

Documents

Q What documents do I need?

A There are a suite of legal documents approved by the DfE and by the Church of England. This suite of documents will be provided by your legal adviser and will contain agreed Terms of Reference and Articles of Association

Solicitors produce changes to the documents on behalf of the school, seeking the school's and the DBE's approval at each step.

Q What are the suite of documents and process for completion?

A The solicitors arrange for the Multi Academy Trust to be incorporated as a company limited by guarantee, but this cannot be done until:

- (a) the draft memorandum and articles have been approved by DfE. DfE will only consider these after they have the report on title/land questionnaire.
- (b) information for each of the directors and members
- (c) A record of the governors meeting where all legal documents were agreed (this will be led by the solicitors)
- (d) Commercial Transfer Agreement and Education Funding Agency agreement (produced by solicitors and DfE)

Documents: This is a list of documents that will need to be provided to DfE

Incorporation Document facilitated by solicitor

Land Questionnaire facilitated by solicitor

Memorandum and articles produced by solicitor

Draft funding agreements and annexes

Commercial Transfer Agreement negotiated with LA

Local Governing Body after conversion

Q We have always struggled to fill our foundation governor posts and this may be an opportunity to consider our needs after conversion. –

A Please see the [SDBE Model Variations of Governance for MATs on the website](#)

Q In terms of deciding the make-up of the new local governing body, is this something that would be decided once we have established who the directors are?

A Yes – the directors are appointed by the Members, and the LGB may choose to invite different personnel to become a governor

Q Once we are an academy, do I correctly understand that the Christian governors need only be appointed by the Directors and not by the parishes?

A Yes

Parish Links

Q Do the parishes henceforth relinquish all direct ties to the governing body and have their responsibilities limited to providing the PCC representative? –

A In many respects the responsibility of the Parishes is increased – the Christian foundation of the school, needs the support of the Parish/Parishes, to enable governors to appoint Christian governors.

Admissions

Q Are academies required to comply with the School Admissions Code and the School Admission Appeals Code?

A Yes. Academies have to comply with the School Admissions Code and the School Admission Appeals Code through provisions within their funding agreements.

Q Are academies required to change their admission arrangements on conversion to academy status?

A Schools that are performing well and are converting to academy status will be able to retain the admission criteria they currently use. These arrangements and related processes should at all times comply with the School Admissions Code.

Q What happens if our school is in the middle of a building project and we want to convert to an academy?

A If a school converts mid-year with an LCVAP project running, and any unforeseen additional costs occur, they would not be eligible for further LCVAP to assist with these costs as LCVAP is only applicable to VA schools and not Academies, so the school would be liable for any additional costs.

If a school is considering making a bid, or has a project running, it would be sensible for the schools to delay conversion until any LCVAP project was completed. Also if they convert before the project has commenced any LCVAP funding allocated will not be granted to them.

Multi Academy Trust (MAT)

Q Will there be a headteacher figure for each school?

A There would be a Leadership Structure for the whole MAT which will ensure that each setting has it's own clearly identified leader, who will be accountable to the overall MAT leader. This may be a Headteacher, Principal or Head of School

Q Communication is difficult in one school how much harder will it be with two or more?

A It is recognised that successful communication across two or more schools would be vital. There would be a commitment to devising a clear communications strategy across the MAT.

Q -How many academies could join the MAT? Would it be expected staff to teach throughout both academies?

A Any number of academies may join the MAT in the first instance, but this will have to be agreed with the Regional Schools Commissioner.

Existing members of staff may not be expected to teach throughout both academies, although those who wish to do so will be given this opportunity as it could bring great benefit to the students. These

staff would be provided with appropriate professional development. New members of staff may be expected to teach throughout both academies if they are qualified to do so, depending on the terms and conditions agreed by the Directors

Q How will it impact on our positive relationships with other schools?

A The relationships with all Schools is equally important and partnership working would continue and develop. All partners would have equal access to the positive benefits of the MAT and great care would be taken to ensure that no school or child is disadvantaged.

Q Transparency on decision making process of the Local Governing Bodies is required?

A The minutes of Governing Body meetings are publicly available documents except for confidential matters which cannot be shared. It is a matter for the Governing Body to decide which matters are confidential. The notes from meetings could be placed on websites, along with other information. The Directors of the MAT may contain representation from all schools.

Who's who in the new Academy

Academy Company (Trust): Between 3 and 5 members (usually 4). These are known as the Members

What is the role of the academy trust?

An academy trust is a charitable company responsible for the running of the academy and has control over the land and other assets. It has a strategic role in running the academy, but delegates management of the school to the governors. The members represent different organisations, including SDBE.

Members:

This group of Members is expected to deliver audited accounts to Companies House, is accountable to the Secretary of State for educational outcomes and officially appoints the directors.

Directors:

The directors are the trustees of the MAT and provide the strategic direction and scrutiny to each of the academies within the Trust

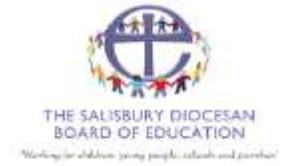
The Local Governing Body

The LGB is the group of people who:

- ensure the quality of educational provision
- challenge and monitor the performance of the academy
- manage the academy trust's finances and property

Meetings:

The Members may meet as often as they choose but MUST hold an Annual General Meeting which should be facilitated by the Company Secretary. The agenda for this meeting can be confirmed with the solicitors during the conversion process.



The Directors would be expected to meet at least three times per year and may create sub committees or work groups to cover finance, education and any special projects.

The LGB would be expected to meet each term to focus on the areas detailed above