

FREQUENTLY ASKED QUESTIONS.

What are the benefits to the children?

Working more closely together, sharing successes and focusing together on what needs to be improved will mean children will receive the very best we can give them, regardless of their school setting. Shared resources, training and support means teachers and assistants will be better able and equipped to support children and this in turn will improve educational outcomes. The MAT will enable expansion of opportunities for all types of learning. All children will have secure access to curricular and extra-curricular educational opportunities to enrich and expand their learning experiences. Examples are continued participation in Sports and PE Programme; a MAT orchestra; community choir and a shared student council. There will be better continuity of learning for those children who chose to progress to Penryn College.

What are the governance arrangements in a MAT?

Like any academy trust, a MAT has a group of Members with certain powers reserved to them, including, in most cases, the power to appoint the Board of Trustees. The Board of Trustees has responsibility for all of the academies operated by the MAT. The MAT Board is also required to establish a 'local governing body' for each academy who, along with Each school has a local governing body which plays a key role in ensuring effective delivery of the core governance functions.

In joining a MAT, schools are entering into a formal legal partnership in which the MAT is the sole legal entity governing the schools. However, it is vital to maintain the individual identity of each school. To safeguard this, we propose that:

- Each school will maintain its own Local Governing Body with the power to oversee the individual school ethos and vision and to ensure effective engagement with local stakeholders.
- Each school will maintain its own Headteacher to ensure the delivery of the school ethos and vision, driving forward with the school improvement plan based upon robust self-evaluation.
- The schools' names will stay the same, unless an individual governing body determines as part of the conversion process that they wish to change this.
- No school will be forced to change its school uniform because they are becoming part of the MAT.

How will accountability work across schools?

The Board of Trustees is ultimately accountable for the running of the MAT. Its work is overseen internally by the Members and externally by the Education Funding Agency, the Regional Commissioner and OFSTED. The Local Governing Bodies provide support to the Board by ensuring the effective delivery of the core governance functions in their schools.

The Board appoints an Accounting Officer/CEO who is directly responsible to them for the delivery of the MAT's strategic plan, as well as to the Education Funding Agency (EFA) and The Regional Schools Commissioner (RSC). The Accounting Officer/CEO will take a lead role in developing effective mutual support between the Headteachers, including the development and implementation of MAT strategic plan and school improvement policies. The CEO will undertake the performance management of the existing Headteachers with professional support of a SIP and the Local Governing Bodies. The Board will performance manage the Accounting Officer/CEO.

What is the relationship between the MAT and OFSTED?

Each academy school is inspected and judged independently. Inspectors meet with those responsible for governance during the inspection which, in a MAT, will include representatives from the Board and from the relevant Local Governing Body.

What will the relationship be between Trustees and the Local Governing Bodies?

The Board of Trustees is ultimately accountable for the running of the MAT. The Local Governing Bodies have delegated authority and powers from the Board to oversee some aspects of the core functions in each of the schools, and to ensure effective engagement with local stakeholders, including students, parents/carers, other local schools and the local community. They report to the Board. This is set out in a scheme of delegation or terms of reference. The proposed scheme of delegation will be drafted as part of the conversion process and the governing bodies of each school will be consulted on the proposed terms.

Who will be the Trustees of the MAT?

Members select Trustees. Existing governors of each of the schools have been asked whether they wish to take on the role of Trustee or continue their work as a Local Governor. It is important that the Board is made of people with a good working knowledge of each school as well as a good cross-section of skills to run and manage a charitable trust company. Where any skill gaps are identified, Members will make enquiries outside of the schools to try and fill these.

What would the pattern of meetings look like?

In most MATs, the Board meets at least once every half term, at least initially. This depends on the extent to which the core governance functions are delegated to the Local Governing Bodies. Individual Headteachers would provide reports on achievement and quality assurance to these meetings.

Each Local Governing Body would meet at least once every term and carry out existing monitoring and evaluation duties that contribute to the strategic development of the school. In addition, Headteachers will continue to meet regularly to ensure the effective delivery of the strategic plan for the MAT and to share best practice.

Can a school without religious designation join together in a MAT with a school which has been designated with religious character?

The model whereby designated academies which were previously voluntary controlled schools can join together with a non designated academy is relatively well established. Each academy will maintain its existing religious character (or lack of) and the provisions of the funding agreement will include the relevant requirements/ powers as to collective worship, the curriculum, the staffing powers and the denominational inspections. It is usual in these cases for the relevant Diocese to appoint up to 25% of the Board of Trustees.

How will leadership structures in each school be decided?

At the moment, each of the schools has its own Headteacher and Senior Leadership Team and it is intended that this structure will be maintained if the schools decide to form a MAT. Ultimately, however, it is for the Board of Trustees to decide on the leadership model across the MAT. It is, therefore, possible that a Board could decide in the future to change the leadership structure: in some MATs, a Board have appointed an executive headteacher across more than one school, with a Head of School in each school.

If we elect to join and don't like it what are our options?

Deciding to become part of a MAT should be seen as a 'one way ticket'. It is possible for academy schools to leave one MAT to join another, but this decision would have to be agreed by the Board in agreement with the EFA or RSC. No academy school has yet reverted back to a maintained school and it is unclear whether this is even possible.

What will happen if the partnership was to expand in the future?

Any expansion would only be undertaken if the Board and the Headteachers were confident that there was sufficient capacity whilst maintaining excellent provision within existing schools.

If the schools do decide to go ahead, who will drive the project forward?

A joint working group, initially made up of the Headteachers and Chairs of Governors of the schools was established to explore the practical implications in more detail. The project will be led by Marie Hunter, recently retired Head and Dave Cunningham, the Director of Business Development and Operations at Penryn College, working under the guidance of the Board of Trustees.

Where will the money come from to fund this?

Each of the maintained schools has claimed a grant of £25,000 towards the cost of the academy conversion. The schools can use this grant money to commission external legal and accountancy support and to help the schools undertake the due diligence process effectively.

Who receives the funding for an academy within a MAT?

A MAT receives each academy's financial allocation. The Trustees then transfer funds to each school as per the existing formula funding, deducting any agreed central costs.

How much will the MAT cost to run?

The Local Authority retains funding from maintained schools to pay for the support it gives them. This funding becomes available when a school becomes an academy and can be used to support a MAT's running costs. These costs will depend on the extent of the services it decides to offer in addition to its core legal duties. In other MATs this ranges from between 3.5% to 7%. It is proposed our MAT will start with minimal central services. In the initial phase the CEO and some small element of other support staff funding will be required to be held centrally so that the MAT can deliver its centralised services.

Will the MAT top-slice individual school budgets to provide central resources?

A MAT has the freedom to retain a proportion of the grant funding from its academies to form a central fund. This 'pooled' fund can then be used to provide centralised services for all the academies within the MAT. If a Headteacher feels that their academy is being unfairly treated in relation to the funding they have the right to appeal to the Secretary of State, via the EFA, who can disapply the provisions for pooling in relation to the MAT.

What happens about reserves and potential deficit budgets being set?

On conversion to academy status, any surplus balances of the schools will be transferred to the MAT. Similarly, any deficit balances relating to the schools will be recovered by the EFA through an abatement of academy funding until the deficit has been repaid. As the MAT will be the sole legal entity governing the schools, it will ultimately be for the Board to decide how any reserves will be held and how any deficit budgets will be resolved. It is the intention of the Board to ring fence each school's reserves for their use.

The DfE does allow money to be 'pooled', i.e. it can be applied across any academy within a MAT. This can assist in ensuring the ongoing viability of an academy through fluctuations in revenue and expenditure but does of course mean that part of the budget that has in principle been allocated to one academy could possibly be used to support another academy. However, the EFA is known to look unfavourably on the use of one academy school's funding allocation to 'prop up' the budget of another.

As part of the conversion process, the schools will need to undertake full legal and financial due diligence and a plan for any reserves or deficits will be set out in the MAT strategic business plan.

How are capital grants sought and distributed?

Capital funding for MATs with at least 5 academies and more than 3,000 students is provided through a direct funding allocation from the EFA. These funds are then be deployed strategically across the MAT to address the priority maintenance and expansion needs.

Single academy trusts and smaller MATs have to bid for funding from the Condition Improvement Fund, which is awarded on a case by case basis.

EMPLOYMENT FAQS

Who is the employer of the staff in academies operated within a MAT?

One of the main potential advantages of operating an academy within a MAT is that the staff in all of the academies are all employed by the MAT. When a school joins a MAT, its staff transfers to the MAT pursuant to the TUPE Regulations.

Within a MAT, and subject to the staff contracts, there is the potential for staff to be deployed across different academies with a view to raising/ sustaining standards and securing economies of scale (for example through a central finance function). A MAT structure also avoids the need for a process to be carried out to procure services if provided from one academy to another academy.

What happens to Terms and Conditions?

All terms and conditions of employment are protected by the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE'). This means that, on the day a school becomes an academy, all staff will transfer to the employment of the academy trust, with their terms and conditions as they were before.

Terms and conditions are a contract between an employer and employee and so can only be changed by agreement. TUPE requires that if a school envisages offering new terms and conditions for a reason related to the conversion, they must consult with employee representatives in good time before the conversion.

Will differences between the terms and conditions of staff in different schools be rationalised as part of the conversion?

Cornwall Council is the employer of staff at maintained schools. Penryn College is the employer of staff for their academy trust. As part of the legal and financial due diligence process, the schools will need to ascertain any differences between the terms and conditions of staff. If there are differences, HR will give consideration to whether these differences can be maintained within the academy trust or whether steps need to be taken as part of the conversion to address these. TUPE requires that if a school envisages making changes to staff terms and conditions then they must consult with employee representatives in good time before the conversion.

What happens to Continuity of Service?

When staff transfer to an academy trust, their length of service is protected. It can only become an issue if an employee leaves the academy trust and goes to work at another school.

Redundancy

For all staff, continuity of service for the purpose of redundancy payment calculations is protected by the 'Redundancy Modifications Order'. This regulation amends the employment

regulations so that, if you move employment between bodies in a specified list of public employers, your continuity of service is retained for redundancy. Local Authorities and academy schools are on this list so continuity of service is retained for staff moving back and forth between these employers for redundancy purposes.

Support staff – the Green Book

The terms under the Green Book were amended in 2003 to mirror the position explained above so continuity of service for support staff for the purposes of annual leave, maternity, sickness etc. is maintained.

Teaching staff – the Burgundy Book

No equivalent amendment has been made to the Burgundy Book. This means that teachers moving from an academy back to Local Authority (LA) employment are not automatically protected. (This would be the same if an employee was leaving one LA to work in another). We have found that most LA's and academies will honour continuity of service. If you are not aware of the approach of your LA, it is worth a telephone call to find out.

Are pensions affected?

Staff will not see any impact on their pensions because of the conversion to academy status. Continuity of service is retained when the staff transfer to the academy trust. The funding agreement (which is the contract between the academy and the Secretary of State) requires that the academy trust ensure that all staff employed by the academy trust have access to the Teachers Pension Scheme or the Local Government Pension Scheme (as applicable).

What about union recognition?

Trade union recognition will transfer to the academy trust under TUPE.

Are things likely to change after becoming an academy?

In many ways, at least in the short-term, it is unlikely that staff, parents and students will see much difference. Teachers and staff will stay the same, as will the school names and school uniforms. Becoming part of a formal strategic partnership with other schools will give us a number of important advantages. From a staff perspective, it will give staff the ability to share best practice and area leadership responsibilities. There will also be greater opportunities for staff to work in other schools to gain experience, which will be of particular interest to staff with leadership ambitions.

Will I be forced to work in another school?

No. Your place of work within your existing terms and conditions will remain the same. You may be given opportunities to work in other schools which you would be free to accept or decline.

The Government is paying off my student loan whilst I am at an LA school - will this stop if we become an academy?

The DfE have said that "...The Repayment of Teacher's Loan scheme (RTL) does write off the student loans of teachers who are employed in academies. If a school converts to an academy, teachers can stay on the RTL providing they still satisfy the RTL conditions".

Do staff get a vote for or against becoming an academy?

No, it is ultimately the decision of the governing body whether a conversion to academy status is the right decision for the school. In making this decision they must consult with all stakeholders which obviously includes staff. Staff are encouraged to raise any concerns they have with their Headteacher or a staff governor so that when taking their final decision, the governors are fully aware of their views.

PARENT/CARER FAQs

Will the school names change?

This will be for each governing body/Board to decide but no school will be forced to change its name because they are becoming part of the MAT.

Will the school uniforms change?

This will be for each governing body/Board to decide but no school will be forced to change its school uniform because they are becoming part of the MAT.

Will the school's approach to admissions change?

No. Students will still be admitted to each of the schools in the same way.

Will my child still be a pupil at their current school?

Yes. Any child who is a pupil at a school before it becomes part of the MAT will remain as a pupil on the academy's roll without any change.

Who will be the Headteacher at my child's school?

It is intended that each of the schools will maintain its own current Headteacher and Senior Leadership Team.

Will there be any changes to staff at my child's school?

We do not envisage making any changes to the leadership structure or the staffing structure of any of the schools as a result of any school becoming an academy.

Who will make decisions about my child's school in future?

Each of the schools currently has its own separate governing body/Board and its own Headteacher. If the schools proceed with the conversion to a MAT, the schools will be overseen by a joint Board of Trustees who will be ultimately accountable for the academy schools which are run by the MAT. It is the intention for each school to continue to have its own Local Governing Body, to help ensure the effective delivery of the core governance functions in their schools and to ensure effective engagement with local stakeholders, including learners, parents/carers, local schools and the local community. It is intended that each of the schools will maintain its own current Headteacher and Senior Leadership Team.

Will it affect the way that I communicate with my child's school?

No. You will continue to communicate with your child's school in exactly the same way as before.