



**St Chad's**  
Academies Trust

Converting to an Academy  
Frequently asked  
Questions



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**Come follow Christ** in the footsteps of St Chad

## CONVERTING TO AN ACADEMY – FREQUENTLY ASKED QUESTIONS

The Trust has compiled this Frequently Asked Questions to proactively respond to generally raised questions in relation to the prospect of academisation and to hopefully alleviate any points of concern.

Change management within any setting can raise questions and is generally perceived negatively, however this is not always the case. Engaged stakeholders (governors/ Trustees, parents/ carers, staff and pupils) manage change better when they know they will be consulted regularly and will be able to identify with the future success of the organisation post conversion.

The Trust maintains an effective communication strategy throughout the process, which is transparent, visible and accessible for all concerned parties, ensuring employment & education law/ relations are maintained and the trust culture is preserved, which enhances the employee/ employer relationship moving forward.

We hope to have covered most scenarios but appreciate that these questions are not exhaustive/ cover all eventualities. We strive to continually keep up to date with legislation and employment relations.

No question is too small, if you're thinking it, there is a good chance so is someone else.

We have divided the FAQs by groups;

- Questions put forward by Governors/ Trustees;
- Questions put forward by parents/ staff/ governors/ Trustees

## Questions asked by Governors

How does governance differ in an Academy Trust?

Usually the Trust Board will delegate certain powers to the Local Governing Body (LGB) and Principal

Who is accountable if things go wrong

Academies have the most stringent form of accountability; they are a legal entity and the buck stops with the Academy Trust

What are the stages of academisation?

1. LGB feasibility to convert
2. Financial Due Diligence
3. DBE consent to convert
4. Application to DfE
5. Academy order issued by DfE
6. Project management
7. Successful conversion

What are the typical functions of a MAT?

- Appropriate governance compliance
- Project management of the process of conversion
  - Human Resources function; payroll
- Financial operations and future proofing
- Audit (internal and external) and VAT
  - School Improvement
  - Quality Assurance
- MAT policies and procedures
  - Statutory responsibilities
- Accounting officer/ Chief Financial Officer
- Information Governance; HMRC, EFA, Companies House, Ofsted, DfE

Can I continue to work with my local schools and existing networks?

Yes.

St Chad's Academies Trust encourages schools to continue to work collaboratively with neighbouring schools and maintain their own effective networks.

St Chad's Academies Trust also offer effective forums and networks.

**Can the school alter teachers' pay and conditions?**

**When a school converts to academy status, the conversion is covered by the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE regulations). This means employees are legally protected when the school converts to an academy and they will transfer from their old employer to their new employer on the same employment terms and conditions.**

**Any changes to employees' terms and conditions of employment will be void if the main reason for the change is due to the transfer or a reason connected with the transfer, which is an economic, technical or organisational reason, entailing a change in the workforce.**

**In addition, certain terms with statutory**

**Will all staff transfer to the academy?**

**Frequently asked by Staff too**

**All staff primarily employed by the Governing Body (VA)/ Local Authority (VC) at the date of transfer will transfer to the new employer. Therefore your staffing structure would remain the same.**

**Who procures services?**

**Funding is available to cover the costs of the conversion process itself.**

**This can depend on the service requirement; St Chad's Academies Trust actively works towards joint commissioning of services for the MAT to achieve economies of scale, which can illustrate added value.**

**What can employees do if they don't want to transfer?**

Frequently asked by Staff too

If an employee does not want to transfer to the academy, they have the right under TUPE to object to their transfer. The legal effect of objecting would be that:

- Their employment with the school would automatically terminate by operation of law with effect from the date of the transfer (and they would not automatically transfer to the new employer); and
- There would be no entitlement to either statutory or contractual compensation

**Does the school have to hold consultation with the staff?**

Frequently asked by Staff too

The current employer of school staff will conduct a consultation process in accordance with the TUPE regulations with elected representatives of all staff (both teaching and non-teaching) and including relevant Trade Unions, as part of the staff transfer process.

Regular meetings/ communications should be held, if applicable, with staff to ensure they have an opportunity to raise any queries directly. The school is required to consult with staff if there are measures that will be implemented either before or after the conversion, but full consultation will take place so all staff are aware of all of the implications of the transfer and have an opportunity to discuss any questions or concerns they may have.

A measure is anything which materially impacts on an employee or the way in which he or she may work. This would include changes such as relocation or a redundancy programme, but could also extend to less direct issues such as a change to hours, working patterns, or pay dates.

For ST CHAD'S ACADEMIES TRUST a representative would be present at all consultations to ensure a consistent and fluid approach offering full support and guidance.

**Will new staff employed after the transfer be engaged on less favourable terms and conditions?**

Frequently asked by Staff too

After a school has converted to an academy, it is not obliged to engage its staff on terms and conditions equal to those set out in the Burgundy Book (Teaching) and the Green Book (Support).

Consultation would be advised with all relevant parties before changes were introduced.

**How will the transfer affect employees' continuity of service?**

**Frequently asked by Staff too**

**An employee who transfers to an academy retains their continuity of service under the TUPE Regulations outlined above.**

**If an employee subsequently voluntarily takes up work with another employer covered by the Redundancy Payments (Continuity of Employment in Local Government)(Modification) Order 1999 (RMO)(including any Local Authority maintained schools) they will not have continuous service to qualify for certain statutory rights and benefits.**

**Would a Section 188 notice still be issued if you are seeking to reduce hours?**

**Frequently asked by Staff too**

**The processes and procedures which you are currently employed under would continue post conversion; therefore if a Section 188 notice is issued if potential reductions in hours was being discussed then this would be applicable. A Section 188 notice is predominantly used in redundancy processes**

**Do maternity/ paternity pay and conditions change post conversion?**

**Frequently asked by Staff too**

**Employees would TUPE transfer with existing T&Cs and these could not be below the statutory requirements laid out in law. The Trust would not seek to change these T&Cs without full consultation and negotiation with stakeholders and Trade Unions.**

**Will there be opportunities for accelerated pay progression linked to performance management?**

**Frequently asked by Staff too**

**Performance management would work within the same guidelines as pre conversion, dependent upon your role – support/ teaching. Opportunities for accelerated pay progression would be at the discretion of the school and would need to be in line with the agreed Pay Policy.**

**Would your level of pay decrease if you were not performing within your role?**

**Frequently asked by Staff too**

**Employees would be managed within the same guidelines (policies and procedures) as per pre conversion.**

**If performance is an issue then this would be dealt with under the appropriate procedure as currently.**

**Do you still offer child care voucher scheme role?**

**Frequently asked by Staff too**

**The Trust operates a child care voucher scheme where the vouchers are deducted at source from your salary.**

**Will our pensions be affected?**  
**Frequently asked by Staff too**

**The Trust has 'Admitted Body' status with the pension scheme; Local Government and Teachers Pension.**

**When the school converts the Trust as the employer will continue to make contributions. Employee membership is transferred to the new employer.**

**The banding for the employee contribution will remain the same. Periodic re-banding by the Pension scheme will continue as per current arrangements.**

**Is there one shared ethos, vision? Or do academies have individuality?**

**As a church school and a church MAT our Christian values are our foundation and would be reflected in all we do.**

**Why do you think a trust is better alternative to the Local Authority? What advantages does it bring over and above those received from the LA? What are the downsides?**

**Capacity of LAs is variable and it is clear that the role of the LA will diminish as the number of academies grows. Our Trust is smaller and provides face to face contact and that will remain as the Trust grows in the learning hub model. Capacity, regular and consistent contact**

**How would we exit/ can we exit the Trust if it wasn't working for us?**

**The creation of a MAT is for the long term. MATs are only changed through the DfE where the Trusts are not providing the adequate support. Hence this being a very important decision; it is about providing a long term provision for education in a church school in your area, it is not about personalities**

**What influence does the school (governance level) have about the strategy/ operation of the Trust?**

**The Trust is the legal entity and the accountable body, however, we do consult with governors and Principals. We are proud to say that Principals have said they feel they play a part in shaping the organisation**

**Who does make the strategic decisions and how do local boards have their voice heard?**

**Decision making is determined by the Scheme of Delegation. Local Boards minutes are forwarded to the Trust as well as Principals reports. Chairs meet collectively every term**

**If we join with term X can the Trust impose new terms on us without agreement?**

**We are guided by our Articles of Association. Any changes would be provided with a business case**

**What does the Trust delegate to the local governing boards?**

**Scheme of delegation**

**What is the impact on the legal responsibilities of the governing body?**

**The MAT is the legal entity; however the governors are a subcommittee of the Trust working on behalf of the Trust. The LGB would become the Local Academy Committee (LAC)**

**How does the relationship between school (governors and senior leaders) and the Trust manifest itself? E.g. quarterly visits, attendance at local board meetings**

**DIA half termly visits  
Raising Achievement Board Termly  
Termly Chairs meeting  
Trust rep appointed to Local Academy Committee**

**Is there a preferred size for a local governing board?**

**Recommended 7-15max**

**Would there be an impact on the make-up of the governing body? E.g. some sources state that only 20% of governors can be linked to local government**

**governors would be appointed by the Trust, with partner schools as-is**

**Where are meetings of the local governing board held?**

**In school**

**Are statutory policies and procedures controlled centrally by the Trust or are central recommendations made and the school then adapts and adopts?**

**Frequently asked by Staff too**

**At the point of conversion schools transfer their current LA policies, St Chad's Academies Trust has its own JNC with professional associations and is conducting a review of policies for Trust (We work with seven Local Authorities so this is a major piece of work)**

**Related to this- How does the admissions process work for an academy as part of the MAT? If a child is permanently excluded from school how would this work? Who is responsible for deciding if a student needs an EHCP? Will the school be able to recruit its own teachers according to need/ affordability?**

**Frequently asked by Staff too**

**Schools operate with the LA, Exclusions work in the same way and the LA would be involved. SEND still lies with the LA. Staffing appointed according to need and affordability (75%-80% of budget on staffing)**

**What relationship does the Trust have with other Local Authority provided services/ touchpoints that the LA will retain e.g. social services?**

**Frequently asked by Staff too**

**The Trust has good relationships with all seven Local Authorities**

**“The MAT will encourage your earned autonomy” – what does this statement mean?**

**Support relative to need**

**Is there a limit to the number of schools the Trust will take on?**

**Frequently asked by Staff & Parents too**

**We have planned managed growth which is overseen by the Trust Board and the DfE**

**Does budget all go to the school? If not what is top sliced?**

**Education Funding Agency provides the money to the Trust who then transports the funding to the school – monthly transactions**

**How is the top slice determined**

**By the Board**

**Does the Trust have the right to increase the top slice at will?**

**Yes but with a business case**

**Is an academy ever expected to give up budget to support another for any reason?**

**Not our current practice**

**Once the top slice is taken does the school have the freedom to manage the rest of its budget?**

**Working within the Scheme of Delegation yes**

**What happens to surpluses**

**Work with the school to determine where surpluses are to be used**

**What happens in a deficit scenario**

**This does not arise and not permitted through the financial management in place**

**How is cash flow managed?**

**Funding provided monthly and monthly management accounts, if there is a difficulty the Trust works with the school to support**

**If the Trust is the employer how can individual schools keep their own payroll provider? Or can't they**

**Payroll is through the Trust**

**If the Trust is the employer are you one employer in the LGPS or are the academies all treated individually for LGPS employer rate purposes?**

**Yes one employer in the LGPS**

**Does the Trust take over the running of pensions? If so how does it ensure there are no shortfalls?**

**Same procedure as now deficit comes across and is managed in the same way**

**Membership of the LGPS – all support staff employees will be made members of the LGPS at the point of conversion – this is not the same process as auto**

**All support staff employees will be written to providing details of their individual contribution rate and signposted to the LGPS website for options**

**Are financial records of the Trust public? Can we see them?**

**Financial statements are available on the trust's website.**

**Is it up to the academy to decide on pay rates for new staff or does the MAT as employer set pay rates that have to be applied across all schools in the MAT?**

**We abide by the Burgundy Green book staff terms and conditions. Burgundy book for teachers and T&CS, Green book for Support Staff**

**“Funding is available to cover the costs of the conversion process itself”**

**£25k this can be had by the school who will be invoiced or managed by the trust**

**How much is this? What does it cover? Typically what is the one of cost to the school? Does the Trust manage the conversion? How much of the conversion fund does the Trust take?**

**It is £25k to cover legal work, land, LA fees, Diocesan Fees and licences, rebranding where appropriate. Trust takes nothing anything remaining passed to the school**

**What safety net does the Trust provide in the face of “disaster” (financial or otherwise)?**

**Financial disaster does not occur due to the financial management. (Insurances requirements continue as expected)**

**Is the Trust not for profit? Are the salaries of the CEO made public?**

**Yes not for profit, Salary not over the level to be reported but will be available on the website Support services/ external providers**

**Can a school purchase its own support services? If not why?**

**Yes but the Trust would need to know what those were**

What quality assurance processes are followed when choosing external providers?

Tendering processes, Principal involvement

Is there an impact on the curriculum of becoming an academy?

No

### Questions put forward by Parents/Staff/Governor/Trustees

What is an academy?

An academy is a publicly funded independent school that receives its income directly from government rather than via a Local Authority (LA).

What is an Academy Trust?

An Academy Trust is a single legal entity and is the employer of all staff members who sit within the affiliate school structure.

The Trust Board is made up of Directors and Trustees and is legally accountable for all academies in the group

What are the types of Academy Trust?

**Single Academy Trust** – This is where a school converts as a ‘stand-alone’ academy. This option is only available to good and outstanding schools

**Multi Academy Trust** – Are split into three categories

**1.Sponsor-led:** The MAT is established by a sponsor who is a DfE approved external agent or organisation, not a school

**2.Lead school:** The MAT is established by one lead school. Typically the school converts its stand-alone trust into a MAT, which can also sponsor

**3.Schools-led:** A group of schools work together to establish a MAT

Schools in a category would have to convert under either the “sponsor-led” or “lead school” arrangement

**Does the school have to hold consultation with the parents/ carers?**

**Best practise would be to involve parents/ carers through stringent communication streams as the process starts and periodically as it gains momentum.**

**Communication reduces the risk of resilience and provides a platform for parents/ carers to ask any questions they may have regarding conversion.**

**As part of the consultation ST CHAD'S ACADEMIES TRUST request that parents/ carers are invited to their own consultation meeting to raise any questions they may have.**

**Will the MAT grow?**

**Yes. You can expand and build on your experience within your own MAT.**

**For ST CHAD'S ACADEMIES TRUST we are looking to build on the function and expand within our existing MATs. ST CHAD'S ACADEMIES TRUST are exploring natural groupings which could have the potential to work together closely.**

**What happens to the children at the school which is converting to an academy?**

**Pupils in such a position will transfer with the school to the academy without any need for them or their parents to do anything.**

**Will pupils' education be disrupted by a transition to academy status?**

**When an academy conversion is approved to go ahead, it will do so with minimal disruption to the staff and pupils. The transition will be robustly project managed and will outline each step of the process.**

**ST CHAD'S ACADEMIES TRUST's main priority is to ensure a safe working environment for both staff and pupils and a smooth transition throughout conversion.**

**What are the benefits of a MAT?**

**The MAT will encourage your earned autonomy, enabling you and your school to share in the support and challenge of a collective Trust combined with the freedom to continually develop the Christian ethos suited to the needs of the community.**

**The MAT replaces the Local Authority function with its own operational functionality.**

**What are the benefits of joining a ST CHAD'S ACADEMIES TRUST MAT?**

**As well as earned autonomy and the freedom to continually develop the Christian ethos you will have access to the Quality Learning Circles, School Improvement, Christian Distinctiveness Advisers, Diocesan Improvement Advisers, business forums, governance and an established set of academies to share best practise ; a dedicated experienced and passionate workforce with established, good working relationships**

**Are we still part of the Local Authority?**

**Post conversion the academy will not be controlled or be part of the Local Authority**

**Do you lose VA/ VC status post conversion?**

**Yes. When you convert you will become a Church of England Academy. All governors will need to be supportive of the Christian foundation of the academy.**

**If your school is Voluntary Controlled, post conversion you will continue to be inspected under the three core questions (CC<CW & LM).**

**If your school is Voluntary Aided or Foundation, post conversion you will continue to be inspected under the four core questions (CC, CW, LM & RE).**

**For VA schools converting, the governing body will cease to be the employing body post conversion**

**How is an academy funded and how does this improve current funding arrangements?**

**Academies receive a similar level of per-pupil funding as maintained schools, plus funding to meet additional responsibilities that are no longer provided for them by the LA. The money that would have been provided to the LA to run the school is provided directly to the Trust Board. All of the money provided by the Government for the academy will be spent on behalf of pupils in the academy. The Trust Board usually retains some of the budget in order to provide services to the academy. Local authorities fund their core services in a similar way.**

**What are the Trusts School Improvement credentials?**

**Improvement Advisers who have been head teachers and have a proven track record of improving schools. Partner schools provide support to schools**

**How is the performance of the Trust measured? How would you score yourselves?**

**The Trust is measured against Ofsted inspections and progress and attainment against national. All academies are above all the progress measures. Presentation**

**What proactive measures does the Trust put in place to ensure a school is improving?**

**Allocation of DIA, Raising Achievement Board and the role of the governors who monitor progress against the improvement plan, Annual Review**

**How is school improvement measured by the Trust?**

**Regular data collection and the above**

**What re-active measures would take place if school performance drops or a school went into special measures?**

**Due to the regular checks and balances in place a school would never be in a position when inspected to be in SM.**

Does the MAT share good practice as standard?

Critical to the success to date – Pinch with pride is our motto!

Please note this compilation of Frequently Asked Questions is not exhaustive, if you have a query/ require further information on a point that is not covered then please contact St Chad's Academies Trust on 01543 622344.

