

## Frequently Asked Questions (FAQs) about Academies

### **1. What is an Academy?**

An Academy is a state school that is run by an Academy Trust. The Academy Trust enters into an agreement with the Secretary of State for Education that sets out its responsibilities and accountabilities for the effective running of the Academy. The Academy is funded directly by the Government and is no longer run by the Local Authority, so academies can choose how best to spend that money on the provision of education. The Trust is charitable, which means it must operate much like a charity and not for the profit of individuals or businesses.

Academies are classed as independent state-funded schools, which have the freedom to determine their own policies on such things as the curriculum, school hours, term dates and staff pay. They aim to provide a free, first-class education for pupils of all abilities through a fresh approach to school leadership, teaching and learning. They offer a full, broad and balanced curriculum. This is enabled by the Academies Act 2010. Primary, infant, junior and secondary schools are all able to apply to convert into an academy and are accountable to the Secretary of State rather than the Local Authority.

### **2. What is a Multi-Academy Trust?**

A Multi-Academy Trust (MAT) is formed when two or more Academies come together in partnership. Within a MAT each school keeps its own name and converts to an Academy. In the future, it is possible for other Academies to join the Trust. Some MATs have brought together secondary schools, some MATs bring together primary schools and some MATs are bringing together infant, primary and secondary schools to provide an “all through education” for young people from 4 to 16. Recently we are seeing one or two sixth form colleges joining schools in a MAT.

A Multi-Academy Trust is a single Trust which runs more than one academy and is the statutory Governing Board of each of its academies. The Multi-Academy Trust is a charitable company limited by guarantee, which means it may not make any profit, and because it is publically funded it is subject to judicial review and to the Freedom of Information Act like any other public body. The Trust has a formal agreement, or contract, with the Department for Education (DfE) which sets out the parameters in which it must operate as well as being subject to charity law, public law (being publically funded) as well as general company law.

By entering into a MAT any participating schools would become part of one legal entity with, it is important to note, each school retaining an individual identity and a Local Governing Board. In practical terms there would be very little visible change in the way that the school operates. Each school’s values and ethos would also be maintained and the goal would remain to provide the very best education possible for our pupils.

Each MAT has a Chief Executive Officer who is the chief accounting officer and chief operating officer. The CEO is accountable to the Board of Trustees (or Directors).

### **3. How is a Multi-Academy Trust governed?**

- A MAT has a group of Members and a Board of Trustees (sometimes called Directors).
- The “Members” are like shareholders in a commercial company: they appoint the Trustees to run the MAT, and are the only people able to amend the Articles of Association of the Company (and for this they require consent from the Secretary of State and any religious Diocesan Authority, if a church voluntary aided or voluntary controlled school). The “Trustees” are those people who actually run, determine policy, and make decisions for the MAT. They are the statutory Governing Board of each academy within the MAT.
- A MAT usually establishes a Local Governing Board for each of the academies within the MAT, which then have a role similar to that of the current College Park Governing Board in terms of curriculum, standards and educational improvements, although substantive

decisions such as strategic direction, finances, property and employment would be taken by the Trust Board of Trustees (Directors). Our current Governors would probably become the Local Governing Board if College Park Infant School becomes an academy and joins the King's Group Academies MAT.

#### 4. What are the main responsibilities of the MAT once the schools convert?

Typical activities include:

- setting the strategic direction for improvement of educational attainment;
- ensuring that the right infrastructure is in place to deliver the necessary changes to support the educational improvement (leadership and management);
- challenging progress in all areas of the academies' operations whilst providing support and guidance aimed at promoting success;
- responsibility for the performance of the academies, including monitoring and where necessary establishing a plan of action to improve performance;
- setting up committees with a specific focus to monitor aspects of academy life;
- leading involvement with parents and the wider community, to promote the MAT and support community regeneration;
- ensuring value for money and good use of public funds, and leveraging in other finance and resources when needed;
- championing the MAT in the wider community in order to bring new resources to the schools and the Trust, for example, through holding events, arranging mentoring and building links with business, organisations and potential sponsors.

#### 5. What are the benefits of being an Academy?

- **Enhanced procurement** – academies procuring services or goods together increases the MAT purchasing power - increased buying power and economies of scale, sharing the costs of payroll, human resources provision and support, finance systems, energy supply, catering services, premises/estate management, data management, IT services and support, accountancy services, legal services, marketing, training and professional development services, etc.
- **Receive funding direct from government, and may receive more funding** because there is no longer a local authority retaining funding for the provision of central services.
- **Sharing best practices in teaching, learning and curriculum**; freedom to innovate and create educational improvements. Easier to share and implement best practice through member academies. For example, one academy may trial new teaching innovations and approaches and if successful, this can be effectively shared across the MAT; Heads of School, Year Leaders and other teachers could share best practice across the MAT academies.
- **Reduction in administration costs by pooling administrative services and personnel**; the MAT model apparently works best “when it is fully embraced by all the schools in the MAT with admin functions shared centrally wherever possible, to ensure maximum cost savings.
- **Teaching and staff can be shared** – the Trust itself is the employer of the staff – resources can be shared more easily (subject to effective communications with employees and academy members).
- **Central resource base** – shared resource pools - easier forward planning and unexpected short term demands can be met more easily.
- **Flexibility on funding** – recent funding agreement documentation allows pooling of the General Annual Grant (GAG). This can assist with allocating the funding to offset variations in revenue and expenditure in each academy.

- **Access to external sponsorship** – this would help provide financial support and also raise the profile of the MAT.
- **More freedom over the curriculum taught** (no requirement to teach all parts of the National Curriculum or parts felt to be not appropriate); “strong collaboration with shared accountability can lead to better progress and attainment for pupils, and help schools meet rising expectations.” (ASCL, 2016).
- **The formal structure of a MAT “allows more school-to-school support so that weaker or smaller schools can benefit from the experience and skills evident in stronger or larger schools.”** MATs “often work well when headed by one strong lead school.” (UYU Hacker Young, 2016).
- **The Trust could employ teachers specialising in a particular subject**, who teach in each MAT academy.
- **Can set own pay and service conditions for staff** (subject to employment law protections for staff), so over time can hopefully provide better pay and conditions, including bonuses, incentives and perks such as private health insurance and discounted childcare (sometimes on site). Generally however, academies are using national pay scales for teaching and administration staff.
- **The Trustees (Directors) take responsibility for the year end accounts and auditor liaison which frees up the local Head of School, who can focus on educational matters in their school.**
- **Ability to recover VAT on non-business expenditure** (assuming the MAT is VAT registered).
- **The ability of the Trustees (Directors) to focus funds where they are most needed.**
- **Possible access to funding initiatives not easily accessible to local authority maintained schools.**
- **An Academy Trust can engage in small scale trading** (catering, sports activities, theatre, etc.) provided the Trust articles of association allow these. As academy trusts are limited companies there is freedom to set up trading company subsidiaries.

## 6. What are the disadvantages of converting to an Academy?

- **Dependant on the schemes of delegation some schools report a loss of autonomy and decision making especially in larger chains or MATs.**
- **Some large academy chains have been criticised for failing to improve the results of too many pupils** in their academies, while at the same time paying Board members large salaries.
- Sharing of educational best practices and good teachers between academies in a MAT may be **stifled by organisational inertia or organisational politics.**
- **Will academies stay focused on the right things, putting the young people first?**
- **Will all academies in a MAT work together to eradicate educational disadvantage?**
- **Some companies running large chains of academies grew very quickly, taking on more schools than they could really manage;** education could suffer accordingly.
- Some MATS have over 30 academies (with the largest having over 50 academies) – **there is a danger with such large chains that the Trustees (Directors) may lose effective oversight of educational standards (and sound financial stewardship).**
- **A MAT is now permitted to form local governing boards that are responsible for more than one academy;** we are now seeing governance “hubs” with a sub-committee taking responsibility for say, a diverse geographical grouping of academies; will this weaken governance?
- **Academisation is a one-way change of legal status** – no academy has ever reverted back to its original legal status and it is doubtful whether reversion is actually possible.

- **The disadvantages are often much more specific to the schools involved and the circumstances in which the MAT was formed** (for example, did the schools freely join the MAT or were they directed to join with no say in the matter?).
- **A MAT may change considerably over time from the one an academy first joins** (in terms of ethos, strategic direction, culture, delegation, etc.).
- **Sometimes there is a diminished sense of independence when becoming part of a MAT** (particularly if an underperforming school has been forced to join by the DfE); managing this sentiment can be a challenge and getting a balance right between central direction and local autonomy while ensuring common systems and processes.
- **Over time if more academies join a MAT it will be difficult to have representation of each academy at Board of Trustees (Directors) level, which may lead to resentment.**
- **One academy in a MAT, the largest, or best performing, or perhaps sponsoring academy, may be granted the right to appoint a majority of the directors;** this may over time be regarded as unfair.
- **The academies in a MAT may begin to squabble over appointments to the Board,** and any major committees such as Audit, Finance or Curriculum Standards.
- The Members delegating to the Trustees (Directors) have ultimate control over the Trust including strategic direction and are responsible for decisions such as Trust size, level of centralisation, top slicing of funds, branding and other marketing activities; **the perceived lack of control for the local individual academy could be a sticking point** – MATs need to have a transparent delegation scheme.
- **There may be different school cultures in each academy within the MAT.**
- **One school (academy) within a MAT could dominate** (in terms of size, share of resources, perceived favourable treatment from the Directors).
- **The academy trust has direct liability for insurances, employment liabilities, pensions and their administration,** health and safety, property maintenance, etc. (and receive more government funds to help meet these additional costs but this may not be enough).
- **Top slicing to finance the central trust functions may change over time** from say, each academy pays a flat rate, or an agreed percentage of their income to the trust or pooling all resources into one common budget to some other top slicing formula, which may be perceived by some constituent academies as being unfair (so an appeals mechanism needs to be established).
- **Need to ensure that the risks of failure of one school (academy) in the MAT do not affect the fortunes of another school (academy) within the MAT.**
- **There has been public criticism for a lack of oversight of academies in terms of finance and public accountability.**
- **Possible Privatisation of public assets (land, buildings and equipment)** if government decides to move away from Trusts the leasing these assets from local authorities and transferring ownership to Trusts.

## **7. What is involved in becoming an Academy?**

The Governing Board has so far agreed to pursue application and expressed an interest in learning more about what becoming an academy entails. We will be allocated a Department for Education (DfE) project lead whose job is to help us decide what to do next. It must be stressed that no final decision has actually been taken to become an academy as yet, and the Governing Board are genuinely concerned to understand whether there is support for College Park Infant School to join the King's Group Academies Multi Academy Trust. If there is clear support for an academy then the Governing Body must decide whether to proceed to conversion to an academy. If an application did proceed The Secretary of State for Education would have to approve the application and issue an Academy Order.

## **8. Would College Park Infant School have to change its name, logo, motto, uniform or website?**

There is no obligation for a school to change its name if it becomes an academy. College Park would not be changing its uniform as this would be an unnecessary expense for parents. We are happy with our logo and motto and there is no reason to change this. Indeed, our '*Children Playing, Improving Smiling*' flows really well when followed by On a '*Learning Journey to Success*' which is Lyndhurst Junior's motto.

## **9. How would being an Academy affect staff?**

Currently, the employer for staff at College Park is the Governing Board, with payroll and pension contributions administered by Portsmouth City Council. After academy conversion all staff would be employed by the Academy Trust. Staff are legally protected and transfer under the same employment terms and conditions, including pensions as they currently have. Their continuity of service is protected, and all staff would be consulted in accordance with the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).

## **10. How are the children affected?**

In many ways the children will not notice any immediate difference; they would be in the same uniform, in the same classrooms with the same teaching staff. We would continue to maintain the outstanding education for all our children. However, in time the children might notice changes and further improvements in the way that they learn, resulting from the greater training opportunities given to teaching staff to innovate and improve the pupils' learning experiences.

## **11. Would we get more money as an Academy?**

Academies receive the same amount of per-pupil funding as they would receive from the Local Authority as a maintained school. They also receive additional funding in the form of the Education Services Grant to cover the services that are no longer provided for them by Portsmouth City Council and to cover the costs of converting to Academy status. College Park would continue to have a say in the choice of the services that we purchase, just as we currently do.

## **12. What does the conversion process involve?**

- The conversion process for schools to become academies has been made as simple as possible for all schools. The key steps the school must take are all explained in the Department for Education's conversion guide at: <https://www.gov.uk/government/collections/academy-conversion-process> and may differ according to the type of school and who owns the buildings and land.
- The areas of work are related to any legal transfers of land or assets, regularising any contracts and leases, financial review and budget setting, TUPE transfer (whereby all staff transfer with continuity of service, retaining as closely as possible their existing terms and conditions) and HR work.
- In addition, the transition of the governance structure from a Governing Board model to a multi-academy trust model.
- Most schools are able to convert in around four to six months. It can, however, take longer where there are further issues to resolve such as complications relating to land ownership or other schools within the same local authority already waiting to convert.

## **13. What are the risks of becoming an Academy?**

The change to Academy takes a school out of Local Authority control, but does not exclude the school from Local Authority support. For example, Academies can continue to receive finance, human resources, behavioural support and other services from the Local Authority, and where these represent 'best value' a MAT may well use these services. Where the MAT feels that others can provide better services or better value the change to Academy increases the freedom to make these changes.

There are risks associated with not changing to Academy status. At some stage in the future, any school might be influenced to become part of a broader Multi-academy Trust or Academy Chain or government could re-introduce compulsory conversion to academy status for all maintained schools.

**14. How would admissions to College Park be affected?**

College Park would become its own admissions authority but would be required to adopt clear and fair admission arrangements in line with the admissions law and the School Admissions Code. The Local Authority would continue to have responsibility for making sure there are sufficient places locally and will co-ordinate the admissions process for all schools. This means parents will still only have to complete one application per child.

**15. Does becoming an Academy change the relationship with other schools and the community?**

No. Academies must ensure that they continue to be at the heart of their community, collaborating and sharing facilities and expertise with other schools and the wider community. College Park would continue to share best practice and support other schools as necessary, never jeopardising the education of our own pupils but gaining from the wider work and links with other educational establishments.

**16. Would our responsibilities in relation to Special Educational Needs and Disabilities (SEND) and exclusions change if College Park becomes an academy?**

No. Responsibilities as an Academy in relation to SEND and exclusions would be just the same as they are now.

**17. Can a child with an Education and Health Care Plan (EHCP) or Statement of Special Educational Needs nominate an Academy as his or her school of choice?**

Yes. Schools converting to Academy status can retain the admissions criteria they currently use. These arrangements and related processes must at all times comply with the School Admissions Code.

**References**

- Association of School and College Leaders (ASCL) (2016) 'ASCL Guidance: Forming or Joining a Group of Schools: staying in control of your school's destiny'.
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- Griffin Chartered Accountants (2017) 'Academy Structures.' [www.griffinacademyaccountants.co.uk/school-structure/](http://www.griffinacademyaccountants.co.uk/school-structure/) [accessed 8 March 2017]
- UHY Hacker Young Chartered Accountants (2016) 'Multi-academy Trusts Explained', April, <http://www.uhy-uk.com/wp-content/uploads/Multi-academy-trusts-explained-our-review-andinsights.pdf> [accessed 24 May 2016 and 8 March 2017]
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