



STAR MAT Consultation Report II – January 29 2018

This report should be read in conjunction with the **original academy proposals**, and **Consultation Report I**, which deals with questions relating to: rationale behind the proposed MAT; church articles; accountability, governance and leadership; and what happens if the MAT fails? This report deals with other issues: the consultation process; staffing-related questions; pupil-related questions and the day-to-day-running of schools; and the conversion process.

The consultation process

The purpose of the consultation process is to assist governing bodies in identifying and addressing legitimate concerns and questions that stakeholders (particularly staff and parents) may have rather than seeking a ‘majority’ verdict.

Parent/Carer	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
TGS	3	5		14	6
S HS	4	3		2	3
Appleton Roebuck	1	1			1
Kellington	3	1			1
Kirk Fenton	6	3		1	
Monk Fryston	1	3	1		2
Riverside		4		1	2
Sherburn Hungate	2			2	
South Milford				1	1
Residents who were not parents or staff		1		8	
Sub-total	20	20	1	29	16
Staff	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
TGS					
SHS	2	6			
AR				2	
KE		4			
KF					
MF	1				
R	1		1		
SH					
SM					
Sub-total	4	10		2	
Total	24	30	2	31	16

The responses that were received (see table above) show a small majority who support the proposals, with a broad balance of representation across the schools. It is interesting to note that most of the small number of staff who completed the questionnaire agreed or strongly agreed with the proposals.

Albeit a small number in total, a very high proportion of those who disagreed with the proposals were parents from one school, and local residents. Those who responded ‘don’t know’ often asked open-ended questions for information, others expressed concerns about specific aspects of the proposals. Some respondents have clearly had a negative experience of academies, and believed that the schools could maintain their current performance without converting to academy status; others (including respondents who had worked in academies) had a much more positive view and felt that conversion would actually strengthen the work of the schools.

Overwhelmingly the respondents believed that the schools were exploring academy status for ‘the right reasons’, even if those who opposed them felt strongly about certain aspects: ‘leaving’ the local authority, the potential for ‘added management layers’ and establishing a MAT with ‘church articles’



when the majority of schools were community schools. 20 of the responses included reference to the latter point, which was also a key item for discussion at the public consultation event on 22 January when it was argued that the church ethos could be equally well protected if the MAT used ‘church minority articles’ as opposed to ‘church majority articles’.

In parallel with the consultation process, the schools have been working with the DfE to ensure that the proposals have their approval too: any academy conversion has to be scrutinised by the DfE, the Regional Commissioner and a headteacher advisory board to ensure that the proposals are robust and that there are rigorous arrangements in place to ensure strong accountability and governance arrangements (see the ‘accountability, governance and leadership’ section in Consultation Report I).

School leaders and governing bodies are very well aware of the characteristics of academies and multi-academy trusts which have not been successful, and the features of the proposed STAR MAT are designed to provide a strong platform for sustainability and improved outcomes for pupils and students. These features are:

- A ‘high trust’ partnership based on a proven track record of schools working together in the STAR Teaching School Alliance, and where good and outstanding schools have very high levels of earned autonomy to retain their individuality, character and ethos
- A commitment to work with schools serving local communities and not over-stretching resources and capacity by sponsoring vulnerable schools beyond
- To strengthen accountability and governance arrangements by drawing on expertise from the local community and beyond to provide more effective challenge and support for schools
- As a single employer, to provide more opportunities for staff across the partnership for professional development, access to a wider range of jobs and more protection against the risk of job losses
- To provide governance arrangements which allow both church and community schools to retain their ethos
- To work closely with the local authority by retaining a range of services and good working relationships at the same time as having more local control over decision-making,
- Using the advantages of working together as a larger organisation to achieve better value outcomes through joint procurement, shared services, collective grants and bids, thus enabling more funding to be focused on teaching and learning

Staffing-related questions

Individual schools have held staff meetings to discuss the academy proposals and explain the staffing implications. Judging by the questionnaires returned, staff do not appear to be opposed to the proposals, but a number of questions have arisen during the consultation period.

Will current staff contracts, pensions, terms and conditions be safe-guarded in the MAT?

- There is categorically no intention to change terms and conditions for staff if our schools form a multi-academy trust, or to review them prior to the creation of a MAT. Employment contracts, terms and conditions that staff have with their current employer (NYCC) would



transfer intact to the new employer (STAR MAT). This transfer is subject to TUPE Regulations which preserve employees' terms and conditions when a business or undertaking is transferred to a new employer. This process is carried out through a statutory consultation with staff, involving trade unions, and is a legal requirement.

- Fixed-term and amended contracts also transfer, including any accrued continuous service and entitlements.
- From time to time, schools may wish to review their staffing structures, as they have always been able to do, in which case any changes would take place, as they do now, on the basis of negotiation and consultation with staff and trade unions. The STAR MAT will continue to recognise trade unions, and encourage staff to join them.
- Teachers' pensions arrangements continue with The Teachers' Pensions Agency, and those of associate/support staff with The North Yorkshire Pension Fund. There is no break of service.
- The MAT would continue to use existing salary structures for both teaching and associate/support staff, in line with nationally and locally agreed arrangements.
- New staff will be employed directly by the MAT, on the same terms and conditions as existing staff. There will not be a 'two-tier' staffing system. The MAT will continue to recruit qualified teachers for teaching posts, as the schools currently do now.

Can staff be made to work in different schools in the MAT?

- The intention of the STAR MAT is to develop all staff, and its size will provide greater opportunities to do so. Although the MAT would be a single employer, there is no expectation or intention that staff would be compulsorily deployed in more than one school. Apart from a very small number of trust-wide roles, staff will continue to work in a single school, as they do currently.
- However, there may be opportunities for developing more varied roles if staff are interested in doing so as part of their professional development, or where there would be a clear benefit to improving the quality of teaching or other functions across our schools.
- An advantage of the MAT being a single employer is that it would have a duty to ensure that job opportunities were actively promoted across the schools in the trust, and to minimise the risk of any job losses if a school becomes vulnerable.

Will child care vouchers still be available?

- Yes. All current staff benefits will be continue to be available

Implications for pupils – curriculum, admissions, holiday arrangements, transport and uniform – will they change?

There are significant advantages in strengthening our 'cross-phase' 3-19 partnership, and enabling us to develop more coherent teaching and learning strategies across our schools (including all schools in the STAR Teaching School Alliance, and other schools with which we have links.) For Sherburn High School and Tadcaster Grammar School, it is very important to engage actively with partner primaries beyond the STAR schools, and ensure that pupils who transfer to them in Year 7 have every opportunity to engage in transition activities. We will continue to develop stronger



curriculum and other collaborative links between Sherburn HS and Tadcaster GS too, enabling us to offer more viable courses, particularly at post-16. One of the proposed Trustees has a senior role in a local university, so we hope to develop stronger links with higher education too.

- Schools will continue to follow The National Curriculum, and individual schools will continue to be responsible for teaching and learning approaches, as they are now.
- The STAR MAT will continue to apply the current North Yorkshire admissions policy. There is no intention to amend this, or to prioritise admissions from a STAR MAT primary school to either of the secondary schools.
- There are no plans to change school holidays, which will continue to align with those of North Yorkshire County Council, nor timings of the school day
- Transport arrangements will continue as they do now, including those funded by the local authority
- There are no plans to change the school uniform or dress code in any of the schools if they become academies

The conversion process

How is this funded? Will there be enough to cover the costs of conversion?

- There are legal and other costs associated with converting schools to academies. These are covered by a conversion grant of £25,000 per school. Some of the costs are specific to an individual school, others are more trust-wide, allowing for greater economies of scale and efficiencies.
- Some of the conversion grant will be pooled to pay for start-up costs, eg financial management software, or for new functions that will need to be paid for such as independent auditing of MAT accounts.

What happens to the land and assets that transfer to the MAT?

- The land and buildings continue to be owned by North Yorkshire County Council, and transfer to the trust on a 125-year lease basis. If MATs have more than five academies with at least 3,000 pupils (which the STAR MAT would have), they automatically receive a School Condition Allocation (SCA), based on a formula, to deploy strategically across the schools to address their priority maintenance needs. This sum would be significantly larger than the amount currently allocated to our schools.



STAR MAT Consultation Report I – January 19 2018

As the consultation period draws to a close, the heads and governing bodies have suggested that it would be helpful for parents, carers, staff and the wider community to be aware of the responses so far, particularly of any concerns or questions that were being raised. Although a significant majority of the responses so far have been supportive of the proposals, a smaller number of respondents are clearly not, and have expressed some concerns and reservations about them. The most commonly asked questions – and challenges – related to: rationale; the 'church articles; accountability, governance and leadership; and the fears that academies could be prone to failure. The latter concern was linked to recent highly-publicised cases of academy chains which have been dissolved.

A further report (STAR MAT Consultation Report II) will be issued on some of the more straightforward factual questions that have been asked.

Rationale – why are the schools considering setting up a multi-academy trust (MAT)?

- The schools are already good and outstanding – why change?
- What are the risks of not converting to academies as opposed to doing so?
- Why is the multi-academy trust going to amalgamate schools from different areas?
- How will pupils benefit from these changes?
- What's the evidence that academies perform better than LA schools?
- What will happen to schools in the STAR Alliance who do not join the MAT?

Heads and governing bodies have been considering academisation for over two years, taking into account the national educational and political context, and what they judge to be best for their pupils and students. In doing so, they have been building on a very strong, high trust collaboration through the STAR Alliance which has had very significant benefits in terms of school improvement, teaching and learning strategies, and shared approaches, for example teacher training. The focus on the STAR MAT will be on sustaining and improving schools in our communities, and not on taking responsibility for other, more distant schools that have no links with us and which could jeopardise our current partnerships.

There is risk involved in changing status from being a group of single LA maintained community or CE schools to becoming a multi-academy trust, but because there is already a strong partnership based on shared values and close geographical location, the judgement of leaders and governors is that the schools can become more sustainable, viable and effective if they formalise the partnership. This would also minimise the risk of any school which became vulnerable (eg through a very negative Ofsted judgement) being ordered by the DfE to join another academy chain which might not be based in our communities.

The schools are not being 'amalgamated', but strengthening their partnership in a stronger, more accountable governance structure. School leaders and governors do not regard the schools as being from 'different areas', but drawn from a geographical locality which has already enabled them to collaborate effectively. There is now very strong evidence that school collaboration, supported by formal governance arrangements, does have a beneficial effect on pupil outcomes, but it is true that just by becoming an academy does not necessarily guarantee a school will continue to improve:



however, the multi-academy model can more easily lead to closer integration, greater economies of scale and better value approaches to sharing services. The STAR Teaching School Alliance will continue as before, underpinned by the Teaching School and the existing good relations between all of the schools, irrespective of whether they become members of the STAR MAT.

Becoming a multi-academy trust under ‘church articles’ of association

- Why should the multi-academy trust be governed under Church of England arrangements when the majority of pupils are in community schools?
- What guarantees are there that the community schools will preserve their ethos?

The decision to become a MAT under ‘church articles’ was not one which was taken lightly, and was based on the commitment that the MAT should be as inclusive as possible and involve both CE and community schools that wished to join, and in order to deliver on our principles of strengthening the bonds between existing STAR Alliance schools. The national agreement between the DfE and The Church of England is that the Christian ethos of CE schools will be protected in a ‘mixed MAT’ by having ‘Members’ (see below) who are nominated by the Diocese. There is no intention to undermine the ethos of community schools within the MAT, which will be guaranteed by the objects of the company as set out in the Articles of Association, an ethos deed of undertaking signed by all Members and Trustees to preserve the Christian character of Church schools and the community ethos of community schools in equal measure, and the fact that the initial Articles of Association and any subsequent changes have to receive DfE approval. There are already a number of similar MATs in our area which have several community schools but operate under ‘church articles’. (Examples are the Elevate MAT in Knaresborough, Yorkshire Causeway MAT in Harrogate, and the more local Pathfinder and Ebor MATs.) The Diocese of York is explicit in underlining that this approach is not about extending influence and control, but supporting their schools in being able to work effectively around school improvement and sustainability. There are a high number of community schools in these MATs, in some cases outnumbering the church academies.

Accountability, governance and leadership

- The local authority is better placed to provide the strategic, governance, employment and funding framework for schools; will setting up a multi-academy trust remove local accountability?
- How will the Members and Trustees be chosen, and how can we be sure that, as volunteers, they will ensure the multi-academy trust is well-governed?
- How much influence will local governing bodies have in a multi-academy trust?
- How will the Chief Education Officer be appointed? How will the MAT ensure that there is not an additional layer of expensive ‘management’?
- How will funding be distributed across the MAT? Will it be fair?

The STAR MAT will continue to work closely with the local authority, which has been supportive of the schools in negotiating how they might work together in future. However, the MAT can create stronger local and more responsive accountability by drawing its trustees from the communities the schools serve, based on their skills, experience and qualities and ensuring their focus is very much on the specific needs of our schools, children and young people. Three of the ‘Members’ are



nominated by the Diocese of York, based on their experience of school governance, education and company law, while two have been approached by us on the basis of their experience as a senior local authority education officer and third sector work respectively. (The Diocese of York has moved significantly from the 'pure' majority governance mixed MAT Articles of Association by not requiring a mandate to appoint a majority of Foundation Trustees on the Trust Board but rather to work with those establishing the MAT to find the people with the right skills for the individual locality and then to work with them to ensure that all schools within the Trust flourish, be they church or community schools. The Diocese only appoints one trustee to be the voice of, and support for, the church schools if needed.)

A further nine potential trustees have been approached through governing bodies and local contacts, again based on their skills and experience: they collectively have very substantial experience in areas of expertise (education, the law, financial management, business and commerce, project management, HR, etc.), as well as school governance. These are essential skills for successful governance of a multi-academy trust.

DfE guidance is very rigorous and robust in terms of academy governance, and has become more so in the light of recent concerns about some academy chains. Trustees (and members) are not paid, but will receive training and support in helping them understand their roles and responsibilities, underpinned by the seven principles of public life: selflessness; integrity; objectivity; accountability; openness; honesty; and leadership. The MAT website will have very transparent and publicly available information about trustees' declarations of interests, their experience, attendance at meetings etc, and there is now rigorous auditing of not only academy financial arrangements, but also governance.

Local governing bodies, with their headteachers, will still continue to oversee and lead the running and day-to-day operation of schools, as they do now, but will be accountable to the MAT Board rather than to the local authority. They will continue to have staff and parent representation. The STAR MAT will operate on the principle of 'earned autonomy', where successful schools have very highly delegated powers to make their own decisions. Where schools are at risk of becoming vulnerable, however, the MAT Board will provide more challenge, as well as support, to ensure that the school is secure. The Chairs of Governors' group will be an important part of the MAT framework to ensure there is good two-way dialogue between the Board and local governing bodies.

The Chief Education Officer (CEO) will be appointed by the Trust Board through a transparent recruitment process, initially on an interim basis during the transition period in becoming a fully-fledged MAT. The opportunity for applying for the post will be open to heads within the STAR MAT in the first instance. It is possible that the CEO will combine this role with headship, provided that the MAT Board and local governing body are confident that both roles can be undertaken simultaneously, and that the individual school leadership arrangements are strengthened to enable the CEO to have the capacity to concentrate on the new challenges of establishing the MAT successfully. However, the STAR MAT would be a large organisation, and the expectation is that, over time, the CEO role would be a full-time one.

The Trust Board will decide on the CEO salary range, taking independent HR advice. The salary will reflect the challenges and accountability of the post, but there is no intention to create an expensive



management hierarchy. In common with the respondents who raised the issue of salaries, heads and governing bodies share the view that it would be wrong, unnecessary and unaffordable to replicate the leadership and salary structures of those academy chains which have come to popular attention.

Heads and governing bodies are confident that the skills and talents of staff within the schools will enable them to take on many of the MAT-wide services and functions that are currently provided externally to individual schools.

In a multi-academy trust such as the one that is being proposed, typically about 5% of the total MAT budget is used to provide the central and shared services which will support the effective trust-wide operations on behalf of all of the schools. This broadly corresponds to the amount that funds central and shared services (eg provided by the local authority) anyway, so individual school budgets remain broadly comparable. The detailed arrangements would be agreed between schools and the Board, but the process would be fair and transparent. The intention is that a larger proportion of the individual school budget would be spent on teaching and learning, enabling great economies of scale and better value arrangements to be achieved on other functions. The MAT will receive a small amount of additional funding that would otherwise stay with the local authority (de-delegated funding), but academies are no longer funded on a preferential basis as was the case some years ago. There is much more of a 'level playing field' now.

What will happen if the multi-academy trust fails?

- If a school in the MAT gets into difficulties, would it be taken over by another MAT?
- There are examples of multi-academy trusts in the region which, for a range of reasons, have failed. How will the MAT guarantee sound financial and overall management to prevent this happening? Can a MAT go bankrupt?

If a school in the MAT becomes vulnerable, the MAT is responsible for supporting it. If a local authority school becomes vulnerable, it can be given an academy order and directed to join an existing multi-academy trust or chain. If the MAT itself gets into difficulties, then it is possible that it could be merged with another multi-academy trust. However, the likelihood of this happening is remote, given that our partnership is based on strong shared values, geographical proximity, and a successful history of effective collaborative working. There is no intention to 'over-stretch' the MAT by taking on schools outside our locality which would drain our resources and capacity. The rigour, checks and balances in our accountability and governance model will underpin sound financial management. The Education and Skills Funding Agency (ESFA), the public body which oversees academy finances, would work closely with a MAT which is at risk, by applying a Financial Notice to Improve, enabling them to exercise close scrutiny of financial planning and ensure that it remains viable.