A Consultation about the Proposal for Bignold Primary School and The Angel Road Federation to become part of Diversa Multi Academy Trust

Why are Bignold and The Angel Road Federation proposing to become Academies?

- We would like to academise from a position of strength.
- We want to continue working collaboratively using the expertise of our leaders across our schools in order to secure sustainably good outcomes for children.
- We have developed the name Diversa to support the schools’ communities and ensure that we champion all children to reach their full potential.

How will the Trust (Diversa) work?

The Trust will be founded by Bignold Primary School.

We are creating the Diversa Trust to achieve the following benefits:

- Access to locally based leadership and school improvement expertise to continue the drive for improved performance in teaching and learning;
- Sharing of best practice across all schools in the Trust;
- Greater resilience to future risks by joining a Trust containing two other schools with plans to grow to 5 schools in the short/medium term;
- Opportunities to benefit from shared services such as ‘back office’ and procured goods and services to reduce costs and free up more resources for use in the classroom; and
- Improved recruitment and retention of the most skilled teachers and leaders attracted by the opportunities that a wider successful trust organisation will bring.

Diversa Trust is very clear that the individual ethos and character and good practices of each school will be maintained.

What is an Academy?

Academies are publicly funded independent schools that are not managed by a local authority, but their funding and accountability is directly with the Department for Education (DfE).

When will Bignold Primary and The Angel Road Federation become an Academies?

We would expect that the process will take 3-4 months and the planned conversion date is the 1st August 2017.

Why is there a consultation?

The Academies Act 2010 requires either the school or the sponsor to consult “such persons as they think appropriate” on whether the school should become an academy.

The Governing Boards of all schools have agreed to consult with all key stakeholders about the academy conversion including parents, staff, pupils and other schools over a 4 week period from 18th April to 17th May 2017.
The new Trust will have both Members and a board of Directors and will include existing members of current Governing Boards as well as other professionals with a range of suitable skills.

**Does the school need agreement from the Local Authority to become an Academy?**

No. The Academies Act 2010 has removed the need for the Local Authority to approve plans for the school to become an Academy. However, we have been working closely with Norfolk County Council and have included them in discussions leading up to this consultation.

**What form of relationship will exist between the Local Authority and the school?**

This is for individual Academies or Multi Academy Trust’s to determine – there is no statutory requirement for any formal relationship between local authorities and academies. Academies are directly funded and accountable to central government (Department for Education via Education Funding Agency).

The Local Authority retains statutory duties for aspects of special educational needs and disabilities (SEND), admissions coordination and provision of home-to-school transport. Local Authorities are also expected to play a key strategic role locally in areas such as promoting high standards, pupil place planning, admissions and sharing good practice.

**Will the schools change their names and uniforms as some Academies have done?**

No. The school will not change its name or uniform after it becomes an academy.

**Will the schools change the start or end of the day timings?**

No. The schools will not change the start or end of the day timings?

**Are Academies subject to the same Ofsted inspection regime?**

Schools converting to become an academy will continue to be inspected in the normal way.

**What is an academy sponsor?**

We are creating a new trust and have applied to the Regional Schools Commissioner for sponsor status. Bignold Primary School will be the designated sponsor school within our new Trust.

**What are the governance arrangements for the Diversa Trust?**

Diversa Trust will have five members and a board of ten trustees in line with DfE recommendations. Both groups will include governors from the existing schools as well as community representatives or professionals with the key skills and experience to lead the Trust well. These will continue to be unpaid volunteers with a focus on the best possible education within our communities. As with current governance, employees (such as a Headteacher) can make up a minority of trustees.
What is the process for Bignold Primary School and The Angel Road Federation to join the Diversa Trust?

Diversa Trust will be a multi academy trust, which is both a charitable trust and a company limited by guarantee. The three schools founding Diversa Trust will convert to academy status once the trust has been formed.

The conversion process includes the following key legal processes:

- Putting in place a Supplementary Funding Agreement between Inclusive Schools Trust and the Secretary of State for the running and funding of Bignold Primary School and The Angel Road Federation
- Transferring the employment of the staff from the local authority to Diversa following a statutory process (TUPE);
- Agreeing a Commercial Transfer Agreement for the transfer of assets and contracts from the local authority to Diversa; and
- Arranging a 125 year lease for the land and buildings with the local authority.

SECTION 2: Staff Issues

Does the school have to hold consultation with staff?

Under employment legislation the local authority which is the current employer will need to conduct a TUPE* consultation with all staff (both teaching and non teaching) and the relevant unions as part of the staff transfer process.

(*TUPE = Transfer of Undertaking – Protection of Employment)

Can the school alter teachers’ pay and conditions?

The terms and conditions of staff are protected on transfer under by the TUPE regulations. Academies do have the freedom to vary terms and conditions from national ones but Diversa Trust does not have any plans to do this.

If the school becomes an Academy, who takes responsibility for the pension arrangements?

- Teachers working in an academy fall within the scope of the Teachers’ Pension Scheme (TPS), just as if they were employed in a local authority maintained school.

- Non-teaching staff at schools are able to join the Local Government Pension Scheme (LGPS). This is administered by Norfolk County Council as at present.

- Employees will pay the same rate as at present under both schemes, subject to any nationally imposed changes.

How will the TUPE process work and what specific responsibilities does the school have?

As the employer, Norfolk County Council is responsible for informing and consulting staff. Diversa Trust is responsible for informing the employer of any ‘measures’ which will impact on their employment. There are none planned in this case. The Academy Trust writes to each member of staff confirming that they will transfer under existing terms and conditions.
SECTION 3: Finance

Will 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 plus an additional ‘Education Services Grant’ to reflect funding held centrally by Local Authorities.

The Government is clear that becoming an Academy should not bring about a financial advantage or disadvantage to a school. However, academies do have greater freedom to decide how they use their entire budget.

SECTION 4: Admissions

Will becoming an Academy affect our admissions arrangements?

When a school becomes an Academy it also becomes an admission authority responsible for its own admission arrangements. As the school is joining the Trust – Diversa Trust will be the admissions authority.

Although they are responsible for admissions, Diversa Trust will fully co-operate with Norfolk County Council and are part of the unified admissions process. This means that parents and carers only need to complete one application form within Norfolk when they Diversa Trust schools alongside maintained schools. Parents/carers will be given the offer of a single school place.

In the same way as maintained schools, all academies and their schools are required to adopt clear and fair admission arrangements in line with the admissions law and the School Admissions Code.

Who is responsible for setting any catchment areas when a school converts to become an Academy?

The Academy is its own admission authority. That means that it becomes responsible for its own admissions arrangements. If it has a catchment on conversion it retains that catchment unless it decides to change it. The LA cannot change an Academy’s catchment area even if it has previously done so when the school was a maintained school. Any change of catchment area by a school must follow a strict procedure including consultation within a given timeframe.

Will Academies have to be a part of the annual coordinated admissions scheme? E.g. when the LA needs to find places for families relocating to the area etc.

Yes - Academy Funding Agreements require them to be in local coordination. That means although the academy will apply its own admission arrangements, the LA will send out offers of places. The Local Authority in Norfolk also coordinates admissions for in-year applications and applications for year groups other than the normal point(s) of entry. This will not affect the Academy’s right to determine which applicants have priority for admission. Academies are also required through their Funding Agreements to participate in local fair access protocols which help to ensure that no child is without a school place.
Can new Academies decide to bring in academic selection?

No, there will be no expansion of selection. Schools which already select some or all of their pupils may continue to do so when they become Academies, but schools becoming Academies cannot decide to become newly selective schools.

SECTION 5: Special Education Needs

Will our responsibilities in relation to Special Educational Needs and exclusions change?

No. Responsibilities as an Academy in relation to Special Educational Needs and exclusions will be just the same as they are now as a maintained school.

Can a child with an Education Health and Care Plan nominate an academy as their school of choice?

Yes. These arrangements and related processes must at all times comply with the School Admissions Code and responsibilities as an Academy in relation to Special Educational Needs will be just the same as they are now as a maintained school.

Does becoming an Academy change the way in which exclusions are dealt with?

Academies are required by their Funding Agreement to follow the law and guidance on exclusions as if they were maintained schools. This includes reporting exclusions to the Local Authority. However, Academies do not have to consult the Local Authority before deciding to exclude a pupil and they can arrange their own independent appeals panel.

SECTION 6: Further Information

How do I find out more about the proposals?

Come along to one of the consultation meetings being held at one of the Schools;

(i) Bignold Primary School on Tuesday 25th April at 6.00pm
(ii) Angel Road Federation at Angel Road Infant School on Wednesday 26th April at 6.00pm

These will provide an opportunity for you to ask questions and make comments. Representatives from each of the Governing Boards who will be there to meet you and answer questions about the trust we are seeking to set up

Please come along to one of the above meetings to ask any questions or make comments.