



Converting to the Xavier Catholic Education Trust

Frequently asked Questions and Answers For staff, parents, carers

Contents

1. Context of document
2. Academy/Multi-Academy Trust (MAT) explanation
3. Conversion decision
4. Our Catholic Ethos
5. Academy funding
6. Academy admissions
7. Academy inspections
8. Staff Terms and Conditions, pensions and the TUPE process
9. Staff pay progression/salaries
10. Advantages
11. Disadvantages
12. Miscellaneous Q&As
13. How to find out more

1. Context of this document

As part of the consultation regarding academy status, this document contains key questions and answers, regarding the implications of becoming an academy school within the Xavier Catholic Education Trust as this relates to St Edmund's Catholic Primary.

The document is part of a series of communications which will take place with staff, parents/carers and other stakeholders in the provision of Catholic education to St Edmund's Catholic Primary pupils

Q&As seen in this document, which relate to staff Terms and Conditions, will not form part of communications sent to other non-staff stakeholder groups.

2. Academy/MAT explanations

a) What is an Academy?

Academies are classed as independent state schools, which have the freedom to determine their own policies on such things as the curriculum taught, school hours, term dates and staff pay. This is enabled by the Academies Act 2010. Primary, secondary and special schools are all able to apply to convert into an Academy and are accountable to the Secretary of State - not to the County Council.

b) Who runs an Academy?

The Academy is run by an Academy Trust. This is a legal body which operates as a charitable organisation and a company limited by guarantee. The Academy Trust has a formal agreement, or contract with the Department for Education (DfE). The Academy Trust consists of Members and a Board of Directors, also known as Trustees, who are the Governors of the Trust.

c) What is a Multi-Academy Trust (MAT)?

A multi-academy trust is the most formalised type of collaborative structure available for Academies. Within a MAT, all schools become academies and are governed by one Academy Trust. The schools' Local Governing Bodies will operate subject to the control of the MAT which has ultimate responsibility for the running of the individual academies. The MAT will be accountable and responsible for the performance of the each of the Academies in the group and may delegate its decision-making powers to the Local Governing Boards of the individual academies.

d) What will the responsibilities of the Board of Directors be?

The Academy Trust (a charitable company limited by guarantee) will enter into a funding agreement with the Secretary of State for the running of the Academy. The Academy Trust (made up of Members and Directors) has a strategic role in running the Academy and is accountable to the Secretary of State. In a Catholic academy or MAT, the Bishop will be responsible for appointing both the Members and Directors. It is the Board of Directors that manages the Academy on behalf of the members of the Academy Trust. The key responsibilities are to:

- ensure the quality of educational provision;
- challenge and monitor the performance of the Academy;
- manage the Academy Trust's finances and property;
- employ staff.

3. Conversion decision

a) Who decides which schools convert to an academy?

The decision for any school to become an academy rests with its Governing Body, and Governors should base this on what is best for the children. Before a decision is taken on academy status, the staff and parents/carers whose children attend the school in question, will be consulted on their views and opinions.

b) Why is this being considered?

Gaining academy status would give us the autonomy to continue to develop our school and raise standards. As a member of a strong Catholic MAT, there will be greater opportunities for working more closely with other local Catholic schools to benefit our pupils and secure a strong sustainable future.

4. St Edmund's Catholic Ethos

a) Will St Edmund's Catholic Primary School lose its identity, character or ethos?

No. Firstly, there is no suggestion to change the name of the school. Whilst we would be working in a larger family of schools with a very similar Catholic ethos as ourselves, becoming an academy would provide us with greater freedoms to continue to provide high quality learning experiences. Each school is able to retain its own special and unique qualities whilst benefitting from sharing ideas and expertise from a strong team.

We anticipate that this opportunity to work even more closely together with a supportive Catholic MAT would further strengthen and support St Edmund's ethos and traditions.

b) Would St Edmund's join a Catholic MAT in this Diocese?

Yes, St Edmund's would join a Catholic MAT. The Bishop has told Catholic schools in this Diocese that we can only become academies in Deaneries within the Diocese and that each MAT should cover two Deaneries and be cross-phase (Primary and Secondary together). In our case, this brings together the Woking and Weybridge and Guildford Deaneries and this is called the Xavier Catholic Education Trust. To get an understanding of this Trust and its benefits, please see the link in the below section called 'To find out more...'

c) Which other schools form the MAT to which we would probably belong?

The following schools are already part of the Xavier Catholic Education Trust:

Primary schools

- Cardinal Newman School, Hersham;
- Holy Family School, Addlestone;
- St Alban's School, Molesley;
- St Anne's School, Chertsey;
- St Augustine's School, Camberley;
- St Charles Borromeo School, Weybridge;
- St Hugh of Lincoln School, Woking;
- The Marist School, West Byfleet
- St Cuthbert Mayne, Cranleigh
- St Thomas of Canterbury, Guildford
- St Polycarp's, Farnham

Secondary schools:

- Salesian School, Chertsey;
- St John the Baptist School, Woking
- St Peter's, Guildford

d) What is the mission statement of the Xavier Catholic Education Trust?

The Trust's mission is to provide an outstanding Catholic education for all the children in our schools. We will follow the example and teachings of Christ and everything we do will be inspired by Gospel values. We will strive for excellence in all areas of our work and cherish every child in our care.

5. Academy funding

a) How is an academy funded?

Academies are given the money directly that would have been given to the County Council. This means that academies can choose how to spend the money given.

b) Will we get more money as an academy?

Academies receive the same level of per-pupil funding as they would receive from the LA as a maintained school, plus additions to cover the services that are no longer provided for them by the LA. The Government is clear that becoming an academy should not bring about a financial advantage or disadvantage to a school. However, academies have greater freedom on how they use their budgets, alongside the other freedoms that they enjoy. Within the MAT there is also the opportunity to reduce costs through efficient use of resources and through exercising its greater buying power.

- c) Do we have to cover the full cost to convert to an academy?

No, the Department for Education (DfE) will pay a flat-rate grant of £25,000 to the school's bank account, to fund conversion. Total costs will vary from school to school but from our research this is usually enough to cover the cost of conversion.

- d) My child has Special Education Needs. How can I be confident that he/she will be given the same level of support, attention and care?

The Academies Act 2010 requires academies to follow the same statutory framework for special needs as local authority schools. Academies receive the same level of additional funding to support those children.

- e) Will we have to raise our own capital funding as an academy?

No. All schools, including Academies, will be able to apply for Government capital funding. This is done through the Education Funding Agency.

- f) What happens to the St Edmund's PSA funds and fundraising?

The St Edmund's PSA current and future funds remain with St Edmund's PSA for use by St Edmund's as per the current spend decision mechanism.

6. Academy admissions

- a) Are there any rules relating to admissions that academies and maintained schools must follow?

Yes. Academies must follow the law for school admissions, Special Educational Needs and exclusions as if they were a Maintained school, which St Edmund's has been for many years.

- b) Would there be any implications for admissions?

No. As a Voluntary Aided school the Governing Body is already responsible for setting its own admissions policy and this would not change as an academy. It is important to note that, although the responsibility to set a policy lies with the Governors, admissions policies must be approved by the Diocese. Applications for school places would continue to be made through the LA which has a statutory duty to ensure that there is a school place for every child.

7. Academy inspections

- a) Are academies free from Ofsted inspection?

No. Academies are subject to the same inspection regulations as all maintained schools. The only difference anyone would notice is that an academy is officially a new school, so the first time an academy is inspected the report would say 'not applicable' next to the date of the previous inspection.

8. Staff Terms and Conditions, Pensions and the TUPE process

- a) Will there be any impact on Terms and Conditions?

Staff will transfer on their existing pay and Terms and Conditions which are based on the Surrey model. At the time of Academy conversion, staff would have new contracts with the Trust as the employer, which will be protected by legislation under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). The employment Terms and Conditions will remain the same for at least the next 3 years.

Currently Teachers are employed by Governors and Support Staff by the LA, on conversion all staff will become Xavier Catholic Education Trust employees.

Union consultation is carried out by the Trust prior to transfer. St Edmund's would follow the same path as all the schools that successfully converted to the Xavier Catholic Education Trust at outset.

TUPE protects Terms and Conditions for three years but they can be re-negotiated after one year, provided that overall the contract is no less favourable to the employee. Trade unions will be consulted during any changes to terms and conditions. Terms and Conditions relate to a range benefits such as annual leave, sick pay entitlements, maternity / paternity and adoption leave, redundancy and pension benefits.

b) Will the pay policy be changed?

Academies are not bound by the Standard Teachers' Pay and Conditions Document therefore the Trust is responsible for setting pay and conditions of its staff. All schools within the Trust follow the Xavier Catholic Education Trust Pay Policy, which is on the Trust website. It is revised annually and following recommendations from national bodies such as STRB and NJC.

c) Will there be any impact on pensions?

All pension accrued under the former employer are protected. Future pension rights after the date of transfer are excluded from the TUPE Regulations. However we understand that:

- Teachers will retain their government pensions as now, they will keep paying in to the same entity which is solid, i.e, Government.
- For Support Staff working through the LA, the Government has undertaken to underwrite their pensions which will continue to be managed by the LA, again protected by the Government.

The change is one behind the scenes, in that the Finance Directors along with the Trust Chief Financial Officer will oversee all pension matters and they have to follow Government rules on contributions both by the Trust, the employer and each staff member.

d) Who will recruit new staff?

Currently all staff are employed by the Governors, who delegate the operational responsibility for this, to the Headteacher. "Reserved posts" such as Headteacher, Deputy Head and Head of Religious Education are the exception to this and the Governing Body is directly involved in this alongside the Diocese and LA.

Currently, teachers and support staff are employed on Catholic Education Service contracts. On conversion, all staff will become Trust employees and employment contracts will be with the Trust.

The future operational practice will mean that the Local Governing Committee remains responsible for most staff recruitment, which can be delegated to the Headteacher as before but the contracts of employment will be with the Trust.

Recruitment of the Headteacher will be undertaken by the Trust CEO in consultation with the Local Governing Committee. The approving authority is the Trust Board. Recruitment of Reserved Posts will be undertaken by the Headteacher in consultation with the Trust CEO and Board. The approving authority is the Local Governing Committee.

The Headteachers we spoke to carry out their own interviews and, in practice, recruit their own staff although all staff are employees of the Trust.

One potential benefit is that job vacancies will also be advertised internally, so that staff can benefit from career progression within the Trust, along with staff development opportunities which will help retention across all schools.

e) Will staff be expected to change in which school they work?

No. The existing staff will be contracted to work within St Edmund's, (there are no mobility clauses in the contracts). In the future, the Trust may request a teacher to move but this would not happen without their consent. This applies to newly recruited teachers as well. Staff would only move with their consent and the Headteacher concerned would also have to agree to the move. Currently in the Trust, in the spirit of mutual support, some individuals may have visited other schools to provide support on a particular matter but only at both their and the Headteacher's agreement. The close geographical proximity has meant this has been done quite easily.

9. Staff pay progression/salaries

a) What would teachers' pay progression/ pay scales look like in the Xavier MAT?

St Edmund's School Governors have checked with the Trust management, who have advised that the pay scales and progression are in line with those currently used by the school. The Trust follows the pay progression locally in Surrey and nationally.

b) Would there be realistic opportunities for increasing salaries, and how would the implementation and structure of the pay policy differ between last year at St Edmund's and going forward?

As per the answer to Question (a) above, the model for pay scales and progression will remain consistent with the current model, as the Xavier Catholic Education Trust follows the Surrey model. Expectations remain in line with current expectations. Salary increases, as now, will depend on the Trust's budget as the budget must be sufficient to meet the stated rewards of the pay/appraisal policies, and budgets cannot be in deficit. This said, with budgets and funding becoming tighter across the sphere of education, the Xavier Catholic Education Trust would be in a better position to meet budget challenges than a stand-alone primary/secondary school. This may logically lead to more positive outcomes regarding pay elements although this is not guaranteed.

10. Advantages

What are the advantages of achieving academy status within the Xavier Catholic Education Trust?

- Freedom to develop further a curriculum that meets the needs of all our pupils.
- Support the continuity of Catholic education in this area for pupils from four to 18 years and ease pupils' transition from primary to secondary school.
- Keep all the features of the school that are valued so highly by our pupils, parents and staff, but use the additional freedoms that academy status brings, to enhance our provision for all.

- Flexibility to direct funding to the specific requirements of our school in order to preserve and develop the best of what we do as a school in challenging economic times.
- Converting to Academy status may provide the best route for us to build on our many strengths and become an even better school.
- Formalise and strengthen our existing partnership work with other Catholic schools which will offer greater opportunities to develop our staff and gain from experience.
- Being part of the Trust will enable us both to access and to deliver peer-led school-to-school support, sharing outstanding teaching and learning expertise across the Trust schools so that we continue to improve our teaching and learning. All schools within the Trust are either 'Outstanding' or 'Good'.
- Provide additional opportunities to share resources and facilities, developing a collaborative way of working and 'joined-up' provision for the benefit of all of our pupils and families;
- The ability to respond more effectively to the budget pressures all schools are facing, by securing economies of scale whilst retaining individual school autonomy.
- Other freedoms, such as the ability to introduce some flexibility to staff pay and conditions which could help us recruit and retain the very best people.

11. Disadvantages

Are there disadvantages in achieving academy status?

- Perception that 'old-style' academies were created to replace under-performing schools
- Uncertainty about future Government policy
- Financial risks – an Academy cannot go into deficit
- Autonomy brings associated responsibility in areas such as asset management

12. Miscellaneous Q&As

Will St Edmund's and the Xavier Catholic Education Trust stop using the 2014 National Curriculum as we have heard that academies can opt not to teach it?

It is correct that academies can choose not to teach the 2014 National Curriculum. In the case of the Trust, the decision has been taken to continue to follow the 2014 National Curriculum. No change to this approach is envisaged. It makes sense to follow the National Curriculum as Ofsted is judging schools based on the 2014 National Curriculum.

Will all schools in the Trust follow the same curriculum or is there a risk that some schools in the Trust will be stretched more than others, meaning that some children are at a disadvantage in some schools when moving from Junior to Senior school?

The Trust expects all schools in the Trust to 'strive for excellence' and supports all schools in their pursuit of this, for all children. No school is viewed differently in terms of expectations and support. One of the ways in which this consistency of approach is applied, is through Trust INSET days to which all schools attend and in which all year teachers plan together for their year, leaving the session with a common understanding of the depth and breadth of the plans.

How is the MAT (Xavier Catholic Education Trust, in our case) funded?

For non-academy Voluntary Aided Schools, the Government (Department for Education) gives its funding for education to the Local Authority (Surrey), in our case. The Local Authority (LA) gives the money to the schools. It keeps some money back to pay for the services it procures on behalf of the schools and provides to them.

For academies, the Government (Department for Education) gives the funding straight to each MAT. In this model, the money does not go via the LA, and the LA does not hold money back for the provision of services. This means that the MAT has the flexibility to choose its providers for services, including for those schools where they were previously received from the LA. The MAT uses its volume buying power to secure services for the schools in the Trust. The MAT may decide to buy some services from the LA rather than from a third-party contractor depending on the comparative value of this. The Trust is also open to schools continuing to use their existing suppliers where a school prefers to do so.

If we stop buying some services from the LA, doesn't this mean we will be buying at commercial rates?

Yes, but the Trust believes that competitive commercial rates are available to schools (jointly or individually) due to the Trust's buying-power. A school may also want to use a small local concern it has used for many years, and from which good service and value for money has been evident.

How does the Trust apportion the available funding between the schools?

In the Trust, the model is the same as it would have been under the LA, i.e, that the same rules of apportionment apply.

Capital costs are applied for under a different model. Each school applies to the Diocese for what it needs. The Trust has supported its schools in thinking ahead on this by undertaking Condition Surveys of each school.

Will provision for SEND (Special Educational Needs and Disabilities) still be in place from the Surrey LA?

Yes, the LA will continue to have a legal responsibility for SEND. Some schools may continue to buy specialist services (SEND/ Behaviour support-related etc) from the Surrey LA. Some schools may decide to purchase independently. The school rather than the MAT will decide what is best for the school, as not all schools need the same level of specialist service.

Which services do the schools have to buy from the Trust?

Each school can choose which services it buys from the Trust and those it buys independently. The Trust is concerned that it supports Headteachers, rather than making belonging [to the Trust] onerous to the Headteachers and schools. This is the reason why a flexible approach has been adopted by the Trust. The Trust has asked all Headteachers which tasks are onerous or stressful for them and take up time that would be better spent in the classroom, or on improving pupil outcomes.

How big will the central admin and procurement team be who will administer these centrally purchased services?

At the moment, there are five members of staff and this is not planned to change significantly. The Trust wants to keep this overhead 'light' as every penny is seen as the children's money. The Trust wants as much money as possible made available for the children, their learning and well-being. The overhead 'slice' percentage (called Partnership Agreement) which St Edmund's would pay for services, would be 2.5%.

Will the staff Terms and Conditions of employment be affected?

TUPE (Regulations 2006) will apply. Academy Trusts can change the Terms and Conditions (T&Cs) of the staff after three years but the Xavier Catholic Education Trust has decided that T&Cs will not be changed. St Edmund's staff will have contracts of employment with the Trust and these will not have mobility clauses, meaning staff places of

employment remains as they are. The Trust will not force any Headteacher or member of staff who does not want to move to another school in the Trust to do so against their will or agreement from their Headteacher.

Would it be a correct assumption to believe that belonging to a MAT would be of benefit to recruiting and retaining good teachers?

Yes, the Trust is already seeing the benefits of this, where aspirational teachers are moving between schools within the Trust (sideways or upwards) where previously, they might have been lost to a school, or to the Catholic education system as a whole.

What about staff pensions? Would the staff pension liability be underwritten?

Yes, pensions will be underwritten by the Government. The Trust will undertake an independent actuarial review to ensure clarity on the matter. Separately staff have been provided with information via their own Q&A update as part of the consultation.

Can you be more specific on the benefits of Academy status? Is what we are showing more of an aspiration as the Trust has only been in existence since September 2016.

- Feedback from Schools' Headteachers and Chairs of Governors, is very positive. The Chair and Vice-Chair of St Edmund's Governing Body have met with a number of these stakeholders during the research phase of this initiative.
- The Trust believes it has Directors with exceptional skill-sets, all of whom are showing themselves to be committed to excellence (including Estate management, Finance and HR).
- The LA's ability to support and fund schools through their improvement plans is reducing dramatically. The Government is pushing for 1,000 new academies, and LA support around the country, including in Surrey, is reducing even now. It makes sense to get ahead of the curve.
- With schools' budgets already being 8% lower than two years ago, things are anticipated to get worse. The Trust will be of a size to be able to leverage its buying power to buy competitively-priced services.
- Money will be saved on non-teaching and learning related areas, and savings will be channelled into better outcomes for all children.
- Headteachers will carry a reduced administrative burden (shared policies, suppliers, budget formats etc) allowing them to develop staff, and focus on teaching and learning.
- Schools will share good practice and plan, assess and moderate with stronger reference to each other across schools so that every child benefits from shared best practice.

Can you expand upon the negatives?

- The term 'Academy' had a mixed press as academies had originally been seen to be set up to change the fortunes of failing schools. This is no longer the emphasis the government places on the drive for academies.
- There could be uncertainty in government education policy towards academies. Catholic schools in the academy were expressing enthusiasm at being in a strong Catholic Trust precisely as a counter balance to any possible future education funding and model uncertainty.
- An academy is not permitted to go into budget deficit. This would not be a situation the Trust would want to allow to happen, and has financial procedures in place to ensure it could not move into deficit. Rolling three-year budget forecasts are scrutinised in detail on an ongoing basis.

Other possible negatives include:

- An increase in paperwork at a central Trust level, with an increase in time spent on self-auditing and response to Audits. This is something which has been planned for, and is necessary.

- The accountability placed on the CEO as a result of the Trust governance model. The Xavier Catholic Education Trust believes that the governance and processes overseen by the Chair of the Board of Directors, the Board of seven Directors and the Steering Group, would be rigorous enough to support and challenge the CEO.
- Cash flow disciplines would be more challenging for the school. The funding is passed to an academy school on a monthly basis (one twelfth each month), so cash flow has to be managed very carefully, especially when a school first converts. Some schools have found this change quite difficult to manage in the first few months of conversion.

Will St Edmund's lose its individuality?

No, St Edmund's will retain its own name, uniform, ethos and identity. It will simply gain strength and support in the teaching of the Catholic faith and the Curriculum by being part of a wider family of Catholic schools.

Is there a chance that the Government could change its agenda and reverse the vision to have academies as part of its policy?

As with any Government or change in Government, this cannot be predicted. What we would say is that this has been part of the Government's policy for some years and although the Government has lifted its 2020 deadline for all schools to convert to academy status, there is no indication that the policy will change to discourage academies. This is particularly the case as academies are no longer created to 'sweep up' and support weaker school. They are being created because the schools have a vision to achieve even more together, than one school could in isolation. Currently, signs are that this is a policy which is here to stay as Government money seems to be 'following academies' with their focus on the results for children.

I understand the financial benefits. However, what happens if two or more schools in our Trust require significant funding at similar times – e.g. building damage, flooding etc. Will we have access to emergency funds/grants?

All the schools are insured under the Government RPA scheme which would cover emergencies such as the ones mentioned. In addition, the Trust receives capital funding each year, a proportion of which will be held to the end of the year to cover any unforeseen costs.

13. How to find out more about academies?

There are several ways you may find out about academies:

Diocesan website information:

- <https://www.abeducationsservice.org.uk/ViewArticle/?section=Resources&id=955&subsect=Governor%20Resources>

DfE information:

- <https://www.gov.uk/government/publications/multi-academy-trusts-establishing-and-developing-your-trust>
- <https://www.gov.uk/guidance/convert-to-an-academy-information-for-schools>

Parliamentary:

- <https://www.parliament.uk/business/committees/committees-a-z/commons-select/education-committee/inquiries/parliament-2015/multi-academy-trusts-15-16/>

The Xavier Catholic Education Trust:

- <https://xavercet.org.uk/>