



Diocese of **Hallam** *Schools Together*

**Briefing Event for
Chairs of Governors and Headteachers**

FREQUENTLY ASKED QUESTIONS

24th June 2021

Introduction

The purpose of this document is to provide responses to questions which have been asked of Trustees over the past months in preparation for two briefing sessions planned for 30th June 2021 and 1st July 2021.

This FAQ complements documents previously provided, namely the “Update from the MAT Steering Group” setting out the Vision, a general FAQ and an FAQ for staff which are all available on the Hallam website and also the Governance Arrangements document circulated with this FAQ.

This FAQ does not address questions about the School Improvement Strategy as there are separate documents and an alternative feedback mechanism for Headteachers to raise questions about that subject following an open meeting held on 17th June 2021.

As you know, the Diocese is moving forward with the formation of two new Catholic Multi-Academy Trusts with a view to opening both CMATs with the first phase of schools in March 2022. The CMAT companies will be set up at Companies House by the end of June 2021 and Bishop Ralph has appointed the first tranche of Directors.

Responses to Questions Raised

I. Why are we doing this beyond a DfE imperative?

Trustees summarised the many benefits of being part of a CMAT in the Update document issued in February. The reasons given included:

- **Stronger and wider collaboration through a shared vision and values:** MATs build on existing strengths and expertise, such as specialist hubs, teaching schools, NLEs, NLGs which can be scaled up so that benefits are felt by all schools. Core values are shared, particularly relating to ethos and wellbeing.
- **Deepening of distinctive ethos:** A Catholic MAT has a strong shared ethos and set of values which are embedded in all aspects of the MATs work.
- **Stronger Strategic Leadership:** School leaders and teachers can combine their knowledge and planning abilities to work on challenges and solutions together. Governors and Trustees can draw on each other’s experience to formulate strategic approaches.
- **School Improvement Strategy:** A strategy designed around the needs of the schools in the MAT can be flexed according to immediate need and expertise made available for school to school support.
- **Access to Specialist Resources:** With the resources available in a MAT, specialist knowledge can be accessed in many different areas, spanning academic, extra-curricular and operational functions.
- **Access to Funding Streams:** MATs are well-placed to propose wide ranging projects which attract government funding for the benefit of many schools. The Schools Condition Allocation is also allocated at MAT level in a large MAT providing opportunities for taking a strategic approach to funding improvements to the learning environments.
- **High Quality Professional Development:** This can be organised across multiple schools, thus spreading the cost per school and upskilling as many individuals as possible per session.
- **Career Development:** Every member of staff has access to career planning support. Succession planning becomes strategic with opportunities brokered across the MAT.
- **Shared Accountability:** As a Trust represents multiple schools, it is in its interest (and duty) to raise the profile of each, in line with raising expectations.
- **Delivering Economies of Scale:** A Trust is able to purchase as a whole (not just procurement of goods and services but back room services), thereby achieving economies of scale not achievable by schools as

individuals. With ever tightening budgets, this can help schools free up resources and time to allocate to teaching and learning.

- **Reducing Duplication of Effort:** Through centralization of services, MATs reduce significantly duplication of effort in areas such as financial returns, processes and audit.
- **Access to Data to inform decisions:** The MAT has access to trust wide data where trends can be identified and interventions targeted, for example on standards, staff and pupil wellbeing.
- **Reducing Policy Burdens:** MATs provide a large number of central policies and procedures for core business services, freeing up governor and leadership time to focus on their school's priorities.
- **Supporting Compliance duties:** MATs provide support for complaints, data protection, freedom of information, HR procedures, ensuring that no school is exposed to unnecessary risk from procedural errors.

2. Which elected person or persons are responsible for driving this project through?

The Bishop through the Diocese of Hallam Trustee is ultimately accountable for driving this project through. The Bishop has delegated responsibility for the day to day oversight and direction of the project to the MAT Steering Group. We now also have Directors appointed to each CMAT and they will be driving the project forward in conjunction with the MAT Steering Group. The MAT Steering Group is advised by the Schools' Department to provide educational expertise and the MAT Development Group to provide MAT formation expertise.

3. Why are we rushing to set up the CMATs?

The development of MATs in the Diocese of Hallam has been discussed and proposed for a number of years. The project has gathered momentum since Autumn 2020 in response to the need to ensure that all diocesan schools are able to reap the benefits of the CMAT model and to ensure that no school is left behind or isolated. We are not rushing into this. The project has been carefully planned and the timescales have been discussed with the DfE who have been pressing for an earlier set up of the CMATs. However the Diocese pushed back to ensure that the strategy was sustainable, met the needs of Hallam Diocese and had a definite end date. This will mean that the CMATs have sufficient capacity on day 1 with the necessary expertise to support school improvement and onboard schools in phase 2. Setting an end date means that schools have certainty and can plan for being part of the CMAT. It also means that all 23 or 24 schools will feel part of their respective CMAT from day 1 and no school will be left behind.

4. Will there be a lead school in each CMAT?

The CMATs are being set up as two new companies and are not based on a "lead School". There will be no lead school in each CMAT.

5. Will the CEO be Catholic?

Any permanent appointment of a CEO will need to be Catholic. The Bishop has discretion in exceptional circumstances to appoint a non-Catholic if this is on a **temporary** or **interim** basis if there are no suitable Catholic candidates.

6. What is the role of a foundation governor in the CMAT?

Foundation governors are appointed (and may be removed) by the Bishop of Hallam. Their fundamental responsibility is to ensure, on behalf of the Bishop, that at all times the school is conducted as a Catholic school and that Religious Education and Collective Worship take place in accordance with the requirements laid down by the Bishop. This responsibility extends to joint Church of England/Catholic schools too. At all times, foundation governors are expected to uphold the views and wishes of the Bishop in all matters – "*to know the mind of the Bishop*". This aspect does not change in the CMAT.

7. Why are governor roles changing?

The fundamental role of a foundation governor in terms of ensuring that a school's Catholic ethos is maintained and developed has not changed. Neither has the fact that foundation governors are also responsible for ensuring that the school's academic standards are as high as possible by holding school leaders to account. It is also recognised that local governors play a vital role in maintaining and developing links with both the parish and local community. However, in a Multi-Academy Trust, governance arrangements are different. The Trust is the legal entity and is responsible for all of the academies within it.

The MAT is the employer of all staff working both within any central team and all of the academies. It is also ultimately responsible for standards and budgets in all of the academies.

8. Will there still be “governing bodies”?

Legally, a Multi-Academy Trust is not required to have local governing bodies unless it wishes to. Hallam Trustees have always felt that it is very important to retain governors at a local level as it is recognised that our local governors have detailed knowledge of the school and the community that it serves. For this reason, we want to retain a committee at local level and empower local governors to carry out the roles which they are best placed to do very effectively such as overseeing the school’s Catholic Life, maintaining and strengthening links with the local parish and holding the school’s leaders to account on standards and effective use of resources.

Governors will be called “Local Governors” and Governing Bodies will be called “Local Academy Committees” in the new CMATs.

9. What is the new governance structure?

The structure is set out in the Articles of Association. There are Members, Directors and Local Governors. The Scheme of Delegation which will be developed by the Board of Directors will set out the responsibilities of each of these and will provide detailed guidance about where the decision-making, responsibility and accountability for each function sits. This document will be drawn up in the Autumn Term as part of the next stage of developing the governance arrangements. The proposed governance structure is set out in the document “Governance Arrangements” circulated with this FAQ.

10. Will staff and parents from each school be represented in the CMAT?

Parents will be on the Local Academy Committees. Staff voice is important and therefore the CMAT will expect that schools will take into account staff voice, although there will be no “staff governors” in the structure. The CMAT may also put in place mechanisms to obtain feedback from staff. This will be confirmed by the CMAT. The CMAT Board of Directors is not a representative model. Directors are appointed to the Board based on skills and experience in order to ensure that the Board is able to discharge its duties effectively.

11. What is the status of a local academy committee in the new CMAT?

The local academy committee is a committee of the CMAT. The CMAT is the legal entity.

12. Will the current composition and size of governing bodies change?

Yes, when a school joins one of the CMATs, Local Academy Committees will be required to have two parent governors and a **minimum** of four foundation governors. Please note that this does not mean that you can only have four foundation governors. If you already have more than four, then this is a bonus and there is no reason for these foundation governors to stand down. There must also be a majority of foundation governors present at any meeting. There will be no ‘staff governor’ or ‘local authority governor’. Headteachers will not be a member of the Local Academy Committee although it is expected that headteachers will attend all meetings. Other members of staff may also be asked to attend meetings in order to provide input as and when required but will not have voting rights.

13. Why can’t staff attending meetings have voting rights?

The move away from having staff governors is a national trend, supported by the National Governance Association. It reflects the concerns that staff have too many conflicts of interest to be able to fully perform the role of governor, particularly in relation to involvement in HR cases, staffing restructuring, management of complaints and holding the leadership of the school to account. It is not really a question of voting rights but of ensuring that the Local Academy Committee has a range of skills around the table and that it receives professional input in order to assist it in its monitoring role. The role of staff attending meetings to provide professional input and advice based on their particular role or subject knowledge is therefore extremely important and should continue.

14. What about terms of office for local governors?

Terms of office for foundation governors (and parent governors) will remain at 4 years. Present terms will continue when a school joins one of the CMATs, ie the clock won't be restarted. In the case of foundation governors' terms of office, there will be a discussion between the school, the Catholic Multi-Academy Trust and the Schools' Department regarding replacements when individual terms of office come to an end.

15. I have been a foundation governor for many years and am approaching the end of my third term of office, why can't I continue?

Foundation governors are permitted to serve a maximum of three consecutive terms of office at a school (this is twelve years in total). We recognise the enormous commitment made to our schools by our foundation governors however we are following national guidance here to have a limit on the number of consecutive terms governors can serve. The National Governance Association suggests that governors should not serve more than eight years on a governing body. We must also stress that there is always the possibility of requesting to serve as a foundation governor at a nearby school. We would happily discuss this.

16. What about priests?

It is very important that our clergy are present on as many Local Academy Committees as possible. Where priests are existing foundation governors, we hope that they will continue.

17. Why are Local Academy Committees not managing the school finances as before?

This is a change in emphasis of the governors' role. The specific role of governors has never been to manage the school finances, that is an operational issue for the school headteacher and business manager, but governors have been responsible for ensuring the effective use of school funds and ensuring that the school has robust financial controls in place. In the CMAT arrangements governors still have to ensure that school funds are being used effectively. It will be part of the role to challenge the use of the funds in the school and seek evidence from the school that the funds have had the impact expected. The Local Academy Committee will ensure that the priorities set out in the school development plan are reflected in the budget put forward to the CMAT. The Chief Finance Officer will work closely with the headteachers to set budgets that meet the requirements and priorities for the school whilst being within the CMAT budget setting strategy. The CMAT will put in place mechanisms for reporting spend against budget.

18. How much autonomy will the local academy committee have in the CMAT?

The Scheme of Delegation will set out where decisions / approvals / recommendations rest with each tier of governance. This document will be developed in the Autumn Term and will be based on the principles of Catholic Social Teaching, namely that where sound governance allows and in accordance with the statutory and regulatory requirements of MATs, decision making will be at the point closest to delivery (Subsidiarity). For example, decisions relating to the day to day running of a school (including behaviour management, curriculum planning etc) will be for the school leaders to determine. Ultimate approval of budgets, staffing structures, policies relating to finance and HR for example will be for the CMAT to action as the CMAT is directly accountable for those areas - although schools will feed into this process. The CMAT will act in the best interests of all schools to ensure that those needing support get what they need (Solidarity) and the Scheme of Delegation will be set so as to facilitate the operation of the whole CMAT. Hallam Trustees have not mandated a Scheme of Delegation as the development of this document is for the Board of Directors to discuss and agree.

19. The CEO is held to account by the Board of Directors. The Executive Team are held to account by the CEO. Shouldn't there be a neutral body with the capacity to hold the CEO and/or Board of Directors to account?

The Members hold the CMAT to account. The CEO is held to account by the Board of Directors who will also appoint an independent adviser/expert as part of the performance management process for the CEO. Also the CEO is the Accounting Officer and is held to account by the ESFA. The CMAT is also held to account by the

Secretary of State for Education through the Master Funding Agreement and by the Bishop in respect of the Catholic character.

The CMAT is a Company and a Charity and therefore has a robust regulatory and statutory framework within which to operate.

20. Who are the Board of Directors? Are they elected or appointed?

The Board of Directors are appointed (just as they are in a Single Academy Trust) in line with the Articles of Association. Initial recruitment for Directors has just been completed and you will find pen pictures circulated with this FAQ. The process for recruitment of Directors has been structured and robust and appointments have been made based on skills and experience.

21. Who has the power to decide whether a Diocesan School will join a Diocesan CMAT?

- For diocesan maintained schools the governing body must pass a resolution to convert to academy status and express its wish to join the CMAT.
- For existing Single Academy Trusts, the Board of Directors must pass a resolution to join the CMAT.
- For academies within MATs, the MAT Board of Directors must pass a resolution to transfer its academies to one of the new CMATs.

In all cases the resolutions cannot be acted upon without the consent of the Bishop.

As all Foundation Governors are appointed by the Bishop with a clear expectation to uphold the Bishop's views and "know the mind of the Bishop", and that Foundation Governors will always be in the majority on any governing body, it follows that the Bishop ultimately makes the decision regarding a school joining the CMAT.

22. Can a local academy committee decide unilaterally to leave the CMAT?

No – the local academy committee is a committee of the CMAT and the CMAT Board of Directors are the decision-making body in respect of academies joining and leaving the CMAT. However, the CMAT would require the consent of the Bishop for any school joining or leaving the CMAT.

23. Is the "Letter of Intent" binding on all schools?

No – as explained by Trustees, signing the letter of intent signals the school's intention to support the Bishop's vision and enables us to put forward applications for academy orders. We should emphasise that the final decision will not be made until the Bishop through the MAT Steering Group is content with the legal documents and each governing body has passed a formal resolution and signed the legal documents. Even if a school has an academy order, the conversion of a school or the transfer of an academy to the CMAT is not legally binding until the legal documents are signed. The Letter of Intent is therefore not binding on schools.

24. How will we know if we are ready to join one of the CMATs?

The MAT Development Group has been working on detailed due diligence based on information and data supplied by each school and taking into account national and local contextual data and trends and any potential barriers to transfer. They have identified where schools need to be part of the CMAT as a priority and schools are aware where this is the case. Equally, schools which have capacity to support have been identified. Some larger academies are already working across more than one school to deliver services and share resources and this means that they will be very well prepared to join the CMAT. Every school has been given an opportunity to discuss their individual roadmap and should circumstances change between now and the scheduled joining date then timings can be adjusted.

25. What consultation is planned?

The development of the CMAT plans is being shared regularly and your feedback is requested. We have set up two key Theme Groups (School Improvement Strategy Group and Catholic Life Group) so that the plans are being brought forward by you to shape our CMATs rather than being mandated externally. Both areas have mechanisms in place for sharing and feedback to ensure that the CMATs are being developed for Hallam and by Hallam. The governance arrangements will be further developed in the Autumn Term led by Directors engaging with governing bodies based on your feedback.

The formal statutory consultation as part of academy conversion for VA schools will take place in the Autumn Term. We will also invite SATs to engage with stakeholders in the process at that point.

26. Our school is successful and we have an established curriculum – will we be forced to adopt a centralised curriculum in the new CMAT?

The CMAT will not impose a curriculum on a school where the school is successful. There will be curriculum resources available centrally for schools requiring support.

27. Will we have to adopt a CMAT wide behaviour and learning policies provided by the CMAT?

The expectation is that Headteachers will continue to lead and manage their schools on a day to day basis. Behaviour and Learning Policies will need to reflect local needs and circumstances and will be for schools to develop and implement. Support will be available for schools if needed.

28. What will the CMAT policy be on inter-school pupil transfers?

Admission arrangements in the normal round will continue as before. In year transfers will be negotiated between schools as currently. Schools in the CMAT will continue to be part of the fair access protocols in place with local authorities and the CMAT will support schools in this approach.

29. How will staff be affected by TUPE?

As set out in our staffing FAQ, staff will transfer with the protection of TUPE. The CMATs are committed to honouring national pay and conditions – the School Teachers' Pay and Conditions Document for teaching staff and the Green Book for support staff. Staff will transfer on their existing terms and conditions. There is no intention for the project to carry out a restructure prior to the set-up of the CMATs. There will be no detriment to staff as part of the TUPE transfer.

30. Are there harmonised pay scales across the CMATs?

Staff will transfer on their current pay and terms and conditions. The CMAT will put in place its own pay scales. However, staff transferring will not be forced to move to the new pay scales. New staff appointed to schools once the school has joined the CMAT will be on CMAT contracts and CMAT pay scales which will be fully in line with national pay and conditions. If a staff member who has transferred under TUPE then applies for another post within the CMAT then they will move to a CMAT contract of employment at that point. The CMAT may look at harmonisation of pay in the future but this is not planned at this stage.

31. Will a teacher be directed to work at any school in the CMAT?

There will be many opportunities for career development in the CMATs as this is one of the key benefits for staff. However, staff working in a school will not be forced to work elsewhere.

32. Are there any plans to start work on the Wellbeing theme?

We had planned to start this theme group earlier in the programme. However, the timescale we are now working to will allow for this work to take place from the Autumn Term onwards if this is something that everyone would find helpful. We will ask for your suggestions as to how this can be taken forward.

33. Our school feeds into a secondary school in another Diocese. Will admissions and home to school transport be affected by us moving to the CMAT?

The location of the CMAT, ie that it is a "Hallam" CMAT, is not a factor in the provision of home to school transport. Home to school transport arrangements are determined by each local authority and eligibility factors such as income, distance, travelling time and denominational grounds are the relevant factors. Also parents will still be able to choose a secondary school outside of the Hallam Diocese as the move to the CMAT does not change any of the feeder school arrangements already in place.

34. Will we need to make redundancies?

If your school is overstaffed now or is forecast to be then you will need to restructure as part of your management of the school. The CMAT does not envisage restructuring staffing and making redundancies as a consequence of schools joining the CMAT.

35. Are there risks of different staff roles in certain schools no longer existing?

The set-up of the CMAT does not involve a staff restructure. However, all schools are expected to manage their budgets, curriculum and staffing structures in line with the Integrated Curriculum and Financial Planning outcomes. If a school is currently over-staffed or is running a deficit budget, or has falling pupil numbers which means it will be over-staffed in future years then the expectation is that schools will take the necessary action to address this situation prior to joining the CMAT, and this may involve roles changing or posts reducing.

Also, as with any school whether a SAT or part of a MAT, staffing requirements change over time and this requires Headteachers and Governing Bodies to review staffing structures to ensure that the structure meets the needs of the school and its pupils. The CMAT will operate in the same way.

36. Will we need to restructure in order to join the CMAT?

Every school is expected to have in place sound financial management which delivers a balanced in year budget. This requires every school to base their staffing, including class sizes and curriculum plan on current pupil numbers and forecast pupil numbers (Integrated Curriculum Financial Planning). Schools which are currently overstaffed or are forecast to be overstaffed from September 2021 are expected to take necessary actions to reduce staffing. This is not restructuring because of the CMAT – this is sound budget management.

37. What is the annual budget for running the CMAT and how is this funded?

The annual budget for the CMATs is not yet finalised. However, the CMAT as a whole will operate more efficiently as an organisation of 23 or 24 schools rather than schools buying services such as legal and audit individually, to give just two examples. There is a strong body of evidence nationally indicating that MATs of the size we are creating will inevitably deliver economies of scale which will increase over time. We have carried out initial due diligence on the financial position of all schools and Trustees are confident that the financial position is sound. We have asked for your most up to date budget forecasts and these will be used to put together a 3yr forecast for the CMATs which will be shared with the RSC at the September Headteacher Board. This information will be available for sharing at CMAT level at that point.

The CMAT will operate with the funds of all 23 or 24 schools. Any local authority de-delegated funds currently deducted from VA school budgets will be passed over on conversion and will be part of that school's budget. The government does not provide additional funding for the running of the CMATs.

38. Can we have a breakdown by school of the services received from the CMAT?

The CMAT will run central/shared services from the agreed top slice (5% proposed). Schools will receive details about which services will be provided centrally when these have been confirmed. However, schools will not receive an itemised list of services specific to their school. For example, it is likely that there will be a single legal contract and a single contract for audit. This will cover all schools and be funded from the top slice.

39. Are schools having to pay for the set-up of the CMATs from their budgets?

No – we have access to funds from the academy conversion grants which will be used to fund the legal and some set up costs. We have arranged a central legal contract to deliver the conversion and transfer work which is cost effective and removes the need for schools to pay for this work. We have also secured a grant of £100,000 from the Diocesan Pilot Fund which will support the work of the CMAT programme in the Hallam Diocese. We are also applying to the Trust Capacity Fund (TCaF) following the academy order submissions at the September Headteacher Board for a grant for each CMAT. The amount of this funding is yet to be confirmed.

40. Will the CMAT manage the budget centrally or delegate at school level?

The CMAT is accountable for the overall budget and the income and expenditure for the CMAT. ESFA returns and annual audits are carried out at CMAT level and will be submitted by the CMAT. All school budgets will be approved by the CMAT working with the Headteacher. It has yet to be decided the extent to which transactions will take place centrally or at school level. It is likely that orders will continue to be placed at school level against the agreed budget. Arrangements for paying invoices are to be confirmed.

41. What will happen to built up reserves for individual schools?

The CMAT has no plans to pool reserves from schools and therefore each school will transfer with its current balances and will retain those.

42. What will schools receive from the Diocesan per pupil contribution?

This is to be confirmed.

43. What training will be available for business support staff?

There will be a CMAT wide finance system and financial procedures in place. The systems have not yet been confirmed. However, training for staff in any new system advance of joining the CMAT will be provided as a priority.

44. What centralised services will be in place, in particular audit?

These are yet to be confirmed but are likely to include Finance, HR and Audit. Audit particularly will be at CMAT level and therefore the first full annual audit for the CMAT will be carried out via a single contract at CMAT level.

45. What is the central team structure?

This is to be developed and confirmed.

46. How will we afford the centralised services as our budget is already over stretched?

The CMAT will deliver significant savings through economies of scale and central procurement over time. Due diligence indicates that the two CMATs are in a sound financial position.