



Diocese of Norwich  
Education and  
Academies Trust

**Diocese of Norwich Education and  
Academies Trust**

**Conversion to Academy Status -  
Handbook for Schools**





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## INTRODUCTION

The purpose of this document is to describe the process of conversion to academy status for your school within the Diocese of Norwich Education and Academies Trust (DNEAT). It sets out the key stages in the process from your initial consideration of academy status through application, consultation, the legal process and conversion. It describes the support that DNEAT will provide for you so that conversion disrupts the day to day work of the school as little as possible, whilst still involving school leaders and governors properly in the process. Our aim is that headteachers should still be able to concentrate fully on the key priority of improving the quality of teaching and learning.

This handbook is intended as a reference document. We hope it will be helpful. Schools should please contact DNEAT colleagues as soon as they begin to consider Academy status so that we can support you in the process.

**All contact details are on the front two pages**

Other information, including an electronic version of this handbook can be found on the DNEAT website: <http://www.dneat.org>

Once the school has an Academy Order and the conversion process begins in earnest, we will arrange an initial planning meeting with the head, office staff and the chair of governors, if available, to talk through the process in more detail and to answer questions. Local authority representatives will be invited to attend to explain from their perspective the migration from maintained school to academy and the aspects of the process that they will undertake. An outline agenda for this meeting is attached at Annex A.

## VISION AND VALUES

The Diocese of Norwich Education and Academies Trust aims to serve its communities by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its pupils.

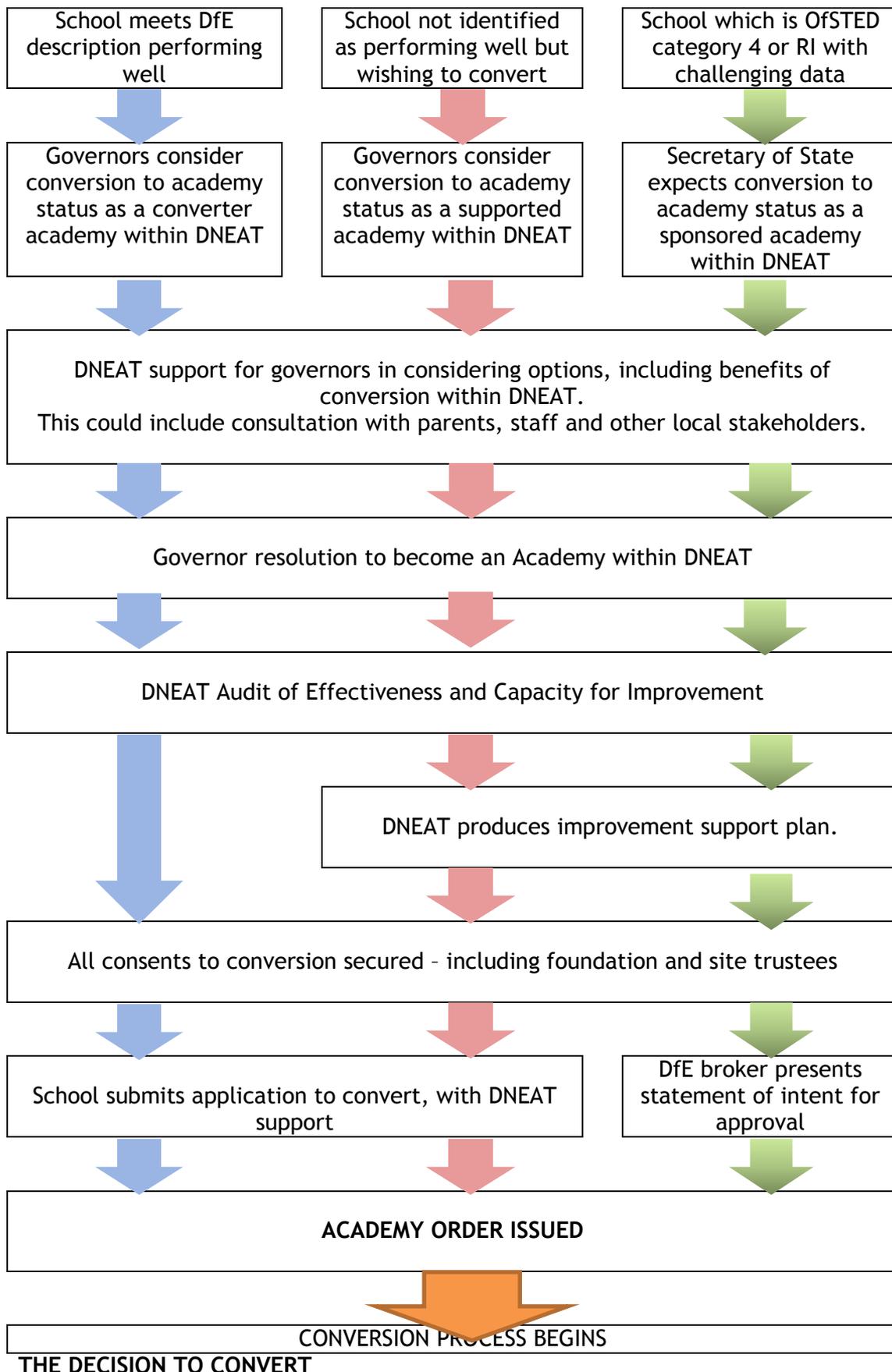
The **values** underpinning our approaches to school improvement are that we believe in:

- the affirmation of individual worth
- nurturing hope and aspiration
- service to others
- an holistic education
- the importance of excellent leadership and role models
- the development of mutual trust
- collaboration
- commitment and endurance
- open and honest consultation and partnership.

The **key principles** shaping our approach to school improvement approaches are:

- We aspire for all academies within DNEAT to be at least good or outstanding.
- Support should be provided in proportion to the level of need within each academy.
- We will monitor evidence about the overall effectiveness of each academy at least once a term and adjust support accordingly.
- We are committed to an open and transparent relationship with academies and will endeavour to ensure that the senior leadership team and governors are aware of and contribute to all judgements and plans.
- All schools can benefit from an external view of their performance and therefore we commit to providing every academy with an Academies Group Executive Principal (AGEP).
- We aspire to every academy having sustainable, high quality leadership and therefore we seek to build capacity, not to direct or control.
- We are committed to using school to school support as a means to provide leaders with opportunities to develop their own practice and to help others improve.
- We aim to build local communities or Regional Groups of academies who will work together with the support of DNEAT officers and / or Academy Improvement Associates.

## AN OVERVIEW OF THE APPLICATION PROCESS



### **Context**

A school's current OfSTED judgement and the outcome of the Audit of Effectiveness and Capacity for Improvement will determine the route it follows to academy status within DNEAT.

Schools "performing well" - judged by Ofsted to be '**Outstanding**' or '**Good**' (Ofsted grades 1 or 2) and with strong outcomes may apply to the DfE to **convert** to an academy.

Schools judged good but with less strong outcomes or as '**Requiring Improvement**' with reasonable outcomes can convert but will need to approach DNEAT to ask to be **supported** as an academy within DNEAT.

Schools judged by Ofsted to '**Require Improvement**' and with less strong outcomes or to be '**Inadequate**' can be ordered to become a **sponsored** academy within DNEAT.

For sponsored academies, the Trust is required to prepare the application, including an improvement plan, for submission to the DFE.

### **Considerations for the governing body before applying to convert**

Whatever the route to conversion the governing body of the school will need to consider carefully what becoming an academy within DNEAT means within their own individual context. DNEAT will embrace the Christian distinctiveness of all its Church schools and for non-Church schools will develop a shared understanding of how the school's values and those of DNEAT coincide. Schools joining DNEAT as sponsored academies will want to explore the support DNEAT can offer to help them become good or outstanding. Schools choosing to convert will want to explore how they retain some autonomy but can secure support when they need it; and how they can contribute to the development of DNEAT and other academies within it.

A further consideration for Voluntary Controlled (VC) schools is whether to consult about taking on Voluntary Aided (VA) characteristics as an academy. VC schools ordered to become a sponsored academy should include this proposal in their consultation.

The Diocesan Director for Education (DDE) and staff from the Local Authority are all available to support schools in exploring the wide range of issues associated with conversion and moving forwards as an Academy. Officers from DNEAT are happy to meet with the governing body or committees to explore the detail of what we have to offer and how we work with academies.

### **Consultation**

Some governing bodies decide that they wish to consult parents, staff and other stakeholders at this early stage. Norfolk County Council has indicated it regards this as good practice. The law requires only that there is consultation before the funding agreement is signed.

Advice on consultation is on pages 15 and 16 of this handbook.

**Considerations for DNEAT before supporting a school's application to convert.**

A key consideration for the DDE, Diocesan Board of Education (DBE) and DNEAT Trustees is to weigh up the long term needs and viability of the school and whether it will be best served by becoming an academy. They will also need to consider whether DNEAT has the resources and capacity to support the school effectively at that particular time. We will therefore carry out an **Audit of Effectiveness and Capacity for Improvement** of all schools seeking to become an academy, whichever route they may be taking.

The audit is intended to be a fully collaborative process and not an inspection. An experienced headteacher or improvement professional will be allocated to work with members of the school's leadership team to review key areas of the school's work and to come to an agreed set of evaluations.

The process will vary according to circumstances but could include a visit to the school of up to two days, working with the headteacher, finance officer and governor representatives to establish levels of achievement, quality of provision and staffing, financial overview and the capacity of the leadership team to secure improvement. In advance of the school visit the adviser will review any relevant evidence which can be made available. This may include the school's website, school's self-evaluation, improvement plan, and performance data.

During the visit the adviser will work with school leaders to gather evidence at first hand and may therefore engage in any of a range of agreed activities such as lesson visits, walk of the site, discussion with pupils, scrutiny of work, and review of financial statements. They will reflect, with key personnel, on the observations made and arrive at an agreed evaluation in each of the key areas identified on the summary form.

The outcomes of the audit will be put together in a summary overview to be presented to Trustees and the governing body for consideration before approval to proceed with the application for conversion.

The Audit of Effectiveness and Capacity for Improvement is therefore intended to provide information to all parties in order to inform decision making and on-going improvement planning.

A record sheet showing the scope of the audit in the form of prompts within the summary overview sheet is attached at Annex B.

DNEAT will also carry out detailed financial due diligence.

## APPLICATION

The route into academy status will determine how schools are involved in applying to become an academy. That process results in an Academy Order, which is in effect a permission to convert.

**Governor resolution** - Regardless of the route to academy status the governors will need formally to resolve to seek conversion to academy status within DNEAT. Some governing bodies choose to consult stakeholders at this stage so that their resolution is informed by wider views. Most decide that having properly considered the issues it is perfectly appropriate for the governors to decide that this is the right direction for the school. If later consultation identifies wider concerns it is possible to deal with them before conversion.

**Schools choosing to join DNEAT** - whether as a converter or sponsored academy (see the Decision to Convert section above) - should discuss their interest in academy status with DNEAT in the first instance. We will be happy to talk to staff and governors and to describe what academy status within DNEAT will mean for the school and for staff, parents, pupils and the wider community. Following these discussions, and a governing body resolution, DNEAT colleagues will support the school in completing an application form to the DfE. We encourage schools, however strong their Ofsted history, to work closely with us in writing their applications. Schools currently judged as Requiring Improvement will need to have an improvement statement submitted with their application by DNEAT.

Since DNEAT will manage the conversion process, the bank account details should be those provided by DNEAT and not the school's bank account. For that reason the school may also wish to give a DNEAT name as the main contact for the conversion process; in that way we can deflect the detailed process questions that often follow from DfE.

Following application the DfE will assign a project lead who is likely to have additional questions before putting the application forward for approval. The school should feel free to consult DNEAT on those questions.

**Schools identified by the DfE** to become a sponsored academy will be notified by DNEAT and the LA. In these cases, DNEAT will work closely with the school, the DfE and the LA on a slightly different process which results in an Academy Order. That will include presenting a clear evaluation of the school's current position and the areas needing improvement. DNEAT also has to identify how the Trust will support the school to bring about rapid improvement. This evaluation and improvement plan will be based on the evidence gathered during the Audit of Effectiveness and Capacity for Improvement, the most recent Ofsted and SIAMs inspection reports, information from the LA and any published performance data.

Any VC school in this position will need to consult on acquiring VA characteristics on conversions.

## **Consents**

All Church schools will require the consent of the Diocese of Norwich Board of Education in order to be able to convert - and this consent will need to be attached to the application.

Some schools also have other Trustees whose consent is required - as a rule of thumb if anyone other than the Diocese has the right to appoint members of the current governing body their consent will be required. DNEAT colleagues will support you in securing that consent.

There may also be site trustees who provide the buildings for the school's use although they may not have appointment rights on the governing body. Their agreement to provide the land for the Academy will be required before conversion and you should therefore involve them in the process and it would be helpful to seek their consent at this stage.

DNEAT can provide draft letters for you to send Trustees and - if necessary - templates for their consent letter. We will also support you in meetings with the Trustees, so that we can explain to them what becoming an Academy within DNEAT will mean for the school.

## **ACADEMY ORDER**

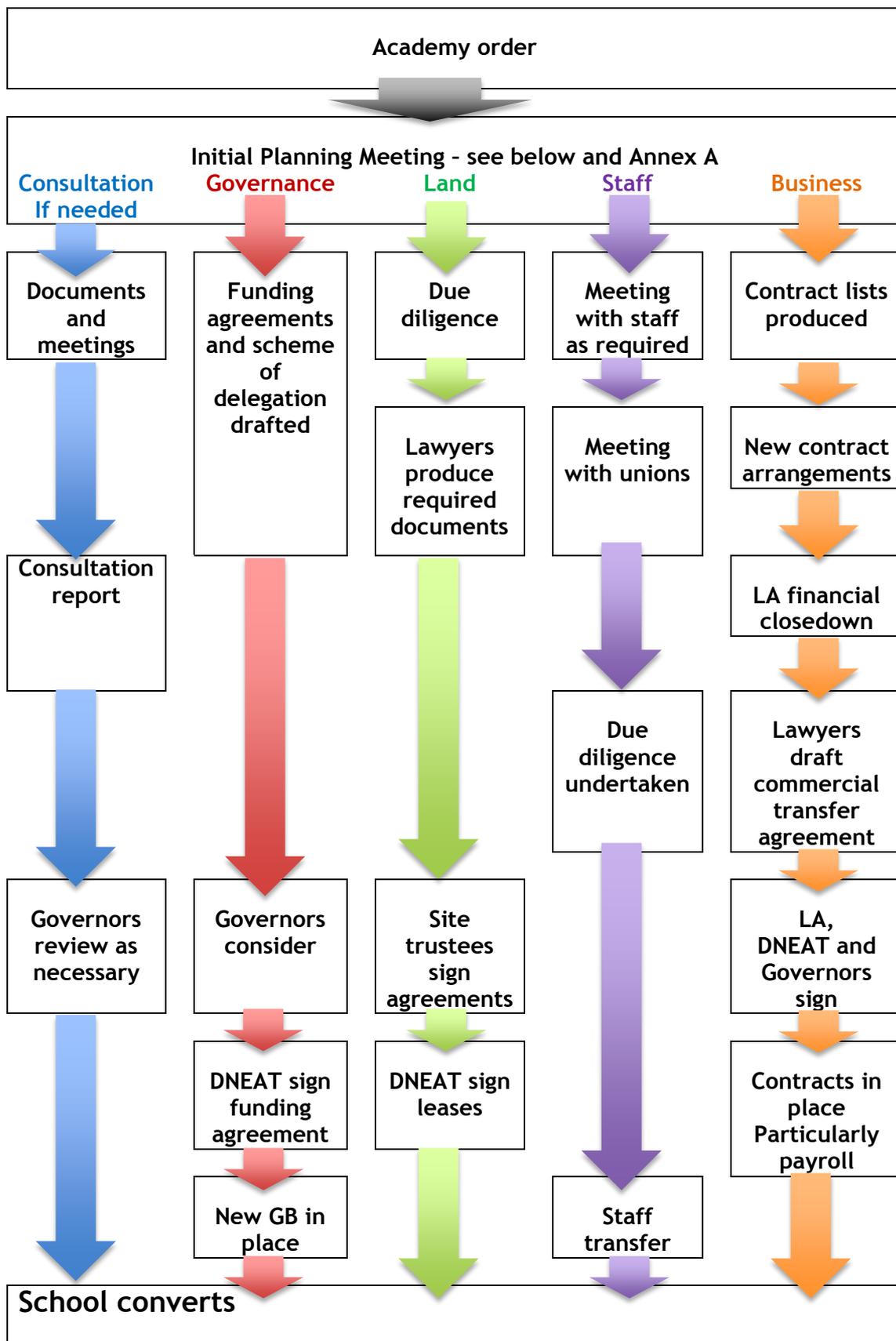
The DfE consider applications for conversion very carefully and often seek further information and clarification before reaching a decision. All applications are considered by the Regional Schools Commissioner advised by a Headteacher Board.

Once the application is approved - regardless of the route to this stage - the Secretary of State will issue an Academy Order. The DfE project lead will then be in touch with details about the process. At the time of writing it is not DfE practice always to copy the Academy Order to DNEAT, although it will send it to the local authority. So please do alert DNEAT when the order arrives and feel free to refer the project lead to a DNEAT contact.

Alongside issuing the academy order, the DfE will release the conversion grant to DNEAT which enables the conversion process to begin. It generally takes about 5 months - and is described in more detail in the remainder of this document.

The decision to convert is not final until about three weeks before the conversion date, when key documents have to be signed. DNEAT and its advisers, in partnership with the school and the local authority, will seek to determine a realistic and achievable conversion date at an early stage in this process, and negotiate it with the DfE.

AN OVERVIEW OF THE CONVERSION PROCESS.



CONVERSION SUPPORT

The process of academy conversion has a number of technical elements which can be time consuming and distract school leaders from their otherwise full time responsibilities. Once the Academy Order has been issued, the conversion support team will be extended to include consultant project managers to work with DNEAT and the school to coordinate all the aspects of the conversion process and provide support where needed. Familiarity with systems, good relationships with the legal team and with the Department for Education (DfE) enable us to steer you through the process and deflect some of the more technical enquiries. We can also undertake some aspects of the conversion on your behalf - and interpret the requirements in terms with which schools are familiar. Our aim is to reduce the burden on the school, without governors and leaders feeling that they have lost any control of or direction over the process.

The conversion support team will oversee tasks in a number of areas including school improvement, finance, human resources, governance, consultation and legal aspects of the conversion. The following pages provide a short introduction to each area and highlight key tasks that need to be completed prior to your conversion. Contact details for the conversion support team are shown inside the front cover. Each member of the team will be in touch with you throughout the project, however should you have any queries or wish to discuss any aspects of your academy conversion, please don't hesitate to contact the team directly.

### **Norfolk schools - migration meetings and fees**

The local authority is involved in conversion in a number of ways, particularly in land, staff and business transfer and in the close down of the school's financial arrangements. Norfolk County Council has established a migration meeting in which schools and the conversion support team are involved. We have extended the scope of this meeting to cover all aspects of the conversion process and an agenda for this initial planning meeting as set out in Annex A.

NCC has had an expectation that schools would meet costs of the work that they undertake on the conversion process through a migration fee which is invoiced to DNEAT and paid from the conversion grant. This should be no more than £5,500.

## **CONSULTATION AND PUBLIC RELATIONS**

There are two different consultations: the TUPE consultation (mentioned in the staff transfer section) and the stakeholder consultation. The stakeholder consultation is a legal requirement when converting from a school to an academy and will ensure that key stakeholders have a chance to comment on the question of whether the school should become an academy. Consultation is required in every case, even where the Secretary of State has already indicated that Academy status is the preferred outcome.

The focus of the consultation is to describe what academy conversion within DNEAT will mean for the pupils, parents, staff, governors and local community and to ask whether the proposed academy conversion should take place. The consultation is jointly conducted by the Diocese of Norwich Education and Academies Trust and the Governing Body. This is a consultation, not a referendum. The Governors consider and take into account comments made. Clearly if there is a large expression of concern Governors would wish to consider whether further consultation or information sharing are required.

Any VC school that is being sponsored should include proposals to acquire VA characteristics in its consultation.

### **Consultation Documents**

The conversion support team will provide you with template materials to send out to parents, staff, pupils, local church and PCCs informing them of the proposal and seeking their views and comments. The letters will need to be sent out from the school on letter headed paper and comments should be sent back to the school and then sent to the conversion support team at the end of the consultation.

We will provide additional information for staff setting out the impact of conversion on their terms and conditions. This is intended to reassure them and enable them to engage in the wider discussion of principle. Terms and conditions will be considered in more detail as part of the TUPE consultation (further details can be found on page 19).

The consultation process should be held over a four week period excluding school holidays.

### **Consultation Event**

You may decide with your Governing Body that you wish to hold a consultation meeting for parents and the wider community during the consultation process, although it is not a requirement. This could be a formal meeting with presentations and Q&A or a drop in opportunity alongside other school events - parents' evenings, for example. The event should be run jointly by both Diocese of Norwich Education and Academies Trust and the Governing Body and it is important that the headteacher and Chair of Governors lead the session. We will ask for your support in providing a note taker for any public meeting and they will need to ensure that all questions and answers are noted down as well as number of attendees and general mood of the meeting.

DNEAT will liaise with headteachers to arrange a meeting for staff which will enable them to meet a representative of their new employer and to ask questions about what conversion means for them.

**Possible stakeholder reaction**

Levels of interest in consultation can vary - and members of the conversion support team have experience of meetings that no external stakeholders attend. It is also common for there to be limited written response. *Of course every school is different!* But since the day to day impact on parents and children is limited it is not unreasonable for them to conclude that governors and senior leaders can be trusted to make the right decision for the school based on a detailed consideration of the issues. It is for each school to decide, based on your knowledge of your community and your relationship with it, whether a consultation event should be offered.

**Academy Name**

Diocese of Norwich Education and Academies Trust have made a decision that all schools converting to one of their academies should alter their name to Academy rather than School e.g. Whitefriars Church of England Primary Academy. If you wish to propose another name, please discuss ideas with the conversion support team in the first instance and they will take matters forwards for you with the Diocese of Norwich Education and Academies Trust.

**Signage and Logos**

Due to change of school name, you will need to change signage and logos at the earliest opportunity. Please speak to the conversion support team about signage as they will arrange this for you. Change to school logos and any other branded items e.g. stationery should be organised by the school. Your badge on school uniforms may also need amending to reflect the new Academy name and should be introduced at the earliest opportunity post conversion as stocks need to be replenished.

**Website**

Your existing website will need to be updated to reflect change to academy status and reflect membership of DNEAT. Please speak to the conversion support team to discuss requirements.

## EDUCATION AND SCHOOL IMPROVEMENT

### Academy Improvement Plan

As soon as possible after conversion the Academies Improvement Director will ensure that an academy improvement plan is drafted which will identify the key issues and the ways in which DNEAT will support the school. In many cases this will be a revision of the existing School Improvement and Development Plan.

For ‘good’ and ‘outstanding’ schools this plan will address any areas raised in the Audit of Effectiveness and Capacity for Improvement or which have arisen during the application and conversion process. The school itself will be largely responsible for funding school improvement actions but will have the support of an AGEP, appointed by DNEAT, throughout the year.

For ‘requires improvement’ or ‘inadequate’ schools the improvement plan will identify how DNEAT will prioritise the use of any Academy Improvement Grant to bring about rapid improvement. This may include the use of an external provider such as Edison Learning or links with good and outstanding academies within the Trust. The AGEP and Governance Improvement Associate linked to the school will be key players in delivering and revising the support provided throughout the year.

For all academies there will be support for governance, termly briefings for headteachers and chairs of governors and core training on any important emerging issues or requirements (e.g. performance management or changes in Ofsted inspection arrangements)

### Academies Group Executive Principal (AGEP)

Each academy will be allocated an AGEP who will have a track record as an effective school leader and will have experience of supporting schools to improve. Visits will be scheduled to support headteacher performance management and to support academy leaders in self-evaluation and improvement planning. Their visits could include data analysis, lesson observation, learning walks, work scrutiny, pupil perception, validating leadership team monitoring and evaluation, or any other activity which adds to or validates the leadership team’s judgements.

AGEPs will also broker support from other academies and schools and directly support improvement initiatives where relevant. Academies needing more intensive support will have more visits from the AGEP who will help the school to draft and monitor action plans and add to the capacity of the leadership team.

## GOVERNANCE

The Diocese of Norwich Education and Academies Trust is responsible for a number of academies. It is a charitable company limited by guarantee - whose articles are registered at Companies House. The articles determine the membership of the company, its objects and the appointment of directors. A copy of the articles can be provided if governors wish to see them. DNEAT is therefore the legal entity for each of the academies within the Trust. It is DNEAT which employs all the staff and in whose name contracts are entered into.

The key contract which DNEAT has in place is a master funding agreement with the Secretary of State. In simple terms this document is an agreement to run a number of academies in return for public funding to do so; but within the agreement are a number of conditions which the Secretary of State requires to be in place - so all academies must comply with the law on admissions, children looked after, SEN and so on. They are not bound by the national curriculum, but must offer a broad and balanced curriculum and promote British values.

As each school converts to Academy status within DNEAT a supplemental funding agreement is put in place between the Secretary of State and the company which recognises that the school is now covered by the master funding agreement. It also sets out the circumstances in which the school's membership of DNEAT might be terminated - not because anyone expects that to occur, but because that is the requirement that DfE makes in this document. The Articles and both funding agreements are based on model documents suitable for Church of England schools and agreed between the National Society and the Secretary of State.

Lawyers appointed by DNEAT will draft and settle the supplemental funding agreement with the DfE. Members of the conversion support team will be happy to come and meet governors if they wish to discuss these documents.

The effect of the master funding agreement is to make DNEAT accountable to the Secretary of State for performance - in all its aspects - of each of its academies. DNEAT secures delivery of that accountability in its relationship with schools and by delegating to local governing bodies responsibility for continuing to run the school day to day alongside the senior leaders. A scheme setting out the basis of that delegation will be provided to governors at an early stage in the conversion process. The level of delegation is matched to the effectiveness of the academy and its capacity to make improvements where needed and is set out in the Scheme of Delegation. DNEAT and the conversion support team are happy to discuss the terms of that scheme with governors.

In exceptional circumstances the Directors may appoint a Transition Board to provide additional focus to the school's improvement. This Board would have up to 6 members and be appointed for a defined period or to achieve a specific outcome. During its work the Directors will move towards the appointment of a shadow local governing body following the usual model, described below.

### **Governance - Local Governing Bodies**

The scheme of delegation outlines the constitution of the local governing body of the academy. This will replace the current Instrument of Government. There will be:

- 2 elected parents
- 1 elected member of staff
- The head teacher ex officio
- Between 6 and 10 Trust appointed governors - including any who are currently appointed or nominated by other parties.

After the Academy Order has been issued existing governors and other local people are invited to express an interest in becoming a Trust appointed governor. All those expressing an interest are invited to meet with an officer of DNEAT to discuss the expectations and requirements of being a Trust appointed governor. Expression of interest and skills audit forms can be found at Annex C. DNEAT will consult the local incumbent on these appointments, using the letter attached at Annex D.

After this, a list of those wishing to continue to express an interest in appointment, together with a short pen portrait from each, is presented to Directors for approval. In making their decisions the Directors will consider the range of skills and experience needed for the governing body as well as the commitment of each individual to the development of the school and the Trust as a whole. Letters of appointment are sent out to governors. Where possible the Directors will seek to retain and encourage strong governance arrangements existing in the school prior to conversion.

The academy will also be provided with support materials for the election of parent and staff governors after conversion.

### **Governance Support**

DNEAT aspires to every governing body being good or outstanding and therefore a high emphasis is placed on appointing, supporting and guiding governors in their work. DNEAT will provide support and guidance for governors in the form of template documents, training events and telephone support.

All academies will be part of DNEAT's governor clerking service. Clerks already working with schools may wish to continue or DNEAT may identify a new clerk for the new governing body. Clerks will be given training and guidance for their role and their work will be quality assured as part of the service. DNEAT will provide template documents such as terms of reference, agendas and minutes which will help clerks to deliver a high quality service to the headteacher, chair and governing body. There will be opportunities for training and networking to support clerks and to help them develop confidence and experience in what can be quite an isolated role.

All 'inadequate' and some 'requires improvement' schools will be allocated a Governance Improvement Associate (GIA). The GIA will be an experienced and effective Chair of Governors who will work with the headteacher and governing body to promote high quality governance arrangements which ensure challenge and support for the school. Usually the GIA will be appointed as chair of governors for up to two years or until the local governing body has robust systems and the skills and experience needed to become autonomous.

## LAND

When schools convert to Academy status, the Secretary of State requires some certainty about the way in which the Academy will occupy the school site. S/he will not enter into a funding agreement with the new Academy Trust without that certainty being in place.

For Church schools this process can be more complicated than it is for community schools. One of the ways in which the Church of England sustains its leading role in school education in England is by providing the land on which school buildings sit - and placing that land in Trust so that regardless of the status of the school on the site (Academy or maintained) it will be a Church of England school. Site trustees are given the responsibility for ensuring that this is the case.

Some of the Trusts under which this land is provided have been in existence for over 150 years. In some cases, the Trusts concerned related to a previous school site and records have not been updated when schools have relocated. A school's conversion to academy status cannot proceed unless the Trusts are identified and the Trustees consent is given to the conversion.

Once all church land is identified and trustees consent is given, they will be asked to enter into a Church Supplemental Agreement which is a document signed also by the Secretary of State and the Academy Trust and ensures that the land remains available only for a Church school.

Playing fields for church schools are typically provided by the local authority and this arrangement continues as part of the academy conversion during which DNEAT will secure a 125 year lease from the local authority to the Academy Trust.

The law as it applies to maintained schools requires that when church schools enlarge their buildings or hard play area by developing playing field land, the enlarged area is transferred to the site trustees. This law does not apply to Academies and it is therefore necessary to ensure that all the land which should have been transferred to the site trustees is transferred to them before conversion.

We understand that it is frustrating for Church schools that their progress towards academy status can take longer than it does for other schools. The conversion support team will work with you, the local authority and the legal team to undertake as much assessment as we can of the position in relation to your school so that we can complete the work required.

We will try to make an accurate assessment at the beginning of the process as to whether the particular land circumstances at individual schools are more complicated than usual - and therefore whether the process may need to be extended. Any information you can provide about the site, including deeds or plans, information about any other users and about recent or planned building work will help us to make progress. We will also seek your support in discussing the conversion with local site trustees - often, but not always, the vicar and churchwardens. DNEAT or the conversion support team will be happy to answer any questions they may have about the process or about the new documents they will need to sign.

## **CAPITAL ISSUES**

The local authority will transfer its site and buildings 'as is'. It will not rectify any deficiencies in the fabric unless the building or site is evidently not 'safe', warm and dry. Any claim must be made early in the process and could be raised at the conversion planning meeting. A contribution will normally be required by the school.

Academies are eligible for Basic Need capital funding from local authorities in areas of growth and projects are prioritised by the local authority as part of their annual capital programme.

Once a school begins the process of conversion, the local authority will review whether to continue with any LA funded non-basic need projects that are being prepared.

Academies access capital funding for future condition improvements through the Education Funding Agency (EFA). The Diocese has significant experience in managing school building projects.

Local authority capital funding under the CERF scheme will be recouped by the local authority upon conversion. This is because the local authority shared savings scheme cannot apply to academies - therefore the school payments into that scheme will also cease. The conversion support team will work with the school to consider the impact of this recoupment on the school's budget.

Voluntary Aided (VA) schools that become academies are no longer part of the LCVAP scheme. Like all academies they can only access capital funding through the national system. However, there is no longer a need to find the 10% contribution. If a school has, or is working towards obtaining LCVAP capital funding the conversion team should be made aware of this so that any risk in accessing this can be discussed and mitigated.

## **STAFF TRANSFER**

All staff employed at the school at the time of conversion have a right to transfer to the Academy and to have their terms and conditions protected. There are also arrangements in place to ensure that all staff continue in their current pension scheme - the Teachers' Pension Scheme for teaching staff and the Local Government Pension Scheme for support staff. Provided that staff continue to make their contributions the purpose of this process is to ensure that their benefits are unaffected by the conversion.

### **What is TUPE Transfer?**

TUPE [Transfer of Undertakings (Protection of Employment)] preserves employees' terms and conditions when transferred to the new academy. This means that members of staff employed in the school at the time of conversion will continue to be employed on the same terms and conditions and DNEAT will be their new employer.

### **TUPE Consultation**

(This is separate from the Stakeholder Consultation. The Stakeholder Consultation will be managed as part of the PR workstream.)

TUPE consultation will generally be organised by the HR department of the local authority for both VA (where the Governing Body is the employer) and VC schools. They will set dates for the consultation process and produce all letters and arrangements for unions and transferring staff.

There are two elements of the TUPE consultation, the first is consultation with unions, the second consultation is with staff. The way in which the process will be undertaken will be agreed at the initial planning / migration meeting.

Staff should be allowed access to their union representatives if they request that during the TUPE period.

DNEAT will recognise all the unions currently supporting staff in schools and has agreed to subscribe to the facilities time agreement.

### **TUPE due diligence**

It is very important both for DNEAT and the individual members of staff that the information provided on individual members of staff as they transfer is accurate and up to date. The school will be asked to facilitate this process. Where there is known casework involving staff that may, post transfer, lead to litigation being taken against the employer, these staff should be discussed and where appropriate, the local authority may indemnify the academy against some of the associated future costs.

### **Welcome Notice for Staff**

Once a Supplemental Funding Agreement for your new academy has been gained a welcome letter will be produced by Diocese of Norwich Education and Academies Trust. This will be sent to the academy Headteacher for distribution to staff informing them that the transfer has been successful and welcoming them to the Trust.

## BUSINESS TRANSFER

Although the conversion support team will help as much as they can to make the journey to academy status as smooth as possible, it can be disruptive, particularly for colleagues working on school funding, purchasing and staffing. To keep disruption to a minimum the process ensures that all staff transfer from the school to the academy and that they continue on the same terms and conditions and with the same pension entitlement. The school's buildings and playing fields and all the assets in them that are used for the school also transfer (with some exceptions). And as far as possible we arrange for existing contracts that the school has in place to continue after conversion instead of having to acquire new providers whilst also dealing with the conversion process.

A legal document - The Commercial Transfer Agreement - provides for this to happen. It will be drafted by and agreed between lawyers for DNEAT and lawyers for the local authority. The agreement is between the local authority, the current governing body and DNEAT. About one month before conversion we will ask governors to agree and sign the Commercial Transfer Agreement.

Any SEND specialist equipment loaned to the school by NCC is an excluded asset in the conversion - so it remains on loan from the LA and must be returned when it is no longer needed. Equipment can continue to be borrowed as this is funded from the High Needs block.

The local authority includes funding in school accounts as an "imprest" so that schools have sufficient funds available to spend. Any imprest funding in excess of the school's budget at the point of conversion is treated as an excluded asset and will be recouped from the school as part of the close-down process. Notional nursery place funding will be treated in the same way. This does not affect the actual balance in the school's budget.

Information about staff will be handled through the TUPE process. A separate arrangement will be made to transfer pension responsibility.

The conversion support team will contact you early in the conversion process and ask to provide them with your current list of contracts and service level agreements in place with the local authority and other private suppliers. The documentation is required for two purposes a) it is needed to form Schedule 2 of the Commercial Transfer Agreement for services that will transfer to the academy and b) a review of services will be undertaken and assessment made of those that need to be retained by the academy or, services that will be provided by the Diocese of Norwich Education and Academies Trust post conversion in an attempt to provide a consistent approach to service provision whilst achieving value for money and cost savings for each academy.

You will need to inform the local authority prior to your conversion of any services that you wish to retain and repurchase when your academy opens as most contracts will terminate when the school ceases to be under local authority control. Since future agreements will in law be with DNEAT, the conversion support team will support you in this process so that you can be reassured that there is no break in service. Please speak to the relevant LA representative about what you need to do and when to ensure service provision continues post conversion and for Norfolk CC converting academies note any continued contract dates for SIMS and/or

Broadband Updata. BMP3 and the Sickness Insurance Scheme cannot be renewed as an academy.

### **New services**

DNEAT will be providing centralised services to each of their academies post conversion and you will no longer need to secure these services from the LA or elsewhere.

DNEAT has also procured services at preferred rates which schools can choose to use, or can select their own alternative supplier.

A summary is provided in Annex E. Please speak to the conversion support team to advise you about these contracts.

The major changes to be aware of are

- HR and Payroll by EPM,
- Finance package through PS Financials,
- School improvement support
- Performance and Data Management by Pupil Asset
- Broadband contract with Updata
- Planned Buildings Maintenance Services by ENGIE and
- Governor support coordinated by DNEAT
- Insurance

DNEAT Academies will purchase the Government's Risk Protection Arrangements (RPA) which is described as an alternative to insurance but which provides extensive cover to Academy Trusts and site trustees (for buildings, employer and public liability insurance). It does not include staff sickness insurance or some other specialist cover (e.g. vehicles) so the conversion support team will arrange for a broker to visit the school to make arrangements for additional cover.

## **FINANCE AND ACADEMY BUDGET**

On conversion your school will be funded directly by the Education Funding Agency (EFA) - a division of the Department for Education (DfE). The funding comes in a form called the General Annual Grant (GAG). The largest element of the GAG is the School Budget share which is calculated on a comparable basis to other schools in the local authority. Additional funding is received in the form of Education Services Grant in lieu of the limited number of non-statutory services that the LA currently provides to schools at no cost. Academy funding is calculated and allocated for the school year September to August.

A draft funding letter will be issued to you prior to opening - setting out your indicative academy budget for the remainder of the school year. You should check that - and the conversion support team will help to resolve any queries you may have.

DNEAT will also arrange for someone to come and set up the academy budget on the academy specific finance system.

On conversion your local authority spending power will in effect be frozen. The LA has up to 4 months to reconcile the budget and then to hand over any surplus balance. The local authority will provide a finance checklist at the migration meeting to ensure all necessary financial close-down actions are taken at the right time by the right people and to ensure that the correct support is provided throughout the process.

Points to note:

- All direct debits need to be stopped or transferred to the new bank account (see below)
- Purchasing cards must be cancelled - but a new one will be provided
- Outstanding capital loans and CERF payments must be paid in full before closure (these sums are included in final accounts)
- Schools may make purchases on behalf of the academy prior to conversion but must account for these separately (using a departmental code) and must not reclaim VAT via the local authority.
- Schools must ensure that accounts are as up to date as possible i.e. invoices paid, income received, suppliers asked to bank cheques promptly).
- Reconcile school fund ready for consolidation into academy accounts. The local authority will provide accruals spreadsheet and discuss what needs to be included and agree balances. Balances are then transferred to academy bank account.

### **Bank Account**

All Diocese of Norwich Education and Academies Trust academies have their main bank account with Barclays Bank.

The conversion support team will provide you with all the paperwork necessary to open your academy bank account. This will need to be completed and returned to the Diocese of Norwich Education and Academies Trust for final sign off and processing. The bank will help you directly in completing the paperwork and will also issue chequebooks and set up online banking after your account has been opened.

## **Payroll Arrangements**

Post conversion EPM will operate your payroll and not Norfolk County Council. EPM will contact you prior to your conversion to obtain all necessary staff details to set payroll arrangements up for your academy. It is anticipated that there will be no disruption to pay or pay dates during the transition.

Any school which has staff who benefit before conversion from childcare voucher or bicycle loan schemes through the local authority will need to register for the scheme provided by DNEAT. Sharon Money can advise on these registrations.

## Initial planning meeting - outline agenda

Attendees:

Throughout

Head Teacher, school business manager (or equivalent) and chair of governors or a representative

DNEAT representative

DNEAT project manager

Local Authority colleagues will join the meeting for part 2

### Part 1

Academy conversion process

Discussion of process, gathering information

1 hour

### Part 2

Property issues - site transfers and leases, capital funding issues

Finance issues - close down of existing accounts

Contracts and assets

Employees

Improvement/ Interim Executive Board involvement (where appropriate)

Agree target conversion date

1 hour

### Part 3

Next steps and timelines

## 1. INTRODUCING THE SCHOOL COLLABORATIVE QUALITY ANALYSIS (CQA)

### **What are the aims of the CQA?**

The EdisonLearning Collaborative Quality Analysis (CQA) is a holistic approach to understanding a school's strengths and areas of improvement. Through a set of joint activities involving school staff, Governing Body representatives and EdisonLearning Achievement Advisers, a rich picture as well as a set of grounded judgments are agreed. These set the scene for future working and give a benchmark against which to measure progress. The process is designed around five questions, which in turn key into the development strands of EdisonLearning's research based design for school improvement:

- **How well is the school set for leading and managing change? (Leadership)**
- **How well does the school promote and foster environments that support learning and motivation? (Learning Environment)**
- **How well does the school use assessment, data, and feedback to promote learning? (Assessment for Learning)**
- **How good are opportunities for learning and developing learners? (Pedagogy & Curriculum)**
- **How well does the school use its internal and external resources to meet the range of need for all learners? (Student & Family Support)**

### **What happens in a CQA?**

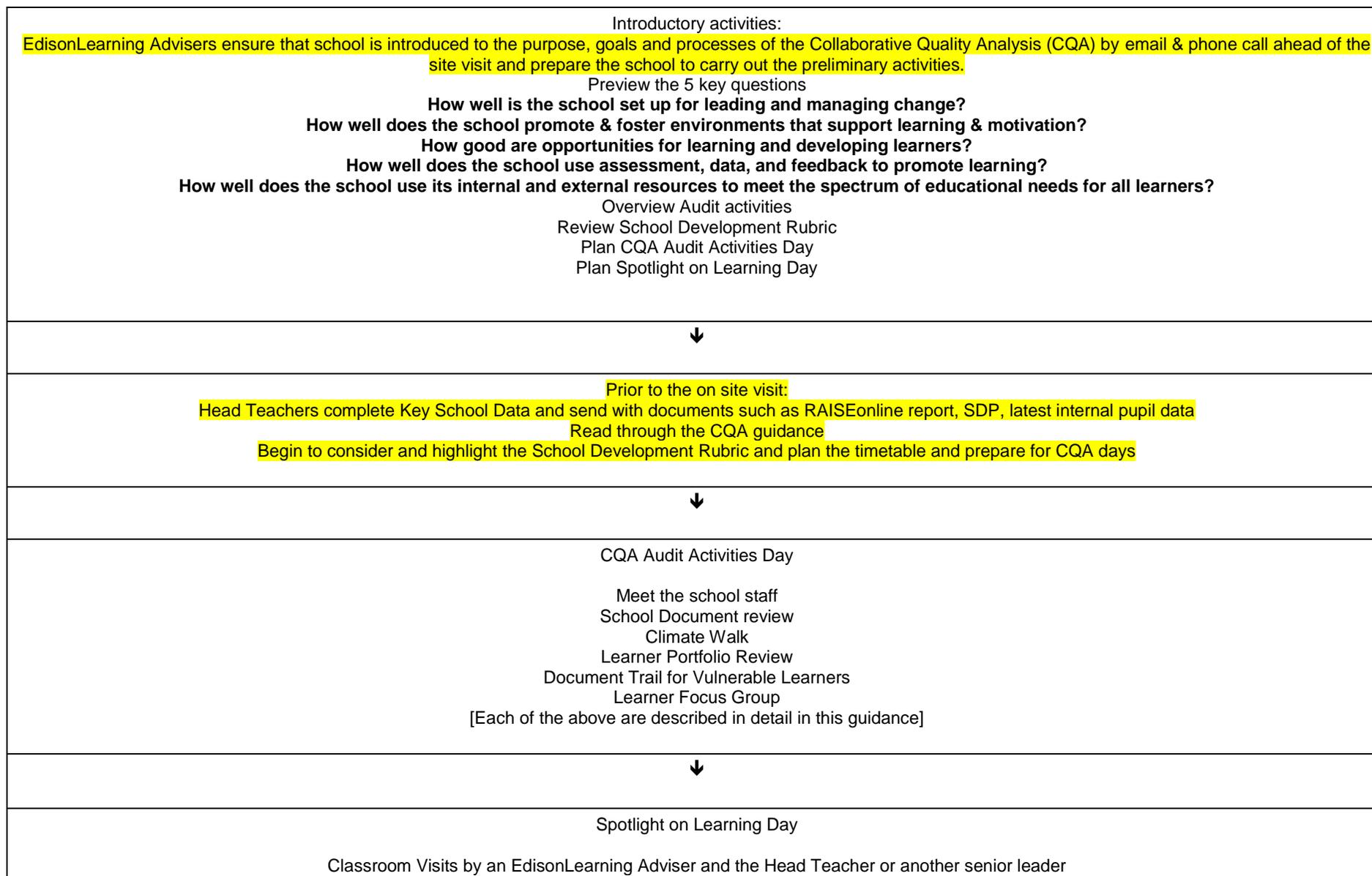
First of all Head Teachers and EdisonLearning Advisers review the formats and content of the Key School Data collection and the six Audit Activities and create a plan for how they will work on them together. Typically for a primary school a full day will be set aside for the 'Spotlight on Learning' which involves looking at learning opportunities across the classes, with another day for the other five Audit Activities. The CQA activity concludes with a session that draws together what has been learned to create an overall profile of strengths and areas for improvement. The profile brings together and presents the judgements against the five questions and the EdisonLearning Strands. The judgements are also sorted in relation to the main dimensions in Ofsted inspections such that they, with the supporting evidence gleaned through the Audit Activities, make a substantial contribution to a school self evaluation portrayed in Ofsted terms.

Secondary and special schools follow the same pattern but the times allocated reflect the likely larger scale.

### **What happens as a result of completing a CQA?**

Schools that follow on from the CQA into a school improvement partnership are able to fine tune their implementation journey to their particular school's circumstances. At least annually the school and their supporting Achievement Advisers can step back and take stock of the impact of working together and think about how the school's new baseline should influence the next stage of partnership.

## 2. OVERVIEW OF THE COLLABORATIVE QUALITY ANALYSIS



Focusing on learning opportunities around four Power Themes Sampling 75% or more of classrooms
↓
Assimilation and completion of School Development Rubric*



\* The School Development Rubric consists of sets of features of highly effective schools derived from research and linked to the five questions. Each of the features has a group of descriptors that capture what these features look like at different stages of sophistication – Beginning, Developing, Proficient and Exemplary. The Head Teacher and EdisonLearning Achievement Adviser review the information collected through the CQA process and agree on which descriptors best fit the school at the time, entering this into a tool that yields a rich picture of the school's current strengths and areas for development. The features of highly effective schools have also been coded against Ofsted's main foci so that the evidence and judgements can also make substantial contribution to the school's self evaluation within these terms of reference.

**DNEAT**  
**Diocese of Norwich Educational and**  
**Academies Trust**



I wish to express an interest in becoming a Trust Appointed Governor at

..... Academy

<b>Basic Information</b>	
Title	
First Name	
Last Name	
Previous Surname (if none, please state 'None')	
Date of Birth	

<b>Contact Information</b>	
Address	
Postcode	
Home Telephone	
Work Telephone	
Mobile Telephone	
Email	
Preferred form of contact	

These details will be held on computer and registered under the Data Protection Act 1998, in compliance with its principles. All information will be destroyed if your application to become a governor is unsuccessful.

Governors' home addresses and telephone numbers are only available to the Diocese of Norwich employees, the other governors on that academy's governing body and the Local Authority where applicable.

If you require your private address and telephone number to be removed from our database, please place an 'X' in this box

Information relevant to your role as a governor will be sent by email whenever possible.

If you require your email address to be removed from our database please place an "X" in this box.

If you place a cross in these boxes all correspondence will be sent to the academy.

<b>Employment Information</b>	
Employment Status	Employed / Self-Employed / Retired / Unemployed
Occupation	
Employer Name	
Work Postcode	

<b>Qualification Information</b>	
Qualification (Highest)	
Subject	
Institution	

Are you a parent of a pupil at a DNEAT Academy? If Yes, please state which Academy	Yes / No
Are you a Governor at any School or Academy? If Yes, please state which School or Academy	Yes / No

<b>Why would you like to become a Governor at a DNEAT Academy?</b>

<b>Skills</b>	<b>Brief description of experience/skills</b>
Chairing meetings	
Challenging procedures	
Communication	
Community relations	
Complaints/grievance/appeals	
Curriculum	
Data analysis	
Decision making	
Financial management	
Governance	
Health & Safety	
Human Resources	
Law	
Leadership	
Monitoring decisions/outcome/ performance	

Performance management	
Safeguarding	
School improvement	
Self-evaluation	
Special Educational Needs and Disability	
Staff recruitment	
Strategic planning	
Understanding of distinctiveness of church schools	
Other skills	

**Why do you think your skills and experience will make you an effective Governor at a DNEAT Academy?**

- I declare that I am not disqualified from serving as an Academy Governor (please see disqualification criteria overleaf)
- On approval by the DNEAT Trustees, I confirm that I accept this appointment:

**Signed** .....

**Date** .....

This form must be returned to:

**Jill Wakefield, DNEAT Governance Manager,  
 Diocesan House, 109 Dereham Road, Easton Norwich NR9 5ES**

[jill.wakefield@dioceseofnorwich.org](mailto:jill.wakefield@dioceseofnorwich.org)

**Tel: 01603 881722**

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**SECTION 2 – For completion by DNEAT**

<b>Trust Appointed Governor</b>	
Date of meeting with DNEAT officer	
Name of DNEAT officer	
Date of approval by Trustees	
Date Appointment letter sent	
Term of office	
Reason for vacancy (retirement/resignation/end of term of office/reconstitution)	

## **Disqualifications (Scheme of Delegation, Section 5)**

- No person shall be qualified to serve on the LGB unless he is aged 18 or over at the date of his election or appointment. No current pupil or student of the Academy shall be entitled to serve on the LGB.
- A person serving on the LGB shall cease to hold office if he becomes incapable by reason of illness or injury of managing or administering his own affairs.
- A person serving on the LGB shall cease to hold office if he is absent without the permission of the Chair of the LGB from all the meetings of the LGB held within a period of six months and the LGB resolves that his office be vacated.
- A person shall be disqualified from serving on the LGB if:
  - his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
  - he is the subject of a bankruptcy restrictions order or an interim order.
- A person shall be disqualified from serving on the LGB at any time when he is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- A person serving on the LGB shall cease to hold office if he would cease to be a director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- A person shall be disqualified from serving on the LGB if he has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to or facilitated.
- A person shall be disqualified from serving on the LGB where he has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 (persons disqualified from being charity trustees or trustees of a charity) of the Charities Act 2011.
- After the Academy has opened, a person shall be disqualified from serving on the LGB if he has not provided to the Directors a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of either the chairman or the Headteacher confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.
- Where, by virtue of this Scheme, a person becomes disqualified from serving on the LGB; and he was, or was proposed, to so serve, he shall upon becoming so disqualified give written notice of that fact to the Directors.
- This clause 5.6 [and paragraph 2 of Appendix One] shall also apply to any member of any committee of the LGB who is not a member of the LGB.

# DNEAT

## Ethnic Monitoring Form



Diocese of Norwich  
Education and  
Academies Trust

Name: \_\_\_\_\_

Academy: \_\_\_\_\_

This will enable DNEAT to monitor the membership of governing bodies. It will provide useful information to help us to encourage people from minority groups to become governors. Thank you for completing this form.

### Please tick in the appropriate box

#### Ethnic Origin

**(A) White**

British

Irish

Any other White background

**(B) Mixed**

White & Black Caribbean

White & Black African

White & Asian

Any other mixed background

**(C) Asian or Asian British**

Indian

Pakistani

Bangladeshi

Any other Asian background within (c)

**(D) Black or Black British**

Caribbean

African

Any other Black background within (d)

**(E) Other Ethnic Groups**

Chinese

Any other ethnic group

## MODEL LETTER TO INCUMBENTS

Dear

As you will be aware xxx VA/VC Primary School will be converting to become an Academy within the Diocese of Norwich Multi-Academy Trust (DNEAT). As part of the conversion process the governing body has to be re-configured so that the new Local Governing Body will have a majority of Trust Appointed governors. Within our Scheme of Delegation it states that we will consider the views of the local incumbent when appointing Trust governors. We are seeking to appoint governors who will uphold the ethos and principles of the Trust and encourage the Christian distinctiveness of the academy as it develops.

I am therefore writing to ask you if you would like to ask us to consider appointing a particular person as a Trust Appointed governor. If so could you please let me have the name and details of this person by xxxxxxxx.

All Trust Appointed governors are invited to complete an expression of interest form and to meet with one of our Academies Officers to discuss the detail of what it means to be a governor in a DNEAT academy. Should you put forward someone for consideration we will forward the appropriate information.

If you do not have a particular person who you wish to put forward for this role we will nonetheless make available a list of potential governors for your information after we have been through the appointment process.

Should you require any further clarification please do not hesitate to contact me.

Yours sincerely

Jill Wakefield  
DNEAT Governor Support Manager / Clerk to the Trust Board  
On behalf of the DNEAT Board of Trustees.

**Services for academies (Primary)**

TRUST WIDE		ACADEMY CHOICE	
Core central services	Mandatory services to purchase from academy's budget	Services brokered by DNEAT but academies could purchase elsewhere	Other services are to be procured directly and completely at the academy's choice
<u>Academy Improvement</u> <ol style="list-style-type: none"> <li>Annual external consultancy school improvement visit</li> <li>School improvement and leadership support and advice (AGEPs)</li> <li>Head teacher performance management</li> <li>SIAMS inspection support</li> <li>OFSTED inspection support</li> <li>Leadership and middle leader networks</li> <li>RE support and RE quality mark</li> </ol> <u>Finance and Business Support</u> <ol style="list-style-type: none"> <li>Internal and External Audit</li> <li>Finance package and support (PSF)</li> <li>Management of Capital Projects</li> </ol> <u>Governance, HR and Policy Support</u> <ol style="list-style-type: none"> <li>Centralised policies and documentation</li> <li>Governance and clerking support / training</li> <li>Head teacher recruitment</li> <li>HT well-being support through DSSO</li> <li>Advice on recruitment, retention and succession planning</li> <li>Clerking of pupil or staff disciplinary hearings / appeals</li> </ol> <u>Other</u> <ol style="list-style-type: none"> <li>Facilities time for trade union reps</li> <li>PR and communications (from Diocese)</li> <li>Regular HT / CoG forum</li> <li>Restorative practices - training</li> <li>Access to DNEAT website</li> <li>DNEAT staff ID badges</li> </ol>	<u>Academy Improvement</u> <ol style="list-style-type: none"> <li>Management Information and Pupil Tracking System (Pupil Asset)</li> <li>Fischer Family Trust data- from NCC</li> <li>Statutory Assessment Moderation - Norfolk (or Suffolk) CC</li> <li>NQT induction and support (DNEAT)</li> </ol> <u>Finance and Business Support</u> <ol style="list-style-type: none"> <li>Payroll (EPM)</li> <li>ICT broadband (NCC Udata)</li> <li>Buildings, public and employer's liability insurance (through RPA)</li> <li>Insurance - staff sickness, maternity, vehicles and specialist plant</li> <li>Critical incident cover – (NCC)</li> <li>Admissions appeals (NCC)</li> <li>Health and Safety (NCC)</li> <li>Buildings maintenance scheme (Engie)</li> <li>Educational Visits – NCC Evolve system</li> <li>Legal support / advice for academies (NCC – Nplaw)</li> </ol> <u>Governance, HR and Policy Support</u> <ol style="list-style-type: none"> <li>HR (EPM)</li> <li>Occupational health provision (Heals)</li> <li>Clerking of Local Governing Body and committee meetings in accordance with DNEAT standards</li> </ol>	<ol style="list-style-type: none"> <li>Staff well-being</li> <li>ICT hardware and equipment</li> <li>Targeted CPD and school improvement programmes</li> <li>Cleaning / caretaking</li> <li>Grounds maintenance</li> <li>Catering</li> <li>Enhanced finance support</li> <li>School website development and support</li> </ol>	<i>For example</i> <ol style="list-style-type: none"> <li>Supply cover</li> <li>Library service</li> <li>Extra school improvement consultancy or training</li> </ol>