



Kenilworth School and Sixth Form

Stakeholder Frequently Asked Questions about Academy Conversion

Version 1 – 27th April 2016

The Kenilworth School Governing Body are currently considering conversion to a Multi Academy Trust. The purpose of these FAQs is to provide information as part of our consultation and information sharing obligations on what Kenilworth School may look like as a Multi Academy Trust. We have received questions from some parents and staff already and have included responses to these within the list below. We will update this list as and when additional new questions and answers come to our attention. The most up to date version will be published on the school website.

1. What is an Academy?

Academies are independent, state-funded schools, which receive their funding directly from central Government, rather than through a local authority. The day-to-day running of the school is with the head teacher or principal, but they are overseen by individual charitable bodies called academy trusts and may be part of an academy chain. These trusts and chains provide advice, support, expertise and a strategic overview. They control their own admissions process and have more freedom than other schools to innovate.

In the early days of the academies programme, many schools were converting as standalone academies. In the past few years, schools have been increasingly converting to academy status in groups or existing academies are expanding to take advantage of the benefits of collaboration.

The Government's recent announcement proposed that the 'vast majority' of academies will become part of multi-academy trusts (MATs). In some respects, these independent academy chains will replace local authorities as a centralised body offering advice and support with operations like administration, finance and strategy.

2. How many are there?

Before May 2010, there were just 203 academies. The Academies Act 2010 opened up academy status to every school in the country, and between May 2010 and December 2015, 3,516 schools voluntarily converted to academy status. Another 1,346 schools became sponsored academies, benefiting from the experience and expertise of strong sponsors to raise standards for pupils. The majority of English secondary schools are now academies, and almost all new schools are now academies – including free schools, free school presumption projects, university technical colleges (UTCs), alternative provision and special schools. In Warwickshire Kenilworth is 1 of 5 secondary schools who are not academies.

3. Weren't academies all about improving failing schools?

They were once. The policy, which originated under Labour, aimed to improve struggling schools, primarily in deprived areas. And this continues under the sponsored-academy model, where failing schools are taken over and run by an academy trust. But it has changed radically to embrace all types of schools - successful or otherwise. Before this new plan, all schools - primary as well as secondary - had been invited to convert to academy status, with priority being given to the best performers. This new Government policy, if passed means all schools will have to make the change.

4. What is an Academy Chain?

Initially many schools became standalone academies but the trend has moved towards groups of schools joining together. In a multi-academy trust (MAT) all schools are governed by a single board of

directors, and the entire trust is a single legal entity. The MAT is responsible for decisions relating to how each academy is run and is ultimately accountable for each of the schools. The Department for Education believe that outstanding and good schools are the best organisations to help and support failing schools. Each academy within the MAT would have local governance arrangements, plus some staff/Governors would work across the whole MAT not just in their local school as they do now.

5. Will Kenilworth School join an existing multi academy trust?

No, definitely not. As an outstanding school with sustained results we want to be in the driving seat. We would like to form our own MAT and be the lead school. By doing this we could share resources, staff and expertise to continue driving up standards. We would not have plans to become a big MAT as we believe this could become unmanageable. Any partner in our MAT would have to share the same vision and ethos that we have at Kenilworth. A due diligence on any prospective school would be conducted before we would proceed.

6. What is the role of the academy trust and who will be the members?

An academy trust would be established as a charitable trust responsible for the running of the academies in the chain. It has a strategic role, planning for the longer term success of the charity, i.e. the schools, and is responsible for appointing Governors. The trust will initially be appointed by the Kenilworth Governing Body and will enter into a funding agreement with the Secretary of State. The Trust must have at least 3 members. It is possible to be both a Governor and member of the Trust. Specific details on the MAT structure are being considered by Kenilworth FGB with advice from the DfE, but no decision has yet been made.

7. Why consider converting now?

The Governors of Kenilworth School first considered converting to a standalone academy in 2011 but decided at that time not to pursue conversion as the benefits were not clear. However recently the landscape has changed.

A working group of Governors started to look in detail about academy conversion in December 2015 with a brief to conduct research and decide if conversion was in the best interests of our school. On 8th March the Governing Body voted to formally register our interest in converting whilst we continue our research.

On 16th March the Government then announced that all schools in England will either have to convert by 2020 or be committed to converting by 2022. Any schools that do not meet these requirements will be forced to do so by the Government using radical new powers to intervene. The new White Paper (Educational Excellence Everywhere) published on 17th March sets out the details behind the Government's announcement. A White Paper provides a basis for further consultation and discussion with interested or affected groups and allows final changes to be made before a Bill is formally presented to Parliament. There is currently no legislation that can force a school to convert to an academy. Recent press reports suggest that there will be a level of opposition to forcing schools to convert so despite this announcement we will have to wait some time to see what legislation is introduced.

Despite this announcement we consider it is important to consider conversion now whilst we can be in charge of our own destiny rather than wait to be told what to do. We want to continue as an outstanding school and provide a degree of stability during this time of significant change of education in England. If new legislation is introduced and we were forced to convert, we are likely not to have a say in which school(s) we partner with. This is a risk that may not be in the best interests of Kenilworth.

In 2013 our school achieved an Outstanding Ofsted grade and this has raised our profile amongst other schools. We have received approaches and visits from other schools seeking advice on what changes we have made to achieve outstanding. In addition, our results have been sustained and are well above the national average and we have been nationally recognised. Having achieved this level of success we

cannot stand still and need to continue to improve. In addition, the DfE are keen that we share our expertise.

In September 2015 we were awarded National Support School (NSS) status and our Headteacher, Mr Abbot was also recognised as a National Leader of Education (NLE). In both these roles our school will now support schools in challenging circumstances. We also get a small amount of extra funding. The first school that we have formally been supporting is Nuneaton Academy where our Headteacher provides support as an Executive Head. This has resulted in opportunities not just for Nuneaton Academy but also Kenilworth School to learn new ways of teaching and supporting students. Whilst this sort of collaboration is valuable and brings in extra money to the school budget it can be limited in that Kenilworth provide consultancy advice for a set time period and we are not decision makers. This has prompted us to look at academy conversion as the lead school within a MAT.

8. What are the benefits of academy status for Kenilworth?

We are advised by the DfE that MATs are the preferred conversion model. They consider that MATs are the only structures which formally bring together leadership, autonomy, funding and accountability across a group of academy schools in an enduring way, and the best long term formal arrangement for stronger schools to support the improvement of weaker schools. More than half of all academies are already part of a MAT, and the vast majority of new academies are created in MATs rather than as standalone academies. The benefits for a Kenilworth MAT include:

- **Staffing, leadership and continuous professional development** - with improved career opportunities and support for teachers and leaders, a MAT could help us to retain them at Kenilworth rather than move elsewhere and thus provide stability for our students. Continuing Professional Development of our staff between different school would not be one way. A cross fertilisation of ideas can help all schools within a MAT.
- **Teaching and Curriculum Practice** - sharing lesson planning across schools within a MAT and the sharing of different ways of doing things both help reduce staff workload. Students can always benefit from alternative/new teaching practice as they all have different learning styles.
- **Governance** – the duties of Governors who are volunteers is ever increasing, and we would have a larger pool of Governors with different skills and time to give to their duties. We could collectively work together, share ideas and workload.
- **Office and Site Functions** – the pooling of resources and sharing support services can bring economies of scale and potentially free up more funding for the classroom.
- **Sharing knowledge of alternative pathways post 16** – All young people now need to remain in Education, Employment or Training after year 11 until they are at least 18. Whilst Kenilworth has been successful at achieving the best GCSE outcomes for our students there will be some students who are not best suited to the rigours of A level learning. Secondary schools within a MAT can share Careers Information Advice and Guidance and may have different strategies for help students choose the most suitable post 16 pathway that enables a student to continue to thrive, learn and reach their potential.

9. Does conversion help us progress our vision for a new school build?

A Governor Site Working Group have been exploring for the past three years the feasibility of a new school on a single site. Many meetings between relevant parties have taken place. Plus, the introduction of the Local Area Plan outlining new housing in Kenilworth has also had an impact. More recently as funding from the Local Authority is not looking possible, specific attention has been given to accessing funds through other sources. The school has been advised that the availability of such funds depends on conversion to academy. Although more research still needs to be done. Governors

remain committed to looking for options for a new build school that will be fit for purpose into the future and will ensure that students learn in the best possible environment.

10. Does converting to academy status bring in more funding?

Not necessarily. In the past, schools received £25,000 conversion costs from the Education Funding Agency, who also topped up their budgets by as much as 10%. The topping up of budgets is no longer available but a conversion grant of £25,000 is still given to each school for conversion costs. There is also the opportunity to apply for funding for a school that wishes to become the lead school in a MAT (known as a sponsor) of other schools and needs money to introduce the right infrastructure to support a MAT. There is also a start-up grant available for each school that the MAT takes on.

The Local Authority top slice our current school budget to pay for statutory services to schools that they currently provide. Whilst becoming an academy means we will get this money paid directly to school we will still need to use this money to buy these services if we decide we still need them.

In addition, the current national formula for funding per pupil has wide geographical differences. Warwickshire has traditionally been a poorly funded county and we will await with interest the Government's commitment to review the current formula which has not changed for many decades. Currently there are differences of up to £3k+ per pupil in different parts of the country. The commitment to a national funding formula we hope will benefit schools and academies in Warwickshire.

Economies of scale by sharing resources between schools within our MAT should help our budget.

11. Who oversees academies?

Academies, like all schools, are inspected by Ofsted, but because of changes to the inspection regime, those classed outstanding are no longer routinely inspected. Regional School Commissioners (RSC) were introduced in 2014 to approve academy conversions and monitor standards at academies and free schools in their areas. There are eight regional commissioners, who each work with a small board of head teachers. They cover quite a large geographical area and act on behalf of the Secretary of State for Education. The local RSC to Kenilworth is based in Coventry and he will monitor standards of our MAT.

The finances are governed by the Academies Financial Handbook which is issued by the Education Funding Agency. There are strict rules on how school money is spent and we would have to publish annual accounts each year and complete statutory financial tasks. External auditors would also have to be appointed who would carry our routine statutory checks on our spending. The EFA would scrutinise our accounts and we would not be permitted to publish a deficit budget.

12. What are academy freedoms? How will they affect Kenilworth?

These are the aspects of managing a school that will be different than if a school continues under Local Authority control such as:

- **Curriculum** – Academies do not have to follow National Curriculum but content must be broad and balanced and some subjects such as Maths, English and Science must be taught. Plus, pupils at all Key Stages of Education must be assessed. As Kenilworth has been a Foundation Trust school since 2008 we have the freedom to change the curriculum already, and have made several changes over the years. We are already regularly assessing and tracking pupil progress from year 7 up. As an academy we will continue to review our curriculum and make changes as necessary.
- **Teaching Hours** – Academies are free to change the length of a school day and term dates if they wish. At Kenilworth we already offer extracurricular opportunities for our pupils outside of the standard school day and this will continue. We also provide catch up and revision lessons

for our pupils in years 10, 11, 12 and 13 both after school and during school holidays as we approach public examinations. We have no plans to change the term dates as we work in conjunction with our feeder primary schools. This would have to be a Kenilworth cluster decision.

- **Admissions** – Academies can decide on their own admissions criteria but it has to comply with a legal Code. Kenilworth as a Foundation Trust school already has this freedom but we have chosen to continue with the standard Warwickshire priority list. We use the admissions service from Warwickshire County Council to administer the process and do not envisage that this will change.
- **Sources of Funding** – See question 8 above. In addition, we will have the opportunity to explore additional funding sources not currently open to us. The Governors Site Working Group are already researching these opportunities. Plus, with National Support School and National Leader of Education status we will have more opportunity for income generation opportunities by selling our expertise to other academies.
- **Purchasing Goods and Services** – Academies will have the freedoms to purchase certain services from other providers not the Local Authority as they do now. As Kenilworth is a Foundation Trust School we already have this freedom and purchase our goods and services from both the open market and the Local Authority. Some Local Authority services operate as traded services so we could continue with existing arrangements where they work well and offer good value for money.
- **Staffing** – Academies are free to change the terms and conditions of their staff as they will become the employer not the Local Authority. Kenilworth Education Trust was set up when we became a Trust school in 2008 so our staff are already direct employees of the school. Converting to academy status will be similar and employees will be protected under TUPE legislation. Kenilworth Education Trust has continued to follow the national terms and conditions for teachers and local authority terms for support staff.

The academy flexibilities do provide us the potential to offer higher salaries or more favourable reward packages in subjects where recruitment or retention is difficult. In addition, it is also important to note that teachers are recruited from a national pool of applicants and it would not be in the best interests for Kenilworth or any other school within our MAT to make detrimental changes to current terms and conditions. We will continue to use our reputation to attract and retain good and outstanding teachers.

13. Is there not a risk that by supporting other schools within a MAT we will take our eyes off what we do well at Kenilworth and dilute what our pupils currently get?

Yes, there is a risk but both Governors and the Senior Leadership Team will be very mindful of this going forward. We have worked very hard to create a culture of excellence and achievement at Kenilworth over the past 8 years and much of our success has been as a result of robust systems of assessing and tracking pupil progress, robust performance management ensuring good and outstanding teachers plus our high recruitment standards. This embedded culture will not change just because we are assisting other schools. Some staff may find themselves working across all schools within our MAT but shipping out all our good and outstanding teachers to another school will not be our approach.

14. Will teachers appointed by Kenilworth School be required to work across other schools if Kenilworth School were part of a MAT?

Any teachers appointed prior to conversion would remain at Kenilworth School as their home school. The expectation is that their timetable would consist of students from Kenilworth School. Should a teacher have a skill or subject expertise that is required in another school the teacher may be asked to undertake some work for a specific time period within the other MAT school should the need arise.

Any work undertaken by a teacher from Kenilworth School in another MAT school would be arranged by negotiation and not directed. Contracts may be altered to reflect this change. Any newly appointed teachers from conversion would have a clause in their contract requiring them to do some work in another MAT school should the need arise, however, their home school would be Kenilworth School and this would be their primary commitment.

15. What are the benefits in terms of CPD for our staff of working with other schools?

- New access to Academy Networks for CPD.
- Collaborating with other schools will provide relevant cross fertilisation of ideas that Kenilworth can adopt to enhance both the student and teachers experience.
- Key staff may have opportunities to deliver at CDP events and this could bring in additional income to the school.
- Working within a MAT can provide enhanced career development opportunities for staff who might otherwise seek a promotion elsewhere.
- Generally, there is a nationwide shortage of good teachers especially in Maths, English and Science. Whilst Kenilworth attracts good candidates we need to manage the risk of losing good staff by providing meaningful CPD opportunities.

16. How will academy conversion affect our relationship with our feeder primary schools?

We already work closely with our feeder schools where teachers from the primaries and Kenilworth liaise closely with regards to English and Maths plus ensure the transition to Year 7 is as smooth as possible. It is our wish that we continue this close co-operation.

17. Will local primary schools join the Kenilworth MAT?

We do not know at this stage which schools might wish to join our MAT. This would have to be considered in more detail. We envisage working with schools where both parties agree the vision and ethos and most importantly we can all work together.

Kenilworth could convert as a MAT but be the single school within the MAT for a time which will provide an opportunity to embed the new financial responsibilities that we will have and give time for consideration of which schools we could work with, without adversely affecting what we do now.

18. Will schools in our MAT be geographically located near Kenilworth?

A MAT can join with schools anywhere in England. However, it is sensible to support schools within an easy commutable distance to Kenilworth and this would very much be our preferred plan. The Governors have yet to work through the detail of what the vision for our MAT would look like and the types of schools we would aim to work with, but this could be Secondary and/or Primaries nothing has been yet decided.

19. Will Kenilworth continue to be a community school for young people of Kenilworth?

Yes, we remain committed to continue to serve our local community.

20. Does this mean that Kenilworth will no longer have contact with the Local Authority?

No. Some aspects of the statutory services to schools that the LA currently supply will change but others operate as traded services. It would be our intention to convert using out existing suppliers where current arrangements work well.

21. The University of Warwick are currently our remaining Trust Partner; what affect will conversion have on this relationship?

We currently have a Kenilworth Education Trust with two university nominated Governors who are trustees but who also serve on the Kenilworth School Governing Body. This trust will disband and a new Multi Academy Trust will be formed. The partnership with the University of Warwick remains important to us and our intention is to continue to work closely with them.

22. Who has the final decision on whether to convert?

The Governing Body will vote to make a formal application to convert. The DfE will then assess the application and make the final decision before granting an Academy Order. After conversion, decisions on who will join our MAT would fall to a newly formed MAT Board. A vote by both the MAT Board and the incoming school governing body/trust would be needed before an application is made to the DfE for final approval.

23. What changes will be made to staff terms and conditions?

When an organisation changes owner, its employees may be protected under the Transfer of Undertakings (Protection of Employment) regulations (TUPE). The employees' jobs transfer over to the new company, their employment terms and conditions transfer and continuity of employment is maintained. We have some experience already of TUPE from when we became a Trust. There is a formal consultation process that needs to take place which includes unions and we are advised that the legal advisers that we will appoint once we decide if we want to apply for conversion will advise further. We cannot begin formal TUPE process until approval of our application to convert had been agreed and we have been issued with our Academy Order. The process will be same as we followed when we became a Trust School.

24. Do union agreements carry forward?

We currently subscribe to Warwickshire Education HR services and maintained schools get some funding to facilitate the statutory requirement for an employer to consult. This means that model policies and guidance documents are agreed at a Warwickshire level and Kenilworth School adopts them as appropriate. As an academy we can buy into the Warwickshire Consultation Framework which will enable us to continue to comply with our statutory duties to consult.

25. If other schools within our MAT are placed in special measures does this affect Kenilworth School?

No, each school is inspected separately by Ofsted.

26. Are targets set for each school or across all the schools within the MAT?

Targets are set for each individual school within the MAT as they are likely to be a different stages of development.

27. Will Kenilworth's results be pooled with other schools within our MAT?

No. Kenilworth School and any other schools in the MAT will have their own results against their own targets. The MAT board will be answerable to the Regional Schools Commissioner for any targets and results not achieved in any school within the MAT.

28. What are the obligations to consult with stakeholders about Academy Conversion?

The DfE guidance states that consultation must take place but that schools are free to choose how they do this. We started to consult through sharing information on 9th March and to date we have used the following mechanisms:

- Letters to parents/carers/stakeholders
- Updates in Newsletter
- A dedicated email for stakeholders to channel their questions and concerns
- Compiling a comprehensive set of Frequently asked questions that are publically available to all stakeholders on our website
- Governors led three staff meetings to hear their views
- Kenilworth Cluster primary schools, Warwickshire County Council and Town Council have been written to and have been invited to comment on our proposal

We will continue to update our information sharing as we work further through the detail. Formal TUPE consultation with staff will follow as it is part of the legal conversion process. But we are not at this stage yet.

29. Will the School carry out a detailed due diligence exercise before any decision to covert is made?

Yes, most definitely. The Governors Academy Working Group have been thoroughly researching conversion since December 2016. This has included attendance at academy events, meetings with DfE representatives, discussions with various Local Authority departments, discussions with our current suppliers and visits to other schools who are already academies. Plus, lots and lots of reading!

The Full Governing Body will consider in detail all the areas highlighted by due diligence and assess the risks before any decision to convert is made.

30. What are the timescales?

The governing body must pass a resolution confirming that it wishes to convert to Academy status before a school can make a formal application. A majority decision in favour of conversion is required. Governors have been considering conversion since December 2015 and started to share information with stakeholders on 9th March. Governors are due to meet in late April and in early May to review the outcomes of the due diligence and consider what format for a MAT we think in in our best interests of Kenilworth.

IF we do vote to make an application to convert then we are advised that the DfE will take between 2 and 6 weeks to assess our application and then if successful, a likely timeframe of approx. 5 months is the norm to complete all the necessary actions before conversion takes effect. Conversions take place on the 1st of each month so we will choose a conversion date when we feel we are ready and works for Kenilworth School and Sixth Form.

List compiled by Governor Academy Working Group, Kenilworth School
27th April 2016