

# Joining a Trust

## Information for Governors



Diocese of Bristol

† TRANSFORMING CHURCH.  
TOGETHER.

Liz Townend and Jo Willis  
Diocese of Bristol Education Team

1. What does a good Trust look like?
2. Things to consider when choosing a Trust
3. The process of joining a Trust
4. Additional considerations for CE schools
5. Further reading



# What does a good Trust look like?

- High Quality and Inclusive Education
- School Improvement
- Workforce
- Finance and Operations
- Governance and Leadership

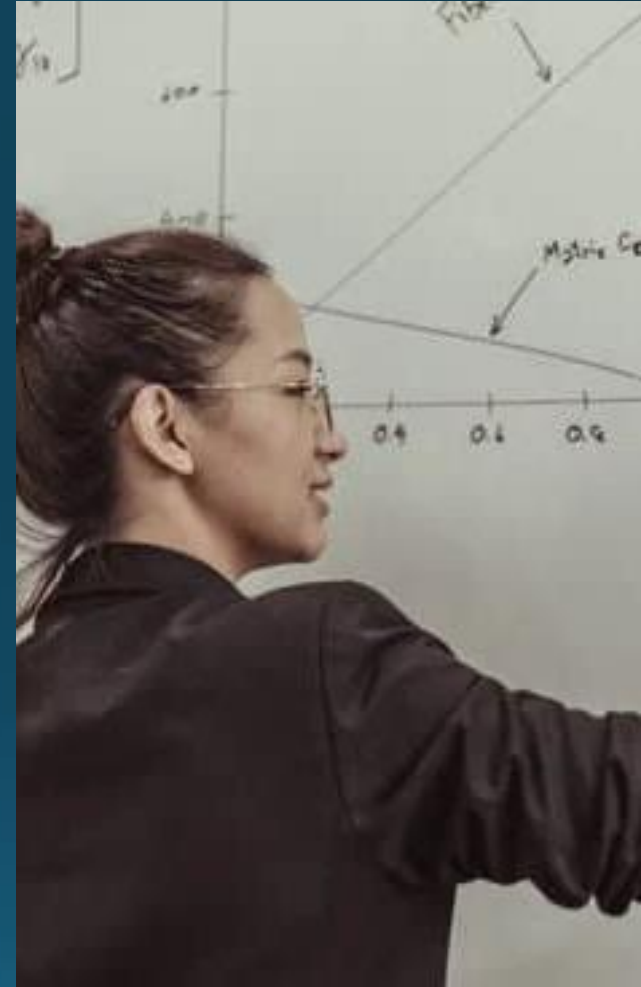
*DfE, Trust Quality Descriptors, July 2023*





# High Quality and Inclusive Education

- Ambitious vision for all pupils, including vulnerable pupils and those with SEND.
- Ambitious, broad, well-sequenced and knowledge-rich curricula in all of its schools. Achieves good outcomes for all its students by delivering education that is both high-quality and inclusive.
- Welcomes and effectively teaches disadvantaged children and children with SEND from their local areas.
- Enables children to take part in sport, music and cultural opportunities that enrich the curricula and support children's wider development.
- Ensures its schools are places where all students attend regularly, are kept safe, feel calm and supported, and are able to actively participate and progress.
- Ensures all children leave its schools well prepared for the next stage of education, employment or training and prepared to become confident citizens.



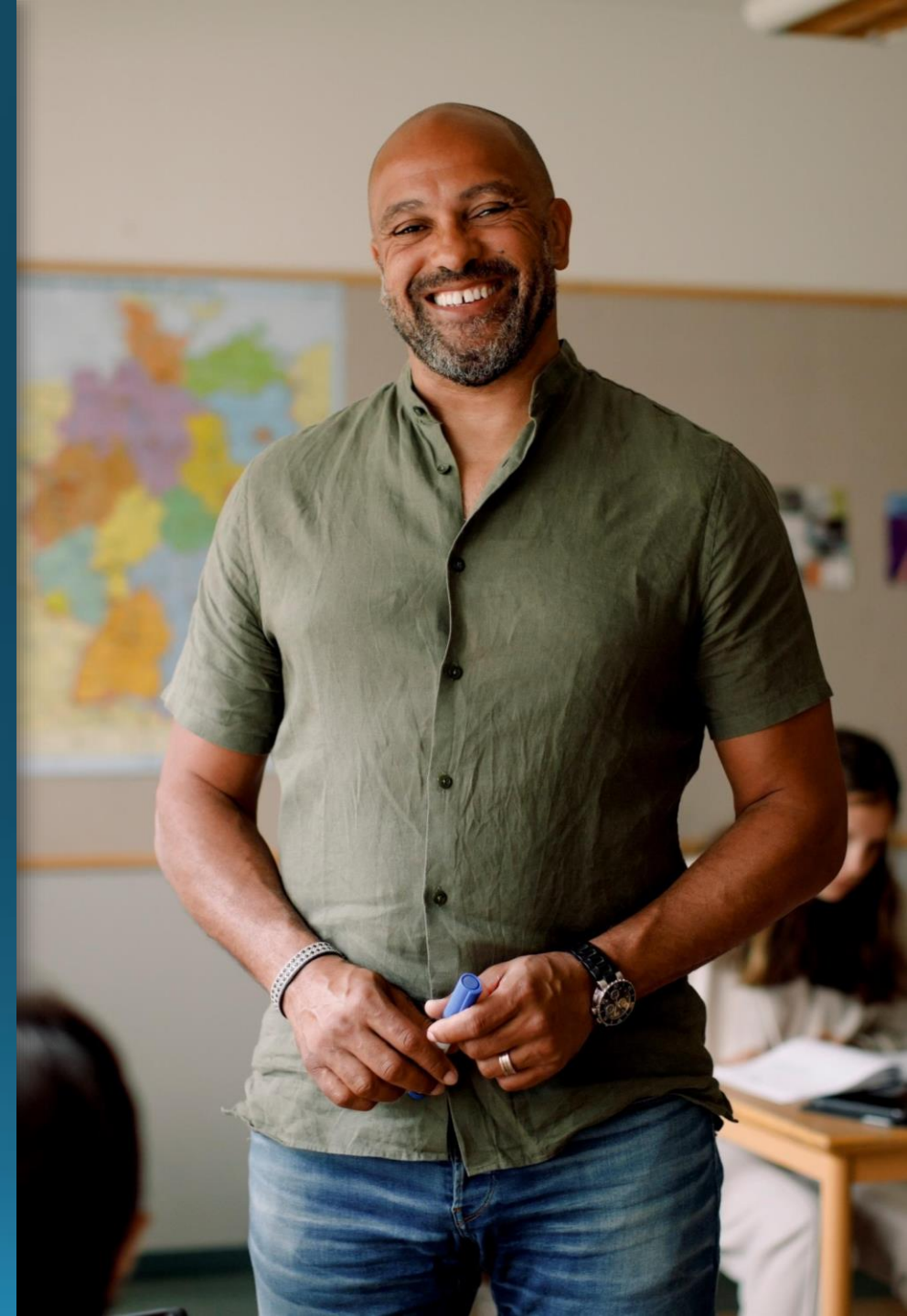
# School Improvement

- Creates a culture of continuous improvement in its schools through self-evaluation, challenge, support and appropriate action.
- Has a clearly defined and effective strategy to improve and maintain the performance of schools that are already part of the trust, as well as those that join.
- Takes on challenging schools and transforms previously underperforming schools by delivering broad and sustainable improvement.
- Supports the wider system in sharing best practice; helps underperforming schools to improve; and contributes to building a trust-led system



# Workforce

- Creates a high-performing working culture for all staff that promotes collaboration, aspiration and support. Uses the flexibilities of the trust structure to create opportunities for staff.
- Fosters a supportive working environment by managing workload, prioritising wellbeing and taking action to support all staff.
- Makes a positive contribution to the wider system by delivering high-quality training and/or placements for trainee teachers.
- Encourages and enables all staff to build their expertise through evidence-based professional development and mentoring.
- Ensures every member of staff is effectively line managed to maintain high performance. Actively encourages career progression opportunities across the trust.
- Ensures inclusive working environments, supports flexible working and takes action to promote equality and diversity



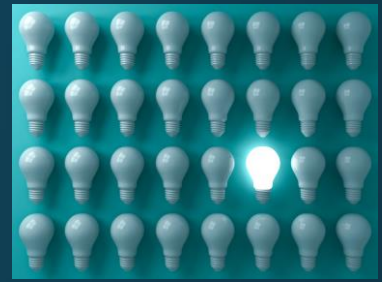


# Finance and Operations



- Recognises the importance of effective and efficient use of resources for the benefit of all schools in the trust and the wider education system.
- Uses financial data and intelligence to set a stable, accurate and sustainable long-term financial strategy for the trust. Has a clear approach to delivering value for money through effective budgeting and risk management.
- Demonstrates efficient and effective use of resources, for example through school and trust resource management benchmarking tools and Integrated Curriculum and Financial Planning.
- Maintains and invests sustainably in the trust's capital infrastructure, including buildings, digital infrastructure and technology.
- Has strong financial and information management systems with effective oversight, for example ensuring data compliance and having policies and processes in place to minimise risk of fraud, data breaches and financial mismanagement.

# Governance and Leadership



## Trustee Board

- Set and champion a clear strategy for the trust, which sets out its aspirations for growth over time
- Holds executive leadership team to account for the effective implementation of the trust strategy and operating plan.
- Assures itself of the integrity of financial information.
- Accesses independent insight from internal and external audits, reviews of governance arrangements and other forms of expert advice
- Oversees strategic relationships with external stakeholders

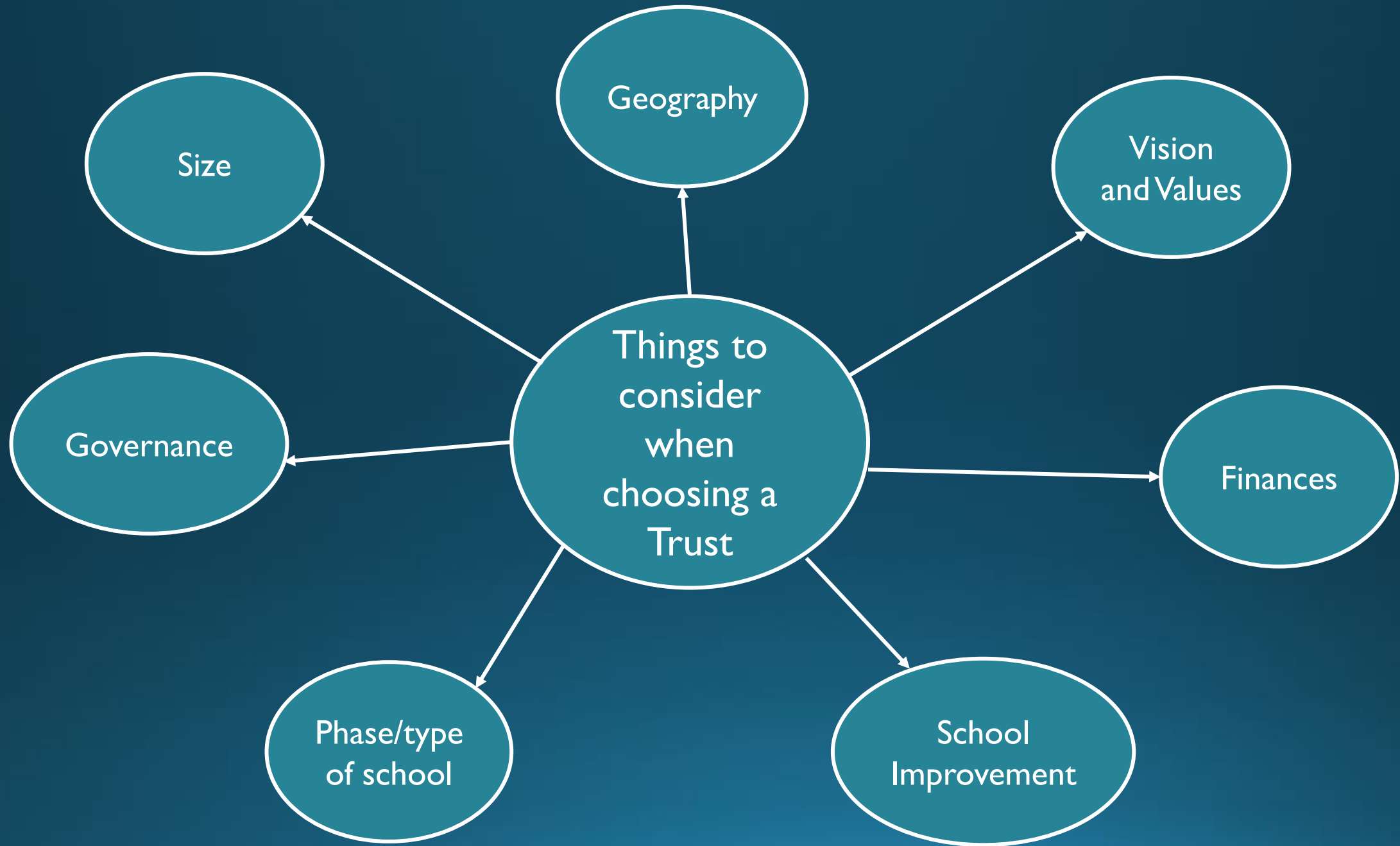
## CEO

- Leads the trust executive leadership team to create and implement an effective trust operating model with clarity about the delivery of trust-level and school-level activities, that aligns with the strategy
- Sets annual operating plan, budget, and implements effective operational systems to deliver on the trust's strategy.
- Safeguards and promotes the welfare of children

## Both

- Work in partnership to ensure effective relationships between executive leadership team and members of the board.
- Support effective succession planning by building a leadership pipeline
- Agree annual operating plan and budget for the trust, that deliver on the trust strategy.
- Agree metrics and process by which progress will be assessed.
- Involve parents, schools, communities and, where appropriate, dioceses and other religious authorities so that decision-making is supported by meaningful engagement.





# Breakout Room Questions

Where are you up to in this process?

What strengths can your school add to a trust?

What can you learn from each other?

What excites or worries you?

What do you still want to know about the process?

# Pre Academy Order

## Due Diligence:

- Working Group
- Informal Discussions
- Research/options

FGB / MAT takes minuted resolution

Register interest with the Regional Director (Lucy Livings)

Ensure MAT board minuted decision

Ensure local site trustees consent (if applicable)

Inform Local Authority

Apply to Diocese for Conditional Consent timing depends on decision maker

# Applying for Academy Order

Apply online

Notify LA as they have a number of tasks to complete

Started communication with stakeholders if you haven't already.

RD's Advisory Board will assess application, meeting monthly – due diligence required

Academy Order given

**£25K start-up granted (only for groups of 3 or more schools joining a Trust together)**

# Post Academy Order to Conversion

Appoint Solicitor

Statutory Consultation

## Legal Documentation:

- Mem & Arts (draft to DfE 2 months before conversion)
- \*Church Supplemental Agreement
- Funding Agreement
- 125 year lease with LA
- Commercial Transfer Agreement (CTA) - confirmed 1 month before conversion

TUPE – who depends on employer LA or FGB

Final sign-off of legal documentation

Conversion



# Process of Joining a Trust



Step 1: Exploring your options



Step 2: Making a decision



Step 3: Due diligence



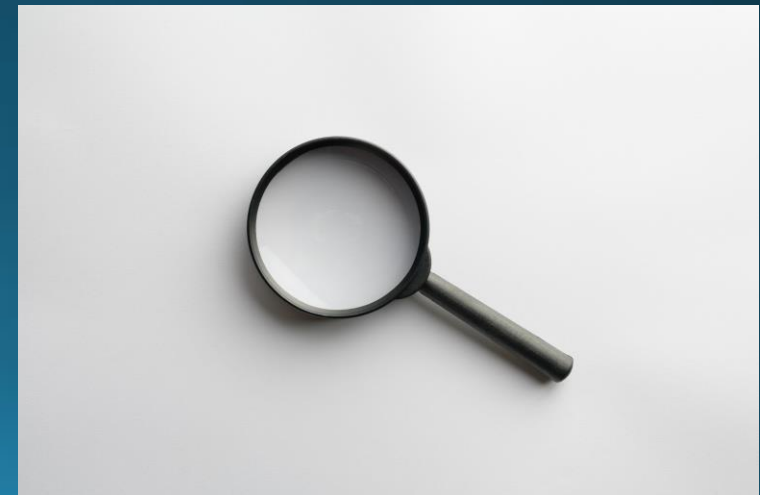
Step 4: Legal documents and processes



Step 5: Final considerations and post conversion

# Step 1: Exploring your Options

- Consider your school's vision and ethos, which Trusts would be a good fit?
- Which Trust would bring the most benefit to your pupils? Consider unique context of your school.
- Primary only or mixed phase Trust?
- Local governance – Individual or hub model?
- Collaborative working – Opportunities for staff?
- *Capacity to support a Church school in developing its Christian character and SIAMS inspections*
- *Contact the Diocese to talk through the Trusts to consider – We can help!*





# Step 2: Making a Decision

- FGB agree to proceed in principle and minute this decision
- (Trust Board also agree to proceed and will support school with this process)
- CE School - School and Trust board present to the DBE for their approval
- Any potential or actual conflicts of interest arising from joining the Trust identified and managed
- Explore informal collaboration opportunities with the Trust prior to conversion (eg, school improvement support)
- Involve stakeholders at the earliest possible stage and manage the process of communicating the governing body's decisions so that the news can be disseminated in an appropriate and timely way without causing concern.



# Step 3: Due Diligence

*'the process of ensuring that all stakeholders understand the relevant information including costs, risks, benefits, assets and liabilities enabling them to make fully informed decisions about transferring a school into a new academy trust'. DfE*

- You will need to provide due diligence information concerning your school to the Trust. The process may be supported by lawyers and auditors.
- How does the Trusts vision align with your own?
- What school improvement support will we receive? Where could we add value to the Trust?
- How does the Trust manage its finances? How will our budget be affected?
- Are there any questions that relate to the circumstances or context of the Trust that need further exploration?
- Consider the information obtained during the process thoroughly and objectively. This information should then be presented to the governing board in a report, so that they can finalise the decision to proceed.

# Step 4: Legal Documents and Processes

- Legal documents needed to enable a school to join a Trust will typically be produced by the solicitors engaged to act for the Trust, as the legal documentation is largely entered into by the Trust.
- The extent of the documentation and the details will depend on the characteristics and land arrangements of your school.
- The governing board of the joining school is only a party to a limited number of legal documents, as it is the Trust that is largely responsible for entering legal documentation.



# Step 5: Final Considerations



- FGB meet to give final approval, the Trust board will do the same. In theory, you could decide not to go ahead at this stage and pull out of the conversion; in practice, everyone will have spent a lot of time and money in getting to this point and it very rarely happens.
- The application will be considered by the Regional Director and their Advisory Board.
- Once the relevant documentation for the conversion has been executed, completion arrangements will be led by the DfE in co-ordination with the relevant legal advisors.



# Stakeholder Engagement (not consultation!)

**Informal Engagement** – Map stakeholder groups, define key messages, build understanding of Trusts and their benefits, provide reassurance

**Formal Consultation** – Prepare consultation documents and plan events, start informal discussions with staff, provide information about Trust and clarify benefits

**Board Response** – Respond to consultation and communicate decision of the board, show you've listened and understand concerns

**Consolidation** – Refine messages and plan strategy, explain the board's decision, be assertive, make a positive case, publish FAQ's on website.

**Decision** – Work closely with Trust to review stakeholders and agree strategy, agree key meetings with stakeholder groups, correct any inaccurate messages

**Deciding to Join a Trust**  
**Guidance for Maintained**  
**Schools on Engagement**  
**with Stakeholders**

Deciding to Join a Trust: Guidance for  
Maintained Schools on Engagement  
with Stakeholders. CST.

# Breakout Room Questions

What else do you need to know about joining a Trust?

Who are the stakeholders you need to engage with?

What would be the best ways to engage?

Where do you anticipate resistance?

Who will be your champions?

# Additional Considerations for Church of England Schools



- **Can a CE school in this diocese potentially join a MAT with schools in another diocese/ other LAs?** Yes, (subject to conditional consent given from one or more DBEs)
- **What sort of size is considered the ‘right’ size for a MAT?** *The White Paper suggested 10 schools + or 7500 children to be viable and perform well. CE schools do not need to be a set proportion of pupil numbers.*
- **Can a church school be part of forming a new ‘mixed’ MAT?** Yes, subject to Articles being correct and with the agreement of the Regional Director.
- **Can a CE school join a trust with non church schools in it?** Yes
- **Can a CE school join a trust with ‘non church’ Articles?** No – foundation governance is protected in the CofE/ DfE memorandum
- **How does the governance change if there are church schools in the MAT?** *‘Equality’ Articles are taken if VC and/ or VA schools are present, ‘Minority’ Articles acceptable if only VC schools. Trustee (director) and Member Boards take these new proportions as terms of office complete if not already in place.*



# Additional Considerations for Church of England Schools

- **Are schools still called VC/VA post academisation?** *No, but the governance arrangements (and therefore SIAMS inspection) remain the same at local level*
- **Can a CE school lose its CE VC/VA status on purpose or accident?** *No*
- **What role does the Diocesan Board of Education (DBE) play?** *Church schools need the approval of the DBE to join a trust, the RD will not act without this approval.*
- **What might prevent the DBE from giving consent?** *Trust vision and values, isolation, geographical distance diminishing collaboration, 'going it alone', lack of moral purpose, words that don't match evidence of schools and staff, incomplete due diligence*
- **How do we understand the Articles in practice?** *A MoU is agreed between the diocese and members that sets out expectations of relationship e.g. with diocese, CPD to schools and governors, trust training, additional opportunities*
- **How does academisation change our relationship with the diocese?** *You remain a crucial part of the CE family, with training continue in perpetuity and must be sustained.*

# Your next steps



- ✓ Keep talking! Continue to have wide ranging discussion with other schools, governors and Headteachers.
- ✓ Talk with and visit trust schools and executive teams of the Trusts you are most interested in.
- ✓ For CE schools, contact the diocese as soon as you begin these conversations.
- ✓ Use the Trust Quality Descriptors to aid discussion with the trust
- ✓ Bear in mind the £25K start-up fund granted only for groups of 3 or more schools joining a Trust together so keep talking with your neighbours.
- ✓ Use the resources shared today
- ✓ Any questions????

# Further Reading

- [Deciding to Join a Trust: Guidance for Maintained School on Engagement with Stakeholders. CST.](#)
- [Cruddas L \(2023\). Building strong trusts. Nottingham: Confederation of School Trusts](#)
- [Taking the Next Step: A guide to forming or joining a multi academy trust. NGA. 2022](#)
- [Looking to the Future: A Trust Based Landscape for Church of England Schools. CST. 2021](#)
- [Trust Quality Descriptors DfE. 2023](#)



Get in touch:

[liz.townend@bristoldiocese.org](mailto:liz.townend@bristoldiocese.org) – Diocesan Director of Education

[jo.willis@bristoldiocese.org](mailto:jo.willis@bristoldiocese.org) – Foundation Governance and Academy Trust Advisor