

## Consultation About Joining St Clare CMAT - FAQs

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### **LEADERSHIP AND GOVERNANCE**

Headlines:

- Local Governors are an essential part of the governance arrangements in a CMAT with responsibility for a wide range of functions – we need to retain expertise at the local level
- Foundation Governors are vital to upholding and developing the Catholic ethos
- Chairs of Governors feed into Trust Board decision-making through the Chairs Forum
- Decision-making will be at the point closest to delivery

#### **Will there be a lead school in St Clare CMAT?**

St Clare CMAT has been set up as a new company and is not based on a “lead School”. Every school that joins the CMAT is an equal partner.

#### **Will the CEO be Catholic?**

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

#### **What is the role of a foundation governor in the CMAT?**

Foundation governors are appointed (and may be removed) by the Bishop of Hallam. They are an essential part of the governance arrangements. Their fundamental responsibility is to ensure, on behalf of the Bishop, that at all times the school is conducted as a Catholic school and that Religious

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Education and Collective Worship take place in accordance with the requirements laid down by the Bishop. This responsibility extends to joint Church of England/Catholic schools too. Foundation governors are expected to uphold the views and wishes of the Bishop in all matters – “to know the mind of the Bishop”. This aspect does not change in the CMAT.

### **Will there still be “governing bodies”?**

Although a Multi-Academy Trust is not required to have local governing bodies unless it wishes to our Diocese has always believed that it is very important to retain governors at a local level. Our local governors have detailed knowledge of the school and the community that it serves. For this reason, the Diocese and St Clare’s CMAT have written into their governance arrangements that every school will have a ‘Local Academy Committee’ where local governors will continue to carry out many of the roles they have always had, such as overseeing the school’s Catholic Life, overseeing standards and quality of education and holding the school’s leaders to account on standards and effective use of resources.

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

### **What is the new governance structure?**

The structure is set out in the Articles of Association and in the Scheme of Delegation which are available on the St Clare CMAT website.

There are Members, a Board of Directors and Committees, including a Local Academy Committee for each school. The Scheme of Delegation sets out the responsibilities of each of these. Generally speaking, the trust board takes responsibility for finance and HR decisions which apply across the trust and for supporting collaborative school improvement work. Local Academy Committees take responsibility for monitoring and supporting Catholic Life, Educational provision including curriculum, Student behaviour and wellbeing and for monitoring how effectively money is used to support education and pastoral care in the school.

The structure includes a Chairs Forum linking local academy committees to Trust Board decision-making.

### **Will staff and parents from each school be represented in governance of the CMAT?**

There will be 2 parent governors on each Local Academy Committee.

There will be no category of “Staff Governor”. However, Staff Voice is important and therefore the CMAT will expect that schools will take into account staff voice. This is in line with guidance from the National Governance Association which encourages staff attendance at local academy committee meetings to report on their areas of expertise whilst recognising the conflicts involved if staff were to take part in governor procedures or to challenge the school leadership. The role of staff attending meetings to provide professional input and advice based on their particular role or subject knowledge is extremely important and should continue.

Directors are appointed to the CMAT Board based on skills and experience, in order to ensure a breadth of knowledge and different skills needed so that the Board is able to carry out its duties effectively and without bias towards any individual school.

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### **Will the current composition and size of governing bodies change?**

When a school joins one of the CMATs, Local Academy Committees will be required to have two parent governors and a minimum of four foundation governors. Please note that this does not mean that a school can only have four foundation governors.

There must also be a majority of foundation governors present at any meeting. It is possible, however, for Local Academy Committees to seek to appoint (or keep) other members as long as the number of foundation governors is in the majority by 2. This means that governing bodies can discuss with the trust board keeping members who are not foundation governors or parent governors as they move to being Local Academy Committees. St Clare directors are very keen to retain expertise at the local level and are grateful for all that governors give in service of their school communities.

As noted above, members of staff cannot serve as local governors and Headteachers will not be a member of the Local Academy Committee although it is expected that headteachers will attend all meetings. Other members of staff may also be asked to attend meetings in order to provide input as and when required and directors and local governors will be keen to hear staff voice from as many sources as possible.

### **What about terms of office for local governors?**

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

There is always the possibility of requesting to serve as a foundation governor at a nearby school. We would happily discuss this and can be flexible to suit the needs of individual schools.

### **Will our clergy have a place on the Local Academy Committee?**

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

### **Will Local Academy Committees manage the school finances?**

This is a change in emphasis of the governors' role. The specific role of governors has never been to manage the school finances, as that is a job for the school headteacher and business manager. However governors have been responsible for ensuring the effective use of school funds and ensuring that the school has robust financial controls in place.

In the CMAT, local governors still have to ensure that school funds are being used effectively. It will be part of their role to challenge the use of the funds in the school and seek evidence from the school that the funds have had the impact expected. The Local Academy Committee will ensure that the priorities set out in the school development plan are reflected in the budget put forward to the CMAT. The Chief Financial Officer will work closely with the headteachers to set budgets that meet the requirements and priorities for the school whilst being within the CMAT budget setting strategy and local academy committees will have input into this.

The CMAT will put in place mechanisms for reporting spend against budget and for ensuring the all required audits and monitoring take place. This should reduce the workload on local governors and

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school leaders, particularly in schools that are already academies as they currently have to manage audit and financial returns on their own.

### **How much autonomy will the local academy committee have in the CMAT?**

The Scheme of Delegation will set out where decisions / approvals / recommendations rest with each tier of governance. The Scheme of Delegation is based on Catholic Social Teaching, namely that as far as possible decision making will be at the point closest to delivery (Subsidiarity).

For example, decisions relating to the day to day running of a school (including behaviour management, curriculum planning etc) will be for the school leaders to determine. Ultimate approval of budgets, staffing structures, policies relating to finance and HR for example will be for the CMAT to action as the CMAT is directly accountable for those areas - although schools will feed into this process. The CMAT will act in the best interests of all schools to ensure that those needing support get what they need (Solidarity) and the Scheme of Delegation will be set so as to facilitate the operation of the whole CMAT.

### **What are the accountability arrangements for the CMATs?**

The Members hold the CMAT to account. The CEO is held to account by the Board of Directors who will also appoint an independent adviser/expert as part of the performance management process for the CEO. Also, the CEO is the Accounting Officer and is held to account by the ESFA. The CMAT is also held to account by the Secretary of State for Education through the Master Funding Agreement and by the Bishop in respect of the Catholic character and standards.

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

### **Who are the Board of Directors? Are they elected or appointed?**

The Board of Directors are appointed (just as they are in a Single Academy Trust) in line with the Articles of Association. The CMAT Boards are looking to fill remaining vacancies at Board level. If you or someone you know would be interested in discussing a role on one of the CMAT boards please get in touch via Philip Patterson at [schools@hallam-diocese.com](mailto:schools@hallam-diocese.com)

### **Who has the power to decide whether a Diocesan School will join a Diocesan CMAT?**

For diocesan maintained schools the governing body must pass a resolution to convert to academy status and express its wish to join the CMAT.

For existing Single Academy Trusts, the Board of Directors (Governing Body) must pass a resolution to join the CMAT.

In both cases the resolutions must have the consent of the Bishop and for Joint Church schools, the consent of the relevant Anglican Diocese.

Power to issue academy orders (so that a school can become an academy) and to approve that an academy can join a Multi Academy Trust rests with the Department for Education through the Regional Director. Once governing bodies have resolved to convert to academy status (for schools not already academies) and to join a CMAT, then the Regional Director considers their application and must give approval before the process toward conversion/transfer can continue.

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The Regional Director's role is to ensure that the CMATs are well set up to help the schools to thrive.

### **Can a local academy committee decide unilaterally to leave the CMAT?**

A local academy committee cannot unilaterally decide to leave or join a CMAT.

Any decision has to be supported by the Trust Board, the Bishop and the Regional Director.

### **What consultation is planned?**

The school's governing body will set out how they will consult with parents and staff before making a decision about a resolution to join St Clare CMAT.

Once a governing body has resolved to join St Clare and their application has been approved by the Regional Director, there will follow a further TUPE consultation process. This is a statutory process for members of staff, to ensure that they understand what, if any, impact the transfer will have on their contract of employment and to ensure that their voice is heard in that process.

The conversions to St Clare CMAT is a 'no measures' conversion, which means that all conditions of service and continuity of service is maintained for all staff and there are no redundancies required as a result of the conversion.

## **MANAGEMENT AND ORGANISATION OF SCHOOLS**

Headlines:

- The day to day running and management of schools is the responsibility of Headteachers
- Each academy will retain its uniqueness and identity

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

The CMAT will not impose a curriculum on a school where the school is successful. There will be curriculum resources available centrally for schools requiring support and there will be resources to help schools to collaborate and share their best practice with one another more easily.

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

Headteachers will continue to lead and manage their schools on a day to day basis.

Behaviour and Learning Policies will need to reflect local needs and circumstances and will be for schools to develop and implement. Support will be available for schools if needed and this will include increased support for working together with other schools in the family.

### **What will the CMAT policy be on inter-school pupil transfers?**

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

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

Home to school transport arrangements will still be determined by each local authority and eligibility factors such as income, distance, travelling time and denominational grounds are the relevant factors.

Parents will still be able to choose a secondary school outside of the Hallam Diocese as the move to the CMAT does not change any of the feeder school arrangements already in place.

### **Will our teachers be directed to work at any school in the CMAT?**

Staff working in a school will not be forced to work elsewhere. However, there will be many opportunities for career development in the CMATs including opportunities to work with other schools. We believe these opportunities will be a benefit to staff and pupils as it will help with recruitment, retention and sharing the best of what we do across our Diocesan schools for the benefit of our pupils.

### **Will my school be forced to restructure or make redundancies?**

If your school is overstaffed now or is forecast to be (regardless of the CMAT) then the expectation is that you will continue to take the necessary action to manage this. St Clare CMAT does not plan restructuring or making redundancies as a consequence of schools joining the CMAT.

### **What decisions will our school be allowed to make about recruitment?**

Schools will continue to recruit to vacancies identified in their staffing structure with the agreement of the CMAT.

The CMAT, as employer of all staff will support the recruitment process and may advise on job descriptions and grading. Full details are set out in the Scheme of Delegation.

## **STAFFING**

Headlines:

- Staff will transfer with continuous service and qualifying service recognised
- Staff terms and conditions will be in line with national Teachers Pay and Support staff pay
- St Clare CMAT is committed to developing staff and using existing talent and expertise to deliver services in house wherever possible

### **How will staff be affected by TUPE?**

Staff will transfer with the protection of TUPE. The CMATs are committed to honouring national pay and conditions – the School Teachers' Pay and Conditions Document for teaching staff and the Green Book for support staff. Staff will transfer on their existing terms and conditions.

There is no need to carry out a restructure prior to the set-up of St Clare CMAT. There will be no detriment to staff as part of the TUPE transfer.

This will be set out again as part of the TUPE transfer process.

### **Are there harmonised pay scales across the CMAT?**

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Staff will transfer on their current pay and terms and conditions. The CMAT will put in place its own pay scales for those staff joining new to the trust. However, staff employed by schools transferring to the trust will not be forced to move to the new pay scales.

New staff appointed to schools once the school has joined the CMAT will be on CMAT contracts and CMAT pay scales which will be fully in line with national pay and conditions. If a staff member who has transferred under TUPE then applies for another post within the CMAT then they will move to a CMAT contract of employment at that point. The CMAT may look at harmonisation of pay in the future but this is not planned at this stage and any such work would be carried out in full consultation.

### **How will staff contracts be protected?**

Employees are protected when their business transfers to another employer under TUPE. This means that employees of schools and academies will transfer to their new employer (St Clare CMAT) on their current contracts of employment.

If you currently have a part time contract then that will continue when you transfer.

If you are on maternity leave on the transfer date you will transfer and return to your school as normal at the end of your maternity leave.

### **What happens to continuous service and qualifying service?**

For staff transferring under TUPE there will be no loss of continuous service or qualifying service.

### **Will my job change in the St Clare CMAT?**

There will be new systems and processes as the CMAT grows, for example a single finance system across the trust. This will inevitably mean that day to day management of school finances will look different and will involve new ways of working.

Full training will be available to ensure that staff currently working in these areas will understand the new roles and systems. St Clare CMAT directors are committed to staff development and retaining expertise. It will be business as usual for classroom-based staff.

### **Will there be opportunities for me to work across the CMAT and develop my career?**

Yes – definitely. One of the many benefits for staff of working within a CMAT is the opportunity for career development. This could be in the form of a secondment, a temporary role or by supporting another school. Staff will be encouraged to use their skills and expertise for the benefit of all.

### **I am employed by one school and work across a number of schools – will I still be able to do this?**

Yes – your contract will transfer. Working across schools is one of the many benefits of CMATs and St Clare CMAT will be looking to build on this model. If you already work across a number of schools as part of a Federation or other arrangement then this will continue on transfer to the new CMAT.

### **Will I be forced to move to another school in the CMAT?**

No – employees will not be forced to work at another school.

### **Can I apply for vacancies at another school in the CMAT?**



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Yes – vacancies will be notified and open to all schools within the CMAT.

### **My role includes clerking governing body meetings – will I still do this in the new MAT?**

Yes – if that is part of your current contract then that will transfer through TUPE to the new MAT.

### **I work in the breakfast club and after school club which my school runs – will this continue?**

Yes – if you are employed by the school in a breakfast club or after school club run by the school then your job will continue after the transfer to the new CMAT.

### **We have good working relationships with our local trade unions – will this continue?**

Yes – St Clare CMAT are working with the unions that represent staff across the schools to put in place a Trade Union Recognition Agreement (TURA).

### **I work in the school kitchen – will my job still exist in the new CMAT?**

Yes – if you are employed by the school prior to transfer then you will transfer under TUPE when your school transfers to the new CMAT.

### **Are there risks of different staff roles in certain schools no longer existing?**

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

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

### **What is the central team structure for St Clare CMAT?**

To begin with the central team will involve a Chief Executive Officer (CEO), Chief Financial Officer (CFO), administrator and a small number of colleagues to help manage finances and payroll.

Where possible, St Clare CMAT will draw on the talent and expertise already in the schools to do the trust wide work.

In time, more staff may take on rolls (full or part time) to manage work across the trust in areas such as School Improvement, Procurement, Estates Management and IT. The development of these roles will come at a pace where they are beneficial to the schools with the aim that we want money to be making as much of a difference to children as possible and we want strong local leadership.

### **What training will be available for business support staff?**

St Clare CMAT will establish a MAT wide finance system. Training for staff in the new system will be provided as a priority.

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### FINANCE

Headlines:

- Schools and academies joining the St Clare CMAT will retain their capital and revenue balances and any reserves or carry forwards
- Full training will be provided for anyone currently working on finance
- The burdens of academy returns will be lifted and managed by the CMAT
- Accounting Officer and Chief Financial Officer responsibilities will be held at CMAT level
- The Directors of St Clare CMAT are committed to developing the talent and expertise already in schools to deliver services in house

### **How is the running of the CMAT to be funded?**

The annual budgets for the CMATs are not yet finalised. However, each CMAT as a whole will operate more efficiently as an organisation of multiple schools rather than each school buying services such as legal and audit individually, to give just two examples.

Any local authority de-delegated funds currently deducted from VA school budgets will be passed over on conversion and will be part of that school's budget. The government does not provide additional funding for the running of the CMATs once they are running as it expects the CMATs to be able to cover any new central costs through the savings made through economies of scale. There is, however, funding available to help MATs in the set up and later growth stage, to help them to become established without taking money away from the benefit of the pupils.

Experience of other MATs, particularly as they grow in size, is that they are able to deliver economies of scale which increase over time, so that the savings more than cover any central costs for the management and operation of the MAT. St Clare CEO and CFO have carried out initial due diligence on the financial position of all schools and are confident that the financial position is sound. That due diligence is also checked by the Department for Education before a school is allowed to join the trust.

### **Can we have a breakdown by school of the services received from the CMAT?**

The CMAT will run central/shared services from the agreed top slice (Around 4% of GAG funding is proposed). Schools will receive details about which services will be provided centrally and these will develop over time, in partnership with schools.

Schools will not receive an itemised list of services specific to their school. For example, it is likely that there will be a single legal contract and a single contract for audit. This will cover all schools and be funded from the top slice, where in the past schools would have their own individual contracts to cover these services.

### **Are schools having to pay for the set-up of St Clare CMAT from their budgets?**

No – we have access to funds from the academy conversion and capacity and growth grants which will be used to fund the legal and other set up costs.

### **Will the CMAT manage the budget centrally or delegate at school level?**

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The CMAT is accountable for the overall budget and the income and expenditure for the CMAT. Education and Schools Funding Agency (ESFA) returns and annual audits are carried out at CMAT level and will be submitted by the CMAT. All school budgets will be approved by the CMAT working with the Headteacher and local governors.

### **What will happen to built up reserves and capital funds for individual schools?**

The CMAT has no plans to pool reserves from schools and therefore each school will transfer with its current balances and will retain those. Similarly, if a school has capital balances these will transfer with it to the new MAT and will be held in that school's pot.

The CMATs will not be removing funds from schools when they join the CMAT.

Over time, as the CMAT develops we will work with schools to see where some pooling of reserves and other income may be beneficial to all schools through collaborative working.

### **What will schools receive from the Diocesan per pupil contribution?**

The Diocesan per pupil amounts contribute to the costs of Diocesan officers carrying out the necessary duties to provide assurance to the Bishop. More detail on these functions are set out in the Diocesan Protocol document.

### **What centralised services will be in place, in particular audit?**

These will develop over time, in discussion with schools but are likely to include Finance, HR, Audit, Procurement, Estates, IT and of course School Improvement.

Audit particularly will be at CMAT level and therefore the first full annual audit for the CMAT will be carried out via a single contract at CMAT level.

### **How will we afford the centralised services as our budget is already over stretched?**

The CMAT will deliver significant savings through economies of scale and central procurement over time. Central services will be developed at a pace which is manageable as we are able to make savings. Due diligence indicates that the two CMATs are in a sound financial position.