

## **CDBE POLICY ON ACADEMIES**

The Chichester Diocesan Board of Education has adopted the following Policy on Academies.

- CDBE will work proactively with the Regional Schools Commissioner and DfE in strategic planning and determining academy proposals and arrangements.
- CDBE consent will be required in respect of converter academies, and this is not a formality. CDBE will normally grant provisional and conditional consent to conversion to academy status, providing certain conditions are met:-
  - ✓ the school consults CDBE throughout the process;
  - ✓ use of national model documentation on the “as-is” principle;
  - ✓ DoCET becomes a corporate member of the academy trust with the ability to appoint an appropriate number of directors;
  - ✓ CDBE approves the membership/directorship structure;
  - ✓ the school pays CDBE’s legal fees and a fee for work carried out by CDBE officers;
  - ✓ the School or the MAT will subscribe to the Diocesan Partnership Scheme
  - ✓ where appropriate, the Members’ Agreement applies;
- CDBE consent to convert may be withheld if it has concerns about the long term sustainability or capacity of any proposed MAT. In granting or withholding approval, CDBE will take into account the nature of Church of England provision and the strategic interests of Church of England schools in an area.
- CDBE will carry out its own due diligence in respect of requests from CE schools to convert to academy status, and will seek a meeting with governors and the Head teacher (and may request to see a written statement of the educational plan and vision for the MAT).
- CDBE wishes to encourage more CE schools (especially Good and Outstanding schools) to join the existing diocesan MAT (DCAT), potentially as local “hubs”. This is subject to the Board of Directors being satisfied that such schools are appropriate to join, and that the schools will commit to the MAT governance structure, scheme of delegation and other operating procedures.

- **VA schools:** in line with national expectations, CDBE normally expects majority church governance to apply within the proposed MAT. This will however depend on local circumstances (e.g. a VA secondary school is a different issue from a small VA First school), and proposals will be considered on a case-by-case basis. Where a VA school is permitted to join a VC (or in very exceptional circumstances a non-Church MAT), the Members' Agreement will apply.
- **VC schools:** whilst Church school-only MATs are a sound way for CE VC schools to collaborate, this may not always be possible (or desirable), and CDBE will therefore permit "mixed-mode" (Church/Community school MATs) subject to rigorous safeguards about religious character being written into the legal documents, in line with nationally agreed documentation and protocols.
- For all MATs, the CDBE will require a Members' Agreement to be in place, which commits the Members (i.e. legal owners of the MAT) to ensure the implementation of the Church of England objects of any CE school in the MAT.
- Where a CE school is underperforming according to national criteria (or placed in an Ofsted category, triggering the Secretary of State's duty to issue an academy order), CDBE will consider the following options:
  - (1) DCAT becomes the Sponsor and the school converts into the diocesan MAT (DCAT);
  - (2) Another established CE-based MAT acts as the Sponsor, and the school converts into that MAT;
  - (3) A new MAT is constructed, with DoCET as a corporate member. Where this is a "mixed-mode" MAT, the normative Church provisions and the Members' Agreement will apply;
  - (4) The school converts into an existing non-Church MAT, subject to (a) DoCET becoming a corporate member of that MAT, with the ability to appoint an appropriate number of directors; (b) the application of the Members' Agreement; and (c) the application of the normative national model documentation with robust protections for the religious character of the school.
- CDBE will not normally permit CE schools to be sponsored by non-Church (secular) national academy chains. If this is proposed by the RSC (because no other solution is potentially available), the Board (at a quorate meeting) will consider the merits of the case and make a determination, using its statutory powers if necessary.

- If there is a disagreement about the basis of CDBE consent to an academy proposal, or if a CE school wishes to convert into an arrangement outside CDBE policy (or outside arrangements envisaged by the Memorandum of Understanding between the National Society and Secretary of State), then the governors proposing this can make an approach to the Diocesan Board of Education to discuss this. The Board will request that a written case is produced, and that the governors meet with representatives of the DBE before a decision is made.
- In the event of a former VA or VC school needing to be re-brokered, the RSC should seek the agreement of the CDBE on which Trust will take the Academy ( in keeping with the Nationally agreed MOU) and the new Trust will be subject to all of the conditions stated above.

**Policy agreed by the Chichester Diocesan Board of Education February 2018**

**Signed : The Right Reverend Mark Sowerby, Bishop of Horsham Date: 28<sup>th</sup> February 2018**

**Chair of Diocese of Chichester Board of Education**