

Chichester Diocesan Board of Education Policy on Academies

1. Key Principles

- 1.1. The Diocesan Board of Education (DBE) will work proactively with the Local Authorities, the Regional Director, our local Church Majority and Church Minority MATs, our local schools and DfE in strategic planning and determining academy proposals and arrangements.
- 1.2. The DBE expects Church of England schools in the diocese, who are in a position to pursue academisation, to join a Church Majority Trust from within the Diocese. These are: the Diocese of Chichester Academies Trust (DCAT), Bishop Luffa Learning Partnership (BLLP) and Hurst Education Trust (HET).
- 1.3. Exceptions will only be considered when the DBE are fully satisfied that the options are not feasible and have been fully exhausted. The DBE requires, in the first instance, that schools will look to consider a partner Diocesan MAT (only TENAX currently classifies as this), or, if a Voluntary Controlled School, a Church Minority MAT, of which only South Downs Education Trust would classify as this.
- 1.4. The DBE will only look to enter conversations with any other MAT if they are satisfied that all options at point 1.2 and 1.3 have been fully exhausted and there is just reason for a school to explore other options, such as demonstrable risk to the future viability of the school without the proposed conversion.
- 1.5. The DBE require schools to submit their requests for consent to convert in good time for the process for consideration to be carried out. Consent will not be given unless the DBE has had the time to give the application due consideration.

2. The Process

Conditional Consent from the DBE will be required in accordance with the Academies Act 2010 and DBE Measure 2021, in respect of converter academies. This will only be granted following a full discussion and is not to be viewed as a formality.

- 2.1 An initial conversation will need to be held with the Diocesan Director of Education (DDE) or the Deputy DDE outlining the schools' chosen action and how it sits within this policy and the wider strategy of the DBE. The DBE views our own Church Majority MATs as our preferred options, but we would respond to an expression of interest from Governors for one of the other options named in Key Principles point 1.3 and 1.4 with due consideration.
- 2.2 The Education Team will outline any further discussions that the DBE will require before any application is submitted. The DBE will not consider agreeing any consent until the appropriate Church Majority MAT options have been fully explored and exhausted.

- 2.3 A written application using the DBE forms from both the school and the receiving MAT needs to be submitted to the DBE so that conditional consent can be considered.
- 2.4 Conditional consent can only be granted by the full DBE body. Schools need to be aware of the timescales this might involve, allowing for the passage through the sub committees and the full DBE which meet once a term only.
- 2.5 The DBE will normally grant provisional and conditional consent to conversion to academy status, providing certain conditions are met: -
- 2.5.1. the school consults the DBE throughout the process;
 - 2.5.2. a Church Majority MAT is being pursued, or all potential options have been justifiably exhausted with documented evidence;
 - 2.5.3. use of national model documentation following the principles as set out in the Memorandum of Understanding between the DfE and the National Society¹;
 - 2.5.4. DoCET becomes a corporate member of any MAT with the ability to appoint an appropriate number of directors;
 - 2.5.5. the DBE approves the membership/directorship structure;
 - 2.5.6. the school/MAT pays the DBE's legal fees and a fee for work carried out by DBE officers;
 - 2.5.7. the school or the MAT must subscribe to the Diocesan Partnership Agreement;
 - 2.5.8. where appropriate, the Members' Agreement applies.
- 2.6. The DBE's Conditional 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, the DBE will consider the nature of Church of England education provision and the strategic interests of Church of England schools in an area.
- 2.7. The DBE 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 Headteacher (and may request to see a written statement of the educational plan and vision for the MAT). This process of due diligence will predominantly focus on the land ownership and related trust issues but will also take into account the due diligence work carried out by the receiving trust in relation to finance, educational standards and future viability alongside the school's own diligence relating to the receiving trust and their understanding of plans for the school's future.
- 2.8. For all MATs, the DBE 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. The DBE will require assurance that the Christian distinctiveness and ethos of any Church of England school within a MAT will be preserved and promoted in line with the Anglican tradition.
- 2.9. Where a CE school is underperforming according to national criteria (or the Secretary of State's power to issue an academy order is used), the DBE will consider that DCAT, BLLP or HET become the sponsor, and the school converts into one of these Church Majority MATs.

This will be our first choice of action in all cases and other options will only be considered if the DBE do not consider this to be of benefit.

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https://assets.publishing.service.gov.uk/media/65032f79702634000d89b8cc/Memorandum_of_understanding_between_the_National_Society_and_DfE_.pdf

In such cases other possible options include:

- 2.10. Another established Church Majority MAT from outside the Diocese acts as the Sponsor, and the school converts into that MAT;
- 2.11. A Church Minority MAT from within the Diocese, such as SDET acts as the Sponsor, and the school converts into that MAT;
- 2.12. 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;
 - c) the application of the normative national model Articles of Association with robust protections for the religious character of the school.However, this will only be permitted when the DBE is satisfied that all Diocesan options involving our own Church Majority MATs, our Church Minority MATs or partner Diocesan MATs have been fully explored and exhausted;
- 2.13. 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.
- 2.14. The DBE will not normally permit CE schools to be sponsored by non-Church national academy chains. If this is proposed by the Regional Director (RD) (because no other solution is potentially available), the DBE (at a quorate meeting) will consider the merits of the case and make a determination, using its statutory powers if necessary.
- 2.15. If there is a disagreement about the basis of the DBE consent to an academy proposal, or if a CE school wishes to convert into an arrangement outside the DBE 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.
- 2.16. In the event of a former VA or VC school needing to be re-brokered, the Regional Director should seek the agreement of the DBE 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 June 2025

Signed:  Date: 29 August 2025

The Right Reverend Dr Martin Warner
Bishop of Chichester
Chair of Diocese of Chichester Board of Education

To be reviewed June 2027