

## VA/VC - What's the Difference?

### **The Historical Context:**

The Education Act was introduced in 1944 and replaced almost all previous education legislation setting the framework for the post war education system in England and Wales. It promised a free, common and universal system of education for students up to 18 years old and was underpinned by the principle that 'the nature of a child's education should be based on his capacity and promise and not by the circumstances of his parent'. The act also provided for an Education Minister and Ministry of Education, Local Education Authorities (LEA), along with the model of primary, secondary and further education. The assignment of Voluntary status was introduced for church schools.

Before it was enacted, schools provided by the churches were largely funded from the income of historic trusts or from the giving of the parishioners. By 1944 many of these schools were in very poor condition which led to the first Minister of Education making an agreement with the Archbishop of Canterbury that the church would accept some state control over its schools as a condition of receiving funding to relieve the problems with their buildings. In addition, the state would allow the Church to retain some of its distinctive elements in the schools.

The managers (governors) of the schools were given a choice - to voluntarily become 'controlled' by the LEA or to voluntarily become 'aided', which meant that the managers would only share some of the financial cost of the school with the LEA and the Government in return for having more autonomy.

### **What attributes continue when a Church of England school converts to Academy Status:**

If a Church of England school converts, it takes certain attributes with it regardless of which type of MAT it joins. Therefore, the DBE must be sure of the quality and effectiveness of the MAT directors or local governors. They need to ensure that the differences pertaining to a VA school continue to be managed and upheld. In short, these are:

- SIAMS: A judgement on standards in teaching and learning in RE is included in the SIAMS report
- Admissions: The admissions authority must pre-consult with the Diocese in regard to any faith criteria
- Staff: The Trust (or a delegated LGB) can apply religious criteria when appointing teaching staff or headteacher
- RE: The academy trust will determine the RE syllabus, but this may be delegated to local governors or an ethos committee
- Collective Worship: The former VA school may wish to hold some collective worship events off the school site
- Advice: the DDE or their representative, can still be involved in the headteacher recruitment process, and the DBE is still permitted to attend meetings and advise.

The following table sets out the differences between VA, VC and academy schools.

	Voluntary Aided schools	Voluntary Controlled schools	Academies
<b>Buildings</b>	<p>Held by the by trustees (in most cases either the DBF or local trustees, i.e., Vicar and Churchwarden), for the provision of education in line with the objects of the trust deed.</p> <p>New building and repairs are the responsibility of the governors (supported by a grant from the Department for Education- up to 90% of approved expenditure, governors contribute 10%). VAT is payable on capital works.</p> <p>All building works over £10,000 in value must have approval of the site trustees and the Diocesan Board of Education prior to works taking place<sup>1</sup>.</p> <p>Playing fields are usually provided by the LA.</p>	<p>Held by the by trustees (in most cases either the DBF or local trustees, i.e., Vicar and Churchwarden), for the provision of education in line with the objects of the trust deed.</p> <p>All replacement, repairs and other building costs fall on the LA.</p> <p>All building works over £10,000 in value must have approval of the site trustees and the Diocesan Board of Education prior to works taking place<sup>2</sup>.</p> <p>Playing fields are usually provided by the LA.</p>	<p>Held by the by trustees (in most cases either the DBF or local trustees, i.e., Vicar and Churchwarden), for the provision of education in line with the objects of the trust deed. Trustees approve the use of the buildings by the Academy Trust by signing a Church Supplemental Agreement.</p> <p>All building costs and repairs are the responsibility of the Academy Trust.</p> <p>All building works over £10,000 in value must have approval of the site trustees and the Diocesan Board of Education prior to works taking place<sup>3</sup>.</p> <p>Playing fields are leased by the LA to the Academy Trust on a 125 year leasehold.</p>

<sup>1</sup> <https://www.legislation.gov.uk/ukcm/2021/1/section/8>

<sup>2</sup> As above

<sup>3</sup> As above

<p><b>Staff: Teaching and support</b></p>	<p>Appointed and employed by the Governing Body and usually paid by the LA.</p> <p>Governors may apply religious criteria when recruiting or dismissing any member of their teaching staff. In recruitment, remuneration and promotion they may give preference to persons:</p> <ul style="list-style-type: none"> <li>• Whose religious opinions are in accordance with the tenets of the Church of England;</li> <li>• Who attend religious worship in accordance with those tenets; or</li> <li>• Who give, or are willing to give, religious education in accordance with those tenets.</li> </ul> <p>In considering dismissals, the governing body may have regard to any conduct that is incompatible with the precepts, or with</p>	<p>Employed and usually paid by the LA, but the Headteacher, SLT and governors conduct the appointment process.</p> <p>Governors are bound by LA appointing policies. However, when conducting the headteacher appointment process, governors may take into account any candidate's suitability and ability to preserve and develop the religious character of the school.</p> <p>VC schools shall include reserved teachers where the number of teaching staff is more than two, who are selected according to their competence to teach RE according to the tenets of the Church of England. This may include the headteacher. The number of reserved teachers must not exceed one fifth of teaching staff. These teachers must not be appointed unless the foundation governors are satisfied that they are suitable and competent to give religious education. The foundation governors can insist on dismissing a reserved</p>	<p>The Academy Trust is the employer of all staff and paid by payroll provider which may be the LA.</p> <p>The Trust may seek evidence of Christian commitment from applications for teaching posts, <b>depending on previous category.</b></p>
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	<p>the upholding of the tenets of the Church of England.</p> <p>Religious criteria may not be applied to any posts other than the head and deputy headship in a VA school unless there is an occupational requirement. This would need to be justified but might, for example, apply to a member of staff required to give pastoral care to pupils.</p>	<p>teacher who fails to give suitable and efficient religious education<sup>4</sup>.</p> <p>Other teachers and non-teaching staff must not be treated unfavourably in any way because of their religion.</p>	
<b>Worship</b>	<p>A daily act of collective worship is mandatory. It will be distinctively Christian, reflecting the Anglican tradition.</p> <p>All acts of collective worship should take place on the school premises. However, the governing body has the discretion to organise collective worship elsewhere on special occasions. This can include worship in the parish church.</p>	<p>A daily act of collective worship is mandatory. It will be distinctively Christian, reflecting the Anglican tradition.</p> <p>All acts of collective worship must take place on the school premises. The school may also hold acts of collective worship off the school premises (for example in the parish church), provided these are in addition to the daily statutory act of collective worship which must still be held on the school premises<sup>5</sup>.</p>	<p>A daily act of collective worship is mandatory. It will be distinctively Christian, reflecting the Anglican tradition.</p> <p>The regulations relating to worshipping off the school site will apply <b>according to the previous category</b> of the school.</p>
<b>Funding</b>	Local Formula Funding	Local Formula Funding	Academies receive their funding directly from Education Funding Agency

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/1998/31/section/58>

<sup>5</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/281929/Collective\\_worship\\_in\\_schools.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281929/Collective_worship_in_schools.pdf)

<p><b>Admissions</b></p>	<p>The Governing Body is the admission authority and sets and determines the admission arrangements in accordance with the requirements of the Admissions Code. They must run a public consultation if they wish to change their arrangements or at least once every seven years if no changes are made in that time.</p> <p>If the admission authority wants to amend or introduce a faith criterion to the oversubscription criteria, it must consult with the Diocesan authority prior to going out to public consultation and have regard to any of the Diocesan published guidance.</p> <p>The school may not reduce its PAN (Published Admission Number) unless the LA agrees.</p>	<p>The LA is the admission authority and sets and determines the admission arrangements for the school in accordance with the requirements of the Admissions Code. They must run a public consultation if they wish to change their arrangements or at least once every seven years if no changes are made in that time.</p> <p>The LA must consult with the governors if it wishes to change the level of the PAN.</p>	<p>The Academy Trust is the admission authority. The admission arrangements are determined and implemented by the Directors. However, an admissions committee of local governors may be delegated the administrative function.</p> <p>Arrangements do not change on conversion, but the trust board may publicly consult to change them at the next available opportunity in the admissions cycle.</p> <p>The Academy Trust may not reduce its PAN unless the LA agrees.</p>
<p><b>Advice</b></p>	<p>LA has certain rights to attend governor meetings to give advice. Diocesan Directors of Education have parallel rights, including involvement in the headteacher recruitment process.</p>	<p>LA has certain rights to attend governor meetings to give advice. The Governing Body may give similar rights to the Diocesan Director of Education.</p>	<p>The Academy Trust is directly responsible to the Secretary of State. The LA has no rights to attend meetings. The Diocese will be represented as a corporate member and have a right to attend meetings and to give advice.</p>
<p><b>RE</b></p>	<p>Governors determine the RE syllabus which must be taught in accordance with the trust deed and should reflect the Anglican tradition.</p>	<p>RE must be taught according to the LA's Locally Agreed Syllabus.</p>	<p>RE must be taught according to the provision related to the <b>school's previous category</b>.</p>

<p><b>Inspection</b></p>	<p>OFSTED (Section 5 and 8) inspectors scrutinise the impact of the school's leadership on the quality of pupils' educational achievement, behaviour and attitudes.</p> <p>SIAMS (Section 48) inspectors inspect the effectiveness of the school as a Church school through its Christian distinctiveness, leadership, worship, spirituality, RE and culture of justice and responsibility. RE has a specific focus as a core subject.</p>	<p>OFSTED (Section 5 and 8) inspectors scrutinise the impact of the school's leadership on the quality of pupils' educational achievement, behaviour and attitudes.</p> <p>SIAMS (Section 48) inspectors inspect the effectiveness of the school as a Church school through its Christian distinctiveness, leadership, worship, spirituality, RE and culture of justice and responsibility.</p>	<p>OFSTED (Section 5 and 8) inspectors scrutinise the impact of the school's leadership on the quality of pupils' educational achievement, behaviour and attitudes.</p> <p>SIAMS (Section 48) inspectors inspect the effectiveness of the school as a Church school through its Christian distinctiveness, leadership, worship, spirituality, RE and culture of justice and responsibility.</p> <p>Inspections in Academies are on an "as was" basis. <b>The previous category of the Academy prior to conversion determines the way in which the Academy will be inspected.</b></p>
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References:

<https://www.legislation.gov.uk/ukpga/1998/31/section/58>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/281929/Collective\\_worship\\_in\\_schools.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281929/Collective_worship_in_schools.pdf)

<https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

<https://www.churchofengland.org/more/education-and-schools/church-schools-and-academies#na>

<http://www.educationengland.org.uk/history/chapter05.html>

<https://www.legislation.gov.uk/ukcm/2021/1/section/8>