

A Consultation about the Proposal for Nelson Infant School to become an Academy within the Evolution Academy Trust



Why is Nelson Infant School proposing to become an Academy?

The School was judged by Ofsted to 'Require Improvement' at its last full inspection in January 2017. This brought it to the attention of the Regional Schools Commissioner's Office under their responsibility for School Improvement in the East of England and North East London.

Following the inspection, the Governors of Nelson Infant School together with Norfolk County Council (NCC) and Department for Education (DfE) began evaluating the options open to the School.

All 3 parties agree that joining the Evolution Academy Trust as a sponsored academy is the best course of action for the long term benefit of pupils and staff at the School.

Is Nelson Infant School being forced to become an Academy?

Yes, the DfE has agreed that the School should convert to an Academy and be sponsored by EAT.

The Governors of Nelson Infant School have also undertaken a due diligence exercise on the options available to them, and together with the DfE and NCC jointly concluded that becoming an Academy and joining the EAT will provide the School with access to the school improvement support and capacity it needs.

What is the Evolution Academy Trust?

The Evolution Academy Trust is a Multi Academy Trust (MAT) - a single charitable company responsible for the running of 8 academies. The Evolution Academy Trust Board is ultimately accountable for the quality of education in all Evolution Academy Trust schools, as well as being the responsible for the use of public money, the employer of all staff and for the use of all Trust sites under the various leases.

The Evolution Academy Trust is committed to providing excellent primary education. The Trust has 5 schools in Norwich and 3 in Lowestoft.

The Schools in the Evolution Academy Trust are Costessey Infant School, Costessey Junior School, Filby Primary School, Wensum Junior School, Eaton Primary School, Dell Primary School, Elm Tree Primary School and Poplars Community Primary School

How does the Evolution Academy Trust (EAT) work?

Each School in the Evolution Academy Trust has a School Advisory and Improvement Group (SAIG) who support and challenge the school leadership team who are responsible for the day to day running of the School. These SAIGs have powers delegated from the Evolution Academy Trust Board under a Scheme of Delegation.

The Evolution Academy Trust Board expects the SAIG of Nelson Infant School to fulfil many of the functions of the current Governing Body, with particular reference to the quality of education and all aspects of support for pupils.

The Evolution Academy Trust Directors act through the Chief Executive Officer (CEO), Mr Hull, to offer both support and challenge to the Schools. The challenge is to ensure pupil progress continues to be good, standards rise and the school is maintained safely.

Support comes through a genuine partnership of schools in the Trust working collaboratively together. This is already underway and realising benefits for all existing EAT schools.

Each school has its own Action Plan focusing on the quality of education and this forms part of the overall Trust Action Plan.

The ethos of the Evolution Academy Trust is 'progress through partnership'; all Evolution Academy Trust schools are equal partners in a shared overall aim of improving outcomes for pupils.

Each school is seen as central to its own community with the skills of each being used in a supportive way for all the others regardless of their current educational grading.

Joining the Evolution Academy Trust will bring the following benefits for Nelson Infant School:

- Access to locally based leadership and school improvement expertise, through high level English and Mathematics support from the EAT Central Education Team to continue the drive for improved performance in teaching and learning;
- Sharing of best practice across all schools in the Trust;
- Greater resilience to future risks by joining a Trust containing 8 other Schools;
- Opportunities to benefit from shared services in terms of back office and procurement of goods and services to reduce costs and free up more resources for use in the classroom; and
- Improved recruitment and retention of the most skilled teachers and leaders attracted by the opportunities that a wider successful Trust organisation will bring.

Wensum Junior School became part of the Evolution Academy Trust in February 2015. The collaborative support that the School has received from working with other Evolution schools has underpinned the improvements in the School which was recognised in the 'Good' Ofsted rating following inspection in January 2018. Working closely with Wensum Junior School, in the same Trust, will further benefit both schools.

The Trust is very clear that the individual ethos and character and good practices of each school are retained and that all the schools operate as equals supporting each other.

Mr Tony Hull is due to retire as CEO at the end of the current Academic year. Mr Mark Adamson has been appointed as CEO Designate by Trustees. Mr Adamson commenced employment with EAT in January 2018 and will work alongside Mr Hull for the remainder of this Academic year, becoming CEO in September 2018. Mr Adamson is leading on the conversion of Nelson Infant School and its integration into the Trust for September 2018.

Further information about the Evolution Academy Trust can be found at <http://www.evolutionacademytrust.co.uk/>

What is an Academy?

Academies are publicly funded independent schools that are not managed by a local authority but their funding and accountability is directly with the Department for Education (Department for Education).

When will Nelson become an Academy?

We would expect that the process will take approximately 4 months, work is underway and the planned conversion date is 1st September 2018.

Why is there a consultation?

The Academies Act 2010 requires Governors to consult “such persons as they think appropriate” on whether the school should become an academy.

The Governing Body has agreed to work jointly with the Evolution Academy Trust to consult with all key stakeholders about the academy conversion including parents, staff, pupils and other schools over a 4 week period from 27th April to 25th May 2018.

Does the school need agreement from the Local Authority to become an Academy?

No. The Academies Act 2010 has removed the need for the Local Authority to approve plans for the school to become an Academy. However, NCC has been fully involved in the process which has culminated in the decision that the School should join the EAT.

What form of relationship will exist between the Local Authority and the school?

This is for individual Academies or Multi Academy Trusts to determine - there is no statutory requirement for any formal relationship between Local Authorities and Academies. Academies are directly funded and accountable to central government (Department for Education and the Education Funding Agency).

The Local Authority retains statutory duties for aspects of Special Educational Needs, admissions coordination and provision of home-to-school transport. Local Authorities are also expected to play a key strategic role locally in areas such as pupil place planning

admissions and sharing good practice.

However, Nelson Infant School has a good relationship with Norfolk County Council and we expect this to continue after it has joined the Evolution Academy Trust.

Will the school change its name and uniform as some Academies have done?

No. The school will not change its name or uniform after it becomes an academy.

Are Academies subject to the same Ofsted inspection regime?

Schools converting to Academies will continue to be inspected in the normal way.

What are the governance arrangements for the Evolution Academy Trust?

The Evolution Academy Trust has a Board of Directors currently comprising school representatives plus community representatives selected for the skills and experience they bring to the Board.

Most day to day operations of the School will be delegated to the Headteacher and the School Advisory and Improvement Group (SAIG) under a formal Scheme of Delegation from the Evolution Academy Trust Board. The School Advisory and Improvement Group will typically include staff, parents and community representatives appointed by the Trust Board for the skills and experience they bring.

What is the process for Nelson to join the Evolution Academy Trust?

As Nelson Infant School is proposing to join an existing Multi Academy Trust, there is no need to set up a separate company. However, the conversion process includes the following key legal processes:

- Putting in place a Supplementary Funding Agreement between the Evolution Academy Trust and the Secretary of State for the running and funding Nelson Infant School;
- Transferring the employment of the staff from the local authority to EAT following a statutory process (TUPE);
- Agreeing a Commercial Transfer Agreement for the transfer of assets and contracts from the local authority to EAT; and
- Arranging a 125 year lease for the land and buildings with the local authority.

SECTION 2: Staff Issues

Does the school have to hold consultation with staff?

Under employment legislation the Local Authority which is the current employer will need to conduct a TUPE* consultation with all staff (both teaching and non -teaching) and the

relevant unions as part of the staff transfer process.

(*TUPE = *Transfer of Undertaking - Protection of Employment*)

Can the school alter teachers' pay and conditions?

The terms and conditions of staff are protected on transfer under by the TUPE regulations. Academies do have the freedom to vary terms and conditions from national ones but the Evolution Academy Trust does not have any plans to do this.

If the school becomes an Academy, who takes responsibility for the pension arrangements?

Teachers working in an academy fall within the scope of the Teachers' Pension Scheme (TPS), just as if they were employed in a Local Authority maintained school.

Non-teaching staff at schools are able to join the Local Government Pension Scheme (LGPS). This is administered by Norfolk County Council as at present. Employees will pay the same rate as at present under both schemes, subject to any nationally imposed changes.

How will the TUPE process work and what specific responsibilities does the school have?

As the current employer Norfolk County Council is responsible for informing and consulting with staff.

The Evolution Academy Trust is responsible for informing the employer of any 'measures' which will impact on their employment. There are none planned in this case. The Academy Trust writes to each member of staff confirming that they will transfer under existing terms and conditions

SECTION 3: Finance

Will we get more money as an Academy?

Academies receive the same amount of per-pupil funding as they would receive from the Local Authority as a maintained school.

The Government is clear that becoming an Academy should not bring about a financial advantage or disadvantage to a school. However, academies do have greater freedom to decide how they use their entire budget.

SECTION 4: Admissions

Will becoming an Academy affect our admissions arrangements?

When a school becomes to an Academy it also becomes an admission authority responsible for its own admission arrangements. As the school is joining a Multi Academy Trust - the

Evolution Academy Trust will be the admissions authority.

Although they are responsible for admissions, Evolution Academy Trust fully co-operate with Norfolk County Council and are part of the unified admissions process. This means that parents and carers only need to complete one application form within Norfolk when they include Evolution Academy Trust schools alongside maintained schools. Parents/carers will be given the offer of a single school place.

In the same way as maintained schools, all academies and their schools are required to adopt clear and fair admission arrangements in line with the admissions law and the School Admissions Code.

Who is responsible for setting any catchment areas when a school converts to become an Academy?

The Academy is its own admission authority. That means that it becomes responsible for its own admissions arrangements. If it has a catchment on conversion it retains that catchment unless it decides to change it. The LA cannot change an Academy's catchment area even if has previously done so when the school was a maintained school. Any change of catchment area by a school must follow a strict procedure including consultation within a given timeframe.

Will Academies have to be a part of the annual coordinated admissions scheme? E.g. when the LA needs to find places for families relocating to the area etc.

Yes - Academy Funding Agreements require them to be in local coordination. That means although the academy will apply its own admission arrangements, the LA will send out offers of places. The Local Authority in Norfolk also coordinates admissions for in-year applications and applications for year groups other than the normal point(s) of entry. This will not affect the Academy's right to determine which applicants have priority for admission. Academies are also required through their Funding Agreements to participate in local fair access protocols which help to ensure that no child is without a school place.

Can new Academies decide to bring in academic selection?

No, there will be no expansion of selection. Schools which already select some or all of their pupils may continue to do so when they become Academies, but schools becoming Academies cannot decide to become newly selective schools.

SECTION 5: Special Education Needs

Will our responsibilities in relation to Special Educational Needs and exclusions change?

No. Responsibilities as an Academy in relation to Special Educational Needs and exclusions will be just the same as they are now as a maintained school.

Can a child with a statement of Special Educational Needs nominate an academy as their school of choice?

Yes. These arrangements and related processes must at all times comply with the School Admissions Code and responsibilities as an Academy in relation to Special Educational Needs will be just the same as they are now as a maintained school.

Does becoming an Academy change the way in which exclusions are dealt with?

Academies are required by their Funding Agreement to follow the law and guidance on exclusions as if they were maintained schools. This includes reporting exclusions to the Local authority. However, Academies do not have to consult the Local Authority before deciding to exclude a pupil and they can arrange their own independent appeals panel.

SECTION 6: Further Information

How do I find out more about the proposals?

Come along to the consultation meeting being held for parents at the School at 6pm on 9th May 2018. A separate meeting is being held for staff.

There will be an opportunity for you to meet representatives of the Evolution Academy Trust and Governors and ask questions.

Please complete and return the questionnaire page below by email to office@nelson.norfolk.sch.uk or to the School office by the 25th May 2018.

There is a word version of this document on the school website if you would prefer to complete it and return it in person or by post to the School Office.

*Sheila Wigg
Chair of Governors
Nelson Infant School
April 2018*

Nelson Infant School

Academy Consultation Questionnaire

1. Please tick the box(es) which best describe you:

I am a: Parent Employee at the school Local Resident Local authority Employee Other

If other please specify:

2. If you wish to be kept informed about the latest developments, please provide your e-mail address or contact details below:

E-mail: Name:

Address:

Post code:

3. Do you agree that Nelson Infant School should convert to an Academy and join the Evolution Academy Trust?

Strongly agree Agree Disagree Strongly disagree *(tick as appropriate)*

Why?

4. Do you have any other comments to make about the proposal for Nelson Infant School to become an Evolution Academy Trust academy?

If you need more room for comments, please feel free to attach a separate sheet.

Please return this form by email to office@nelson.norfolk.sch.uk or in person or by post to the School Office