



ODBE

Oxford Diocesan Board of Education

Why Join a MAT?

In a multi academy trust (MAT) a number of schools join together and form a single legal entity accountable for all schools which are known as 'academies'. The decision-making body of the MAT is the trust Board of Directors frequently referred to as 'trustees'.

There is one set of Articles of Association (Articles) which is the constitution governing all schools in the trust. The MAT has a Master Funding Agreement which is effectively it's contract with the Secretary of State for Education; each academy also has a Supplemental Funding Agreement.

In many MATs, each academy has its own governing body or advisory body which deals with local issues. Whilst legally this is more like a committee of the main trust board, it may have significant responsibilities delegated to it by the Board.

There are many different MATs which adopt very different approaches to governance. It is essential to consider carefully your reasons for academisation and create a list of pros and cons – bear in mind that not all will be equally weighted when you make your final decision.

Things to consider:

- **Direction of travel**

DfE has made clear that it sees all schools becoming academies in 'a strong multi academy trust'. The White Paper, Opportunity for all, published in March 2022 sets out the vision that by 2030 all schools will either already be in a MAT or have plans to join one.

Pros: It may be better to 'jump before you are pushed', choosing the MAT you wish to join (subject to approvals and structural limitations).

Cons: Possible alternative structures or MATs may be available in future that are not yet known.

Comparison with MS¹: Maintained schools retain the status quo.

- **Ofsted grading**

Are you at risk of forced conversion? An academy order MUST be made if a school is graded 'inadequate' by Ofsted. At the present time, it may also be made if the school has failed to comply with a warning notice or two consecutive requires improvement judgements. The White Paper proposes that there will be a presumption for any school with two consecutive 'below "Good" judgements' to be moved into strong trusts.

Pros: The MAT will be responsible for and have the resources to ensure rapid school improvement.

Cons: The existing governing board and school executive will have no control over the MAT to be joined. You will not be able to choose which MAT to join or any you wish to avoid.

Comparison with MS: Not applicable: the choice is taken out of your hands!

¹ Maintained school

- **Loss of strategic control**

The trust board is responsible for setting the overall strategic direction and the vision and values in which the MAT operates. The MAT is, of course,

Pros: Schools can focus on the provision of teaching and learning within a defined structure.

Cons: Lack of involvement by the academies in overall strategic control. The trust board could decide to take the MAT or individual academies in a new or unexpected direction. This would need to be agreed by the trust board (which includes Diocesan appointments) and could require Diocesan approval.

Comparison with MS: Governing boards are responsible for the strategic direction of their school. In reality, this is limited by legal provisions and subject to amendments in legislation/regulation.

- **School improvement support**

The choice about academisation should be focused on what is in the best interests of pupils: school improvement support will be a key aspect of that.

Pros: The MAT Board will be accountable for performance in your school and will ensure that support is put in place.

Cons: Your school may be subject to decision making about teaching and learning that is set at Board or a higher executive level ie your headteacher may have to follow direction.

Comparison with MS: School improvement support may be available from the local authority. Services will often be traded unless you are a failing or vulnerable school. In addition, from the financial year 2022-23 going forward, local authority school improvement activities will be funded via de-delegations of funds from maintained schools' budget shares.

- **Collaboration**

A MAT is the most formalised family of schools which offers the opportunity for collaborative working.

Pros: Schools should seek to work together to share good and outstanding practice. A MAT is the most formalised way to achieve this. As well as getting support, it is an opportunity for you to share your strengths and experience to support a school in need, either now or at a future point.

Cons: Your ability to collaborate may be more limited depending on the MAT structure and attitudes, eg your school may be put into a fixed cluster or hub arrangement which is obligatory.

Comparison with MS: Collaboration often takes place in geographical clusters or partnerships. Headteachers have some control over who they work with – if at all.

- **The MAT is the employer of all staff**

All existing staff are transferred to the MAT and new staff are appointed by the trust.

Pros: MATs can create a central HR team to manage payroll and deal with any staffing issues. Can be more efficient/effective than local authority and can seek additional legal support from wherever it chooses.

Cons: The TUPE² process is followed on conversion which can cause initial anxiety. Trusts must ensure that they maintain strong financial reserves to avert issues with salary payments

Comparison with MS: Staff at a maintained school are technically local authority staff.

- **Trusts do not need to recognise nationally agreed terms and conditions for staff**

In theory, MATs have the freedom to deviate from nationally agreed terms and conditions. In reality they would never offer less as they would risk being unable to attract quality staff.

Cons: Potential to deviate from nationally agreed terms and conditions for staff.

Unpopular with unions.

Pros: In practice, MATs recognise national terms and conditions and have the freedom to improve on them to get the best staff.

Comparison with MS: Staff retain status quo.

- **Staff and leadership development opportunities**

Staff are employed by the MAT and so can be deployed anywhere across the MAT, at another academy or more flexibly.

Pros: Staff may have increased opportunities to take up promotion or work in other settings. Useful for talent retention or to share skills and experience. Enhanced opportunities for staff to observe outstanding practice.

Cons: Your most talented members of staff may be moved to work in another setting or to support the central team.

Comparison with MS: Staff will remain in your school until they leave. Promotion will generally only be available when another member of staff leaves.

- **Centralisation of finances**

The MAT is a single legal entity and is responsible and accountable for the finances of the whole organisation. Different MATs will take different approaches: at one extreme, the MAT can 'GAG³-pool' and put all income into a single pot with all financial decisions made centrally.

Pros: Ability to create a large enough economic body to remain financially viable. Increased value for money and buying power through economies of scale. Largely removes the workload of managing finances at academy level allowing your staff to focus on teaching and learning.

Cons: The MAT can change the way that finances are handled at any time. Potential financial failure of the Trust or another academy could affect your school.

Comparison with MS: Finances are managed at school level with local authority oversight.

- **Headteacher may no longer have authority for financial decisions**

Depending on the MAT's Scheme of Delegation, your headteacher may not be involved in financial management or their involvement may be reduced.

Pros: Headteacher can focus on teaching and learning.

² Transfer of Undertakings (Protection of Employment) Regulations 2006

³ General Annual Grant

Cons: Perceived loss of control by school. Decision making taken at a higher, trust level.
Comparison with MS: Headteacher is responsible for all financial management of the school.

- **Use of financial reserves**

The MAT has responsibility for the financial performance of the trust and all academies and must allocate resources in the best interests of the trust. It can decide how reserves can be used and whether they should be retained by an individual academy.

Pros: Your school may be able to access additional financial reserves to support projects in your school.

Cons: You may 'lose' your reserves if another academy has more pressing immediate need.

Comparison with MS: Schools may retain their reserves within specific limitations based on a percentage of your funding: if the reserve exceeds the limit, the local authority will claw back funding.

- **Governing board no longer has a legal identity**

The 'local governing body' of an individual academy is like a committee of the trust board and has no separate legal identity. The amount of responsibility is set out in the MAT's scheme of delegation.

Pros: Irrespective of the scheme of delegation, the local governing body is not legally accountable – though it may be responsible for undertaking a governance role.

Cons: Any responsibility is by means of the MAT's Scheme of Delegation and may be subject to change.

Comparison with MS: Governing board is fully responsible and accountable for governance of the school.

- **Financial contribution to support central organisation**

All MATs will set up central services to support their academies. However, the range and remit of these services will differ from MAT to MAT and it is impossible to compare charges as support will differ so much.

Pros: Access to quality services from the MAT. Depending on the services provided, your headteacher may not need to be involved in operational aspects such as facilities maintenance.

Cons: Cost. The amount of charge or topslice (often referred to as "central recharge") may be changed.

Comparison with MS: Majority of local authority services are now traded and will incur cost to a school. Impossible to compare services as they are not on a like-for-like basis.

- **No clear exit route for an academy that wants to leave a MAT**

Although there is now an increase in 'rebrokering' of academies between MATs, it is largely driven by the relevant RSC⁴. The local governing body is not a legal entity and is unable to decide to leave a MAT. It is not possible to return to being a maintained school.

Pros: The school legally becomes part of the MAT providing security and consistency

⁴ Regional Schools Commissioner

Cons: It is a one time decision. It may be possible to move to another MAT but the process is complex, potentially costly and requires RSC/DfE authorisation and will usually occur only in the event of academy/MAT failure

Comparison with MS: MS are stuck with their local authority and cannot choose to join a different one.

Consider undertaking a SWOT analysis or plot the advantages/disadvantages in relation to your particular school in the circumstances it is in now and looks likely to face in the future – use this list as the basis of your analysis but make sure you apply it to your school and your pupils. Look at what other schools have done but make sure that the choice is personal and unique to your school and will add value, positively impacting on your pupils. The decision is ‘what is the right decision for our school and our pupils’.

Academy status is not a magic formula that will transform any school into an outstanding place of teaching and learning full of well-behaved high achievers. However, joining the right MAT can offer huge potential to take your school on the next step of its developmental journey.

If you are still uncertain, consider contacting your favoured MAT to request a ‘try before you buy’ arrangement where you can experience some of what it is like to be in a MAT.

Katie Paxton, May 2022