

MEMORANDUM OF UNDERSTANDING

A PROPOSED MULTI ACADEMY TRUST PARTNERSHIP INVOLVING

Bridport Primary School

Burton Bradstock CEVC Primary School

The Sir John Colfox School

St Mary's CEVC Primary School

DATED – 20TH APRIL 2015

PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

The structure of the MOU will be reviewed regularly to suit the educational needs of our community

The above named Primary and Secondary schools have agreed to work towards a formal education Partnership based on a Multi-Academy-Trust (MAT) model. The primary objective of the Partnership is to deliver a high quality educational experience so that all pupils in the trust are given the opportunity to develop and achieve their best academically, socially, emotionally, spiritually and physically.

This document summarises the key elements and principles of the Partnership as agreed between the partner schools. It is to be used to set the framework and guidelines within which the Partnership will work together to establish the new Multi-Academy-Trust on behalf of the schools.

The Memorandum of Understanding (MOU) is not a legally binding document but a valuable step in setting the guidelines for the Partnership.

The specific governance and operational arrangements for the new MAT will be agreed between the partner schools during the development of the Partnership and formalised within the legal constructs of the MAT model articles.

PARTNERSHIP NAME

1.0. The name of the partnership will be – Bridport Area Schools' Partnership (BASP) [This is a working name for the purpose of this MOU. It can be changed and finally agreed through consultation]

PARTNERSHIP PURPOSE AND GOALS (MISSION/VISION STATEMENT)

The Partnership will create an outstanding, inspirational and inclusive learning community that meets the needs of all young people for their present and future global citizenship. This will be achieved through:

- 1.1. Working within the Partnership and the wider communities to design, and deliver an inclusive, innovative and stimulating 4-19 curriculum.
- 1.2. Raising the aspiration of all within our partnership in the belief that that there is no limit to what anyone can achieve.
- 1.3. Developing and nurturing a collective approach to raising achievement through appropriate challenge and support and a commitment to early intervention.
- 1.4. Providing a learning and teaching environment and culture where all feel safe to take risks in order to learn and grow.

- 1.5. Equipping and developing all professionals engaged in delivering the BASP curriculum with excellent knowledge, and skills through high quality leadership and management.
- 1.6 Providing a learning and teaching environment in which each school can develop its own culture, beliefs and ethos as appropriate within the overall MAT framework.
- 1.7 Maximising opportunities to provide outstanding resources that underpin the teaching and learning environments across the Partnership.
- 1.8 Creating Partnership development plans that will be composed in the light of the overall strategic vision: agreed, shared and consistently applied across the Partnership.

UNDERLYING PRINCIPLES OF THE PARTNERSHIP (ETHOS & CULTURE)

The following principles will guide and secure the purpose and goals of the Partnership. They strengthen the Partnership and are non-negotiable.

- 2.1. All directors, governors and professionals working for BASP will accept and embrace their professional responsibility to care for every child and young person within the Partnership. They will be open to change, treating all within the wider BASP community with dignity and respect at all times.
- 2.2. Every child has the right to the highest quality academic, social, emotional, spiritual and physical education.
- 2.3. High quality intervention will be provided when appropriate to ensure the learning needs of ALL pupils are met at the earliest opportunity (inc in early years).
- 2.4. Those involved in Partnership leadership and governance accept responsibility to a high quality in-service training and an appraisal process that is challenging and supportive to enable outstanding teaching and leadership
- 2.5. All children and young people will be nurtured within an agreed moral framework secured through British values, Christian values, values of community schools and the values identified in the United Nations Convention on the Rights of the Child.
- 2.6. There will be clear structures in place to ensure that the voices of all children, young people and adults within the Partnership are heard and valued.
- 2.7. The partnership will value and respect each school's distinctive ethos and identity.
- 2.8 To identify and foster the passions that motivates each child and provides an atmosphere where children enjoy learning and want to go to school

STRUCTURAL CONCEPT – MODEL / GOVERNANCE / ACCOUNTABILITIES

The model outlined here is brief, deals with the overarching principles and does not attempt to get into the details, which will need to be agreed at subsequent working party and steering group meetings.

- 3.1. A structure will be explored that will ensure that it is in line with the principles, is democratic and balances the needs of all the partners within the MAT and will be efficient in delivering the outcomes.
- 3.2. The Partnership and its schools will continually evolve, improve and develop through strong, effective and accountable leadership at all levels. The aim is to establish clear and simple but effective accountability.
- 3.3. The partners acknowledge the mix of Community and Voluntary Controlled schools that are joining the partnership and will work with Salisbury Diocese to secure appropriate foundation representation within the governance structure. Each school's individual category will be retained within the local governance model to be established.

3.4. The proposed structure as at 15.10.14 is attached as appendix A

RELATIONSHIPS TO EXISTING PARTNERS

The academies within the Trust value their established relationships with other partners. In order to further develop and build upon existing partnerships the following will form part of the development of the Trust:

4.1. All schools within the Partnership will respect and value their existing relationships with other partners. Schools will continue to engage with these partners whilst ensuring that the underlying ethos and culture of the partnership is maintained.

4.2. Within the Partnership, the VC schools will maintain their relationship with the Diocese.

4.3. There will be appropriate representation from the Diocese on the Board of Directors as agreed by the Partnership schools.

4.4. BASP will work to strengthen the relationship with other schools in the area to the benefit of all of our children, schools and the wider community.

4.5. BASP will aim to build and strengthen relationships with partners and providers from the maintained and voluntary sectors that engage with the 0-4 and post 16 age groups to secure a fully integrated 0-19 learning experience and to promote their health, progress and well-being.

SUPPORT SERVICES AND FINANCIAL MANAGEMENT

5.1 The Partnership will be responsible for the budget. Excellent business and financial skills will be required within the leadership and management of BASP. This will be secured at Partnership leadership, governance and operational level.

5.2 The Partnership will aim to operate in a financially efficient way through the employment of appropriate business and financial management practice. This will ensure that BASP will take full advantages of savings through; bulk purchasing of goods and services, seeking sponsorship and grant support, rationalising facilities and asset management, developing marketing of BASP expertise etc. There will be effective quality assurance systems in place to ensure commissioning of services is effective and value for money achieved.

5.3. Effective financial management systems will be established at Partnership and individual school level. Agreement will be reached to ensure appropriate financial delegation within the governance and operational model. Support will be provided at Partnership and individual school level to manage centrally held and individual school cash-flow. Admin IT software will be rationalised to ensure efficiency and compatibility across the Partnership.

5.4. An agreed proportion of each school's budget will be held centrally and used to fund central services and Partnership priorities identified within the BASP 3 year business and finance plan.

5.5. Individual schools within BASP will be able to maintain their own 'charitable' funding activity to further improve their provision. VA schools that can access Diocesan capital funding will be able to continue to do so to improve their school and therefore the wider BASP provision.

GROWTH AND DEVELOPMENT

All schools within the Bridport area will be able to join the BASP providing they meet the criteria set out by the DfE for schools joining a MAT and subject to the BASP due diligence assessment (to be developed). The Partnership will have demonstrated its capacity to improve schools in challenging circumstances prior to conversion to the MAT. No school within the area will be excluded through underperformance, but any such schools must demonstrate a willingness to improve and the leadership capacity to effect improvement with BASP support. From the outset, transparency and

trust between partnership schools is essential in all matters to do with the performance of pupils, teachers, support staff, leadership, governance and finances.

6.1. The Partnership will consider expanding membership in the future. The members agree that time is needed to allow the original schools to effectively develop and consolidate before expanding. Other schools wishing to explore joining the Partnership can do so at a later date.

6.2 The Partnership is open to enquiries from all schools of any or no faith, speciality and of any age range. The shared values and vision is critical to the success of the partnership and schools wishing to join will be expected to demonstrate commitment to these.

6.3. All schools expressing an interest in joining the Partnership will be subject to a due-diligence evaluation in order that the Partnership understands the contribution the school would make to BASP and the support needs of the school. This is effective capacity management.

6.4. The Partnership is keen, when the time is right and the schools can demonstrate capacity and expertise, to explore opportunities to learn from other partnerships' success and to export and market BASP expertise.

6.5. The Partnership members recognise the importance of being financially sustainable while delivering the education outcomes. The leadership of the Partnership will therefore continually monitor the financial position of the Partnership and explore opportunities for outward growth when benefits can be achieved.

DEVELOPMENT PROCESS & TIMESCALES

7.1. The Partnership members are working towards establishing the BASP and conversion of their schools into academies. A detailed project plan will be established and all partner schools will work within agreed timelines and plans. Where a school is unable to meet the agreed timescales the BASP steering group will look to support them in a later conversion.

7.2. Academy conversions applications for the Primary schools in the Partnership will only be submitted once the schools progressing together into the partnership have been agreed and signed up to this MOU in September 2014.

7.3. Appropriate external support and services will be secured for the development of the Partnership where these are not readily available to be released from a member school

7.4. The member schools will pool an agreed level of initial funds, resources and expertise and all academy based grant monies to cover the costs of the conversion programme and the development of the Partnership. Conversion and MAT grant budgets will be overseen by the Finance working party and individual schools will be able to access the conversion budgets to support conversion work and staff release.

7.5. A steering group will be established to lead the development of the Partnership. It will have clear terms of reference and a Chair will be elected. The Steering Group will establish committee work-streams with delegated responsibility to lead and develop the specifics of the Trust in appropriate timescales. These work-streams are:

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|------------------------|-------------------------------|
| ✚ Finance | ✚ Stakeholder/ Communication: |
| ✚ Education | ✚ Contracts/ Operations ?? |
| ✚ Legal and Governance | ✚ Staffing/TUPE ?? |

7.6 The BASP MAT will be designed initially to include only the schools that have signed this MOU. Provision will be made in the design to provide for the BASP MAT to expand if and when appropriate.

STAKEHOLDER ENGAGEMENT APPROACH

8.1. The Partnership will develop a consistency of approach for engaging with its stakeholders.

8.2. The Partnership will both communicate and consult on the plans for BASP. However, consultation is not permission, and the schools and Partnership leaders will make the necessary decisions on the development of the Partnership and the schools joining.

8.3. The partnership will run initial discussions with staff and governors before an application is made. More formal consultations, following DfE guidelines will take place following each school's application to convert. These will be planned as a partnership approach.

8.4. All correspondence and information to stakeholders will be carefully co-ordinated so that the same message is given at the same time to demonstrate a united approach and commitment to the initiative.

8.5. The Communications Group will take the lead but recognise that Headteachers and Chairs of Governors are best placed to deliver local communications in a planned approach to ensure consistency of key messages.

8.6. A detailed plan will be developed to oversee and manage communications and consultation and this will be closely aligned to any legal consultation requirements.

8.7. Feedback and reporting the outcomes of the consultation process will form part of the plans.

MEMBER SCHOOLS

The following schools have committed to work in partnership based on the principles and key information described within this MOU with the aim of working towards a Multi-Academy Trust.

Confidentiality

All matters which are to be treated as sensitive or confidential between the Steering Group and the Parties will be declared as such at the time of its disclosure.

Appendix A

Proposed Governance structure as at 15.10.14

The 'Directors' in the structure will be called Trustees.

The BASP MAT will be a charitable company limited by guarantee, with all Trustees registered as directors with Companies House. With a company that is limited by guarantee, the financial liability of members is limited to a nominal amount (currently £10), should the company face financial difficulties. Additional directors' and officers' liability insurance will be provided for Trustees to cover against loss as a result of a legal action brought for alleged wrongful acts in their capacity as directors and officers.

An **Accounting Officer** will be appointed, as required by the Funding Agreement. This person will be the Executive Principal of the MAT who will be personally accountable to parliament for the financial probity of the Trust.

The BASP structure will include **Members, Trustees, An Executive Principal (*working job title*) and Local Governing Bodies (LGB's)**. There will also be a number of groups in the sub-structure including a **Trust Leadship** group for headteachers/school leaders, to be decided after further discussion.

Members – They establish the Trust and set out and regularly review the constitution of the Trust, through signing its memorandum and articles of association. They are responsible for signing off the annual report and accounts and the BASP strategy document. They can appoint and dismiss some of the Trustees.

In order to represent the views of the community there shall be around 20 Members of the BASP MAT. Membership shall include representation from stakeholders who have an interest in the success of the MAT and therefore the education, learning and wellbeing of it's children and young people. It was agreed that there would be equal representation from local governing bodies. There may also be representation from the following groups. This will need to be further explored within BASP working parties:

- Key stakeholders (eg parents, students, staff, leadership)
- Wider stakeholders (eg business, voluntary sector, public sector)
- Diocese
- Trustees

The Members will be responsible for the scrutiny of all aspects of the Trust. They would be open, transparent in their activity and accountable to the wider town and village community. It was recognised that transitional arrangements will need to be made, initially set up the first group of Members then allow it to evolve over time. The initial group of members will be selected by each LGB electing two governors to become members. Care will be taken in the initial selection to ensure that the members have the skills required. This core group will evolve into the full members group as the MAT becomes established.

The existing steering group (which may form a shadow members group) will cease to exist when the MAT is established.

Trustees – They set the strategic direction for the MAT. They bring a wide experience within and beyond education but as trustees represent the MAT, not specific groups or interests. They are accountable to the Secretary of State for the performance of the schools within it. They are also 'directors' registered with Companies House. Trustees will enter into the master funding agreement and supplemental arrangements with the DfE. They determine the structure of the MAT and its functions. They are accountable for the performance of the schools within the MAT but may delegate aspects of their governance to the LGB's. They hold LGB's accountable for their functions.

It was agreed that BASP should appoint around 14 Trustees to ensure that the group can work effectively. Trustees would be appointed for the skills required to support and develop BASP (eg education, finance, entrepreneurial). The following would also be Trustees:

- One headteacher/school leader representative from each of the following type of academy within the MAT: Church, Secondary, Community.
- Representative chair of LGBs
- Secondary governor
- Primary governor (One governor to be a parent)
- Staff representative
- Diocesan representation
- The Executive Principal
- Business manager (ex officio – non-voting)

Local Governing Bodies – who oversee different functions of schools within the Trust, depending on the responsibility delegated to them by Trustees. They support the work of the Board of Trustees through taking decisions/making recommendations.

Key principles were agreed at the workshop to include:

- Size and make-up of each school's LGB to be determined locally – effectiveness rather than representation (skills)
- LGB's will deliver their individual SDP in the context of the Trust Development Plan
- They will contribute to compilation of Trust Development Plan
- They are guardians of their school's ethos/identity
- They ensure policy delivery (local and Trust)
- They appoint staff (including the school's leader) and conduct performance management in collaboration with the Executive Principal and the Trustees

Executive Principal - who provides the professional leadership of the Trust. The following key skills were identified at the workshop.

- Proven experience of leading/managing a large organization
- Innovative and entrepreneurial
- Willingness to understand the characteristics of the town and villages
- Strong grasp of education at all phases

Individual Principals/Heads of School – who are responsible for the day-to-day running of each school in the MAT and who are accountable to the Trustees (via the Executive Principal) and LGBs, depending on where responsibility is delegated within the MAT.

Consideration was given to the **Trust Leadership Group** to be convened by the Executive Principal comprising individual school leaders that would meet regularly, informing strategic planning and reporting on performance. It was agreed that this was an important group to add to the overall BASP governance/leadership structure.

Financial Management

In the initial set-up of the MAT each LGB will be responsible for managing its budget. The expectation is that each school within the MAT will continue to receive the same funding as they received pre-conversion. The additional funding available as a consequence of conversion, including the recovered top-slice from the LA will be managed by the Trustees to provide for wider MAT activity as identified in this MOU.