

Strategy for Multi-Academy Trusts

The Derby Diocesan Board of Education (DBE) has agreed the following strategy in light of the Department for Education's White Paper, '[Opportunity for all: strong schools with great teachers for your child](#)' and the published [Memorandum of Understanding \(MoU\) 2023](#) which has been agreed between the National Society and the Department for Education (DfE). Derby DBE has also considered its statutory role in line with the [DBE Measure 2021](#).

The principles underlying this strategy are in relation to Derby DBE's intent to maintain a **cohesive diocesan family of schools** which will effectively deliver its vision of:

Transform, Grow, Build

Derby DBE recognises that the DfE's aspiration is that all schools are academies and that the vast majority of these will be within Multi-Academy Trusts (MATs).

Derby DBE has considered various MAT strategies adopted by other DBEs and has determined this strategy based on its analysis of its context with significant consideration of the strategic needs of its family of schools. *The DBE aim is to protect, preserve and promote the Christian Character of church schools and requires MATs to adopt model articles of association without variation.*

Majority MATs¹ have been established in the diocese which any of the church school family along with community schools may join - Derby Diocesan Academy Trust (DDAT) and ACE Derbyshire.

Derby DBE will work with schools and academy trusts to establish additional majority MATs in addition to DDAT and ACE to provide choice for schools. This is because the greatest benefits from a MAT partnership can be achieved once a certain size (pupil numbers) has been reached. This aligns with the DfE's view that a strong trust consists of 7,500 pupils.

Maintained schools that wish to convert will only be given consent to join an established church majority MAT within the Diocese of Derby.

- The Diocesan Director of Education (DDE) will work in close partnership with the Regional Director (RD) to develop a shared understanding of the DBE's Academisation Strategy and will always work constructively with the RD.
- The DDE will support schools by ensuring that they are 'connected' and working in partnerships which are maintaining and developing school effectiveness. The trajectory is for academisation within MATs and so the DDE will, on behalf of the DBE, encourage schools and academies to seriously consider their response to this agenda.
- All church schools beginning to consider their MAT options must, in the first instance, contact the DDE to explore what may be available to them. Schools are advised not to pursue conversations with potential academy partners until contact has been made with the DDE and their guidance and support received.

¹ A church majority MAT does not require a majority of church schools but describes a MAT which can incorporate VA, VC and community schools. Local governance arrangements reflect the previous status of the school and academy trusts will be expected to maintain Local Governing Bodies. Academy Trusts are governed by a board of directors who are appointed by members. In a majority MAT, the Church of England will have a majority of members. Directors are appointed on the basis of skills.

- The DDE will advise schools to reflect on a range of considerations, including geography and capacity. Schools judged as good or better, will determine their own processes for selecting a MAT but must have due regard to DDE advice.
- The DDE will work together with the MAT leader to ensure that they are connected and supported in their system leadership capacity.
- Derby DBE continues to welcome community schools into church majority MAT partnerships and believes that many will be attracted to the Church of England's proven track record and ethos. The DDE will support schools to understand the role of members as distinct from directors.
- In line with the [Memorandum of Understanding \(MoU\) 2023](#), schools requiring sponsorship should be sponsored by a MAT with appropriate Church of England governance. Issues relating to current capacity will be at the forefront of such decisions. The DDE will work with the RD to determine the most appropriate solution. The DDE will encourage good and outstanding schools and academies to join established church majority MATs to build capacity.

Appendix A

Brief Overview of the Powers and Functions of the DBE under the 2021 Measure

The religious authority

The religious authority for Church of England schools is the DBE for the Diocese in which the school is located. The work of the DBE is governed by the [Diocesan Board of Education Measure 2021](#). The Measure provides the legal framework within which the DBEs engage and work with Church schools.

The Measure confers functions and powers on DBEs, for example it:

- confers power on the DBE to provide advice on matters affecting church schools;
- lists the situations in which the governing body/board, and also the site trustees of a school site must obtain the DBE's advice;
- outlines where the site trustees or DBE's consent is required (for example capital works);
- requires those to whom the DBE gives advice to have "due regard" to that advice. This means they would have to demonstrate good reasons for not following it.
- sets out the circumstances in which a church school must obtain the prior written consent of the DBE (for example prior to seeking an academy order);
- sets out when and how the DBE may give directions to church schools and trustees and requires those receiving a direction to comply with it; an example is to direct a church school to permit an inspection of the religious education or collective worship in that school, should the DBE have concerns as to its quality or content.

The role of the Site Trustees and the Trust Deed

Church of England school sites (including academies) are generally held on educational endowments, known collectively in education law as the "Trust Deed", which establishes the charitable objects and the purposes for which the site can be used. The governing documents of the school will reflect those parameters within which the church school is to be conducted which must be compatible with the Trust Deed.

The school occupies the site at the will of the site trustees, for the furtherance of the object of the Trust Deed. Control of the site is always retained by the site trustees of the educational endowment, and that is reflected in the way in which schools occupy the site on a bare licence (the school has implied permission to occupy the site but does not have any legal or equitable interest in the site)

Appendix B

Key aspects of a strong MAT for consideration by the DBE

- Commitment to the diocesan and Church of England vision for education
- School improvement capacity – transformation
- Inclusivity
- Governance and leadership
- Sustainability – finance and operations
- Wellbeing of the whole school community
- Serving the disadvantaged
- Serving the diocesan family of schools

Appendix C

Key DBE requirements for academy governance structures within church MATs

- MATs should publish a Scheme of Delegation (SoD) which should reference the operation of the academy as a church school.
- MATs should establish a Local Governing Body (LGB) for a church academy/academies.
- MATs should appoint LGB members with the agreement of the DBE.

Other conditions may be set from time to time and will be agreed with each MAT.