



Proposal to form West Midlands Academy Trust (WMAT)

Consultation report

This document summarises the consultation process, the feedback received, and provides responses to concerns or questions that were raised.

Pre-consultation engagement

Prior to the formal consultation, engagement has been undertaken with parents and in particular with staff:

- 8th Jan 2024: initial update for staff that explorations were positive and were continuing
- 7th Feb 2024: full briefing for staff including naming the three schools. This included an opportunity for staff to share their views, and a Q&A document was developed from these and shared with staff later in February. [Note, Swanshurst held an additional staff engagement and feedback process in March recognising that it is a conversion to academy status as well as joining a MAT for the school]
- Mid April 2024: briefing for staff about summer term activities and timelines, letter to parents regarding potential MAT

The consultation process

Consultation was undertaken jointly by the three Governing Bodies. The process was undertaken in accordance with the requirements of the Academies Act (which applied to the proposal for Swanshurst to become an academy). Consultation was undertaken between 3rd June and 28th June 2024 – a period of four term-time weeks.

The consultation materials consisted of a consultation document that introduced the proposal and a more detailed Question and Answer document for those who wanted further information. There was also a HR Question and Answer document that was only distributed to staff.

The consultation was launched on 3rd June by distribution of the consultation materials to:

1. All staff at each of the three schools, with a briefing from the Headteacher during the week commencing 3rd June;

2. Parents / carers of current pupils at each school;
3. Those involved in governance at each school;
4. The Lead Member and Director of Children’s Services at Birmingham City Council;
5. The CEO of Birmingham Children’s Trust;
6. The Director of Children’s Services at any local authority who maintained an Education, Health and Care Plan at any of the schools;
7. The local ward Councillors for each ward where one of the schools is situated;
8. Headteachers of special schools within three miles of any of the schools;
9. Headteachers of the mainstream secondary schools within the South Area Network; and
10. Headteachers of the mainstream primary schools where five or more pupils are due to join any of the schools in September 2024 into Year 7; and
11. Principals of local FE and Sixth Form colleges.

All materials were available on the website of each school.

The following meetings were held. At each of the drop-in sessions the Headteachers of all three schools were present.

- Briefings for staff at each school during the week commencing 3rd June;
- Hall Green: Drop in session for staff (3:15 – 4:15pm) and drop in session for parents (4:30 – 6pm) on 10th June
- Kings Norton: Drop in session for staff (3:15 – 4:15pm) and drop in session for parents (4:30 – 6pm) on 11th June
- Swanshurst: Drop in session for staff (3:15 – 4:15pm) and drop in session for parents (4:30 – 6pm) on 12th June

People were able to respond by completing the online questionnaire (a link was included in the emails distributing the consultation material and was available on the website of each school) or emailing / writing to the Headteacher.

The questionnaire consisted of three qualitative questions as well as quantitative information about the respondent. The qualitative questions were:

- What do you think could be the advantages or benefits of establishing WMAT?
- What do you think could be the risks or drawbacks of establishing WMAT?
- If you have any questions about WMAT or what joining WMAT would mean for any or all of the schools involved, please write them here

An updated version of the Question and Answer document was issued to parents / carers and staff on Friday 21st June alongside a reminder that there was a week left before the consultation closed. An updated version of the HR Question and Answer document was issued to staff at the same time.

The consultation responses

Attendance at the drop-in sessions at each school was:

	Parents / carers	Staff
Hall Green	0	0
Kings Norton	1	13
Swanshurst	3	14

There were 148 responses to the online questionnaire. Almost all of these were from pupils, parents / carers, or staff from the three schools (see following table) (note, two respondents were members of staff at a school and also a parent / carer at that or a different school), with one response from a local councillor, one from a Headteacher of a local primary school, five from a members of the community, two from the Love Brum Schools campaign, and one from a former Swanshurst pupil.

	Pupils	Parents / carers	Staff
Hall Green	15	5	8
Kings Norton	27	20	2
Swanshurst	26	26	12

There was one email response to the consultation, from a parent who within their response provided a link to the Love Brum Schools website and the NEU website ‘the case against academisation’.

Potential advantages or opportunities raised by respondents

The potential advantages or benefits of establishing WMAT that were identified included:

- Opportunities for collaboration, sharing learning and expertise across the schools to improve practice
- Opportunities for sharing resources and achieving economies of scale
- Opportunities for joint training and professional development
- Opportunities to strengthen leadership and governance across the schools
- Opportunities to increase career opportunities to staff within the MAT

Potential concerns, other comments, or questions raised by respondents

Respondents were able to raise potential concerns or drawbacks about forming WMAT and also to raise any other questions or areas where further information would be welcomed. There was overlap between these areas as individuals sought further information about areas that they or others had identified as potential concerns. The following table includes themes that were raised, expressing them as questions. Expressed as questions, these themes included:

Issue	Response
<i>Do the three schools share the same vision for WMAT?</i>	<i>Yes. Senior Leaders and Governors from the schools have been involved in developing the proposals, including developing a shared future vision and key principles for WMAT. Each Governing Body reviewed and endorsed these key principles as part of their in-principle decision about proceeding.</i>
<i>With a vision for considerable autonomy in the founding schools, what specific things will be better together?</i>	<i>The focus for the trust initially would likely be to:</i> <ul style="list-style-type: none"> • <i>Identify and address shared challenges, where the scale of being a trust can enable approaches that are not possible for individual schools – for instance, potentially regarding early help, mental health support</i> • <i>Provide opportunities and structures for staff to collaborate, so improving knowledge, skills and experience of staff and improving the quality of resources available to pupils and staff across the trust</i>

	<i>Shared approaches to policies and practice where consistency is required to ensure compliance with legislation or DfE requirements – this can help to reduce workload / duplication and improve organizational performance.</i>
<i>Why is this being proposed now?</i>	<p><i>The move to schools being part of a formal family of schools, such as a multi-academy trust, has been happening for over 10 years. Over 80% of secondary schools in England are now academies. Within Birmingham, over 80% of the secondary-phase schools are academies, and over 75% of these academies are within MATs. The 23 MATs that include Birmingham secondary schools range in size from 2 to nearly 40 schools.</i></p> <p><i>It is becoming clear that being part of a family of schools offers opportunities that are not available to single schools – a broader range of staff to collaborate with (so improving the quality of classroom practice), the potential for greater professional development and career opportunities for staff, and greater resilience within staffing structures (especially for smaller schools) coupled with greater opportunity for specialisation. Working together enables schools to have opportunities to address shared challenges, such as the recruitment and retention of staff or the need for greater capacity and expertise to support mental health.</i></p> <p><i>This move towards families of schools appears inexorable, with so many schools now within MATs that it seems extremely unlikely that the system would be changed. Heading into the 2024 general election, neither the current Government or the main opposition party are suggesting changing this policy. As strong and successful schools, Hall Green, Kings Norton and Swanshurst want to benefit from the advantages of being within a MAT, but want to have the opportunity to develop a new MAT for the region that reflects our principles and values.</i></p>
<i>Would school uniforms change to become the same (or very similar) across the trust?</i>	No
<i>What role does the local authority have in relation to an academy school?</i>	<p><i>The statutory roles of a local authority regarding safeguarding, school admissions, school place planning and SEND continue; the local authority remains the organisation that names the school for children with an education, health and care plan (EHCP) for example.</i></p> <p><i>There are areas where the local authority does not have legal powers in relation to academies that that it does have for community schools or (sometimes) for all local authority maintained schools. Instead, powers of oversight and regulation are with the Secretary of State / Department for Education for academies.</i></p>
<i>What services does Birmingham City Council currently provide to Swanshurst that would cease if the school was to become an academy?</i>	<i>The local authority provide statutory services only. As Swanshurst School is judged to be outstanding, the local authority does not provide school improvement support and does not carry out any statutory intervention work. The school currently buys in separate services for areas such as HR, payroll, health and safety and building compliance. The need for these bought in services would remain post-conversion. Following</i>

	<i>academisation, the financial oversight function carried out by the local authority would cease and Swanshurst's financial compliance would be audited in line with the requirements of the Academy Trust Handbook.</i>
<i>What would happen if the schools disagreed about a decision in the future?</i>	<i>The expectation is that the Executive Team (consisting of the Headteachers, Chief Executive, and Chief Finance Officer) would make recommendations to the Trustees where the Board of Trustees needs to make the decision. Through this process the impact upon each school could be identified, and these impacts (and the views of the leaders of that school and the School Board for that school) could be reported to Trustees as part of the information before they make a decision. The Board of Trustees would be responsible for making decisions that affect all of WMAT, such as budgets, whether to admit a new school, or trust-wide policies. While the expectation is that decisions will be reached at by consensus, ultimately the legal responsibilities of Trustees is to make such decisions in good faith and in the best interests of the trust overall.</i>
<i>Is there a risk of 'one size fits no one' – i.e. that standardisation or centralisation does not meet the needs of individual pupils or different schools?</i>	<i>We are aware of this risk. To avoid that risk, the key principles for WMAT focus upon pupils and schools, with the Trust activity being in areas where working together can add value (i.e. where more can be achieved together than working alone, such as addressing shared challenges such as staff recruitment and retention) or to ensure compliance with legislation / DfE requirements. There is no intention to create a prescriptive Trust approach in areas that restrict the ability of schools to meet the needs of their pupils. The schools are extremely clear about the importance of professionals in each school being able to make the right decisions for their pupils in their context.</i>
<i>Would funding be redirected so that one school might subsidise another?</i>	<i>The funding that a MAT receives is calculated at school level based on a funding formula that is based on a combination of national and Birmingham factors – i.e. funding for Swanshurst is calculated separately to funding for Kings Norton. Each school would receive the funding that has been calculated for it, less a contribution to the central costs of the trust (i.e. those costs that are incurred only one but need to be shared between the schools). The spending of these central funds would have a direct positive impact on WMAT schools. This contribution would be a percentage of income so that the methodology is equal across the schools. There would be no redistribution of funding so that one school routinely subsidises another.</i>
<i>Would Kings Norton or Swanshurst admit boys into Y7? Would Hall Green become a school for girls only?</i>	<i>No and no. Neither Kings Norton or Swanshurst would admit boys into Years 7 to 11 (each already have co-educational sixth forms). Hall Green would continue to admit both boys and girls into Years 7 to 11.</i>
<i>Would Kings Norton Boys' pupils still have priority for admission to the KNGS sixth form?</i>	<i>Yes. There is no intention to change the admissions or over-subscription criteria for Y12 at KNGS if WMAT is formed. Admission would still require pupils to achieve the required entry grades for the sixth form courses that they wish to study.</i>
<i>Would the trust move / passport pupils between the schools?</i>	<i>Pupils would continue to be admitted onto the roll of an individual school, based on the admissions criteria of each individual school. As stated in the previous section, there is no intention to change the admissions policy for any of the schools.</i>

	<p><i>The schools in WMAT would continue to engage in the South networks passport and sharing panel processes as they do currently.</i></p> <p><i>Occasionally it is agreed for individual pupils to transfer to another school. This may be for a short period of time (6 week Passport/ offsite direction) or a longer sharing panel placement. If the transfer is successful the pupil may move permanently to that school. If WMAT was formed, the schools would continue to be part of that collaborative process, and so a small number of pupils may continue to move between schools. There would not be an expectation of pupils from one WMAT school transferring to another WMAT school rather than to a different school. The successor school is identified based on the circumstances of the individual pupil in order to give the transfer the best possible chance of success.</i></p>
<p><i>How would the culture of WMAT be protected if founding leaders are no longer there?</i></p>	<p><i>Senior leaders and Governors wish to ensure that the WMAT key principles are firmly embedded into the culture and practice of WMAT. If this is achieved successfully, WMAT would develop future leaders who share those same beliefs, and attract like-minded staff. This is the same challenge as individual schools face when recruiting new staff; being part of a successful MAT provides greater opportunity to develop our own future leaders and to spread our philosophy.</i></p>
<p><i>Would the trust intend to grow in the future and admit more schools? If so, could / would these be local primary schools?</i></p>	<p><i>The trust would expect to grow, and anticipates that – if it is as successful as it intends to be – schools would wish to join it. The name West Midlands Academy Trust gives a clear indication as to the geographic extent of the trust.</i></p> <p><i>The schools who join in the future could be secondary schools, primary schools, special schools, or alternative provision schools. Before the decision was taken to admit any school in the future thorough due diligence would be undertaken to ensure that WMAT understood the strengths and areas for development of the joining school, and that it could support the identified areas of development. The most important aspect of due diligence would be to ensure that the culture, vision and values of the school matched those of WMAT.</i></p>
<p><i>Is there a risk that WMAT could be required to join a larger trust in the future?</i></p>	<p><i>The best way to be in control of our destiny, and so be able to decide when and how WMAT grows, is for our schools to continue to be educationally successful, financially sustainable, and operationally effective. If we achieve these things while adhering to our key principles and values then we anticipate that WMAT would be an attractive trust for other schools to join.</i></p> <p><i>If we are unsuccessful, the Department for Education has powers to require individual schools to transfer to another trust in certain situations, for example if a school is eligible for ‘special measures’ or ‘requires significant improvement’ following an Ofsted inspection; if student performance is unacceptably low; if there has been a serious breakdown in the governance or management of the academy; or if the safety of students or staff is threatened. When such a school is within a small trust, the DfE does sometimes seek to transfer all schools within the small MAT to other trust(s). The onus is therefore upon us to ensure that</i></p>

	<i>we are as successful as we intend to be – our confidence in achieving that is borne from the quality of our staff, leadership and governance.</i>
Is there a risk that standards could decline?	Governors and Headteachers are focused upon ensuring that each school continues to improve, and that forming WMAT supports rather than undermines this process.
Would schools lose their identity within the MAT?	Each school would continue to set aspects such as school day timings and uniform locally and would continue to approve the curriculum for the school to ensure that it meets the needs of its pupils. The focus of the trust is upon supporting schools to be as effective as possible, not to micro-manage them or have standardisation for its own sake.
Is there a risk of reputational / resource implications for one school if a different school within the MAT has an issue?	The focus of the Executive Team (Headteachers, CEO and CFO) would be to minimise the risk of issues within any of the schools, and so minimise this risk. This would be through quality assurance and compliance processes, which themselves provide professional development opportunities for staff and the ability to identify good practice to share. An intrinsic part of being within a MAT is a collective responsibility for all schools, staff and pupils within the MAT – so if issues or risks are identified within any of the schools it is in the interests of the whole MAT to address those.
Are academy trusts run like a business, emphasising finance above education?	<p>All schools, including those maintained by a local authority, have to manage their finances carefully in order to manage within their budget – this has become increasingly challenging in recent years as funding increases have been insufficient to fund the nationally agreed pay awards. This financial challenge exists for all schools, and is requiring many to take difficult decisions. Schools without sound financial management will – over the medium term – find that that impacts upon their educational provision.</p> <p>The three schools have strong financial management and would continue this practice into WMAT to support educational development not to undermine it.</p> <p>Academy trusts (whether single academy trusts like KNGS and HGS currently, or a MAT like WMAT would be) are charitable companies. This requires them to comply with company and charity law regarding financial reporting, and DfE requirements include external and internal audit arrangements.</p>
Is there a risk of unreasonable executive salaries?	It is recognised that some academy trust senior leaders have extremely high salaries – but WMAT would be like the vast majority of trusts who set salaries of senior leaders at a reasonable level. The trust would continue to adopt national T&C for teaching staff and leaders and would follow the principles of those for roles that do not easily fit within the framework established by School Teachers Pay and Conditions Document (such as roles across schools and CEO).
What would the approach be to Terms and Conditions for staff? Would a mobility clause be introduced?	<p>WMAT would follow national terms and conditions (i.e. STPCD and Burgundy Book for teachers, Green Book for support staff).</p> <p>For existing staff, their existing contract of employment would transfer to WMAT. If any changes are proposed these would be as few as possible – one potential change regarding pay date has been identified for</p>

	example. These contracts do not include a mobility clause and none would be proposed for existing staff. The objective is to make the transfer as smooth as possible.
Would WMAT routinely use unqualified teachers?	No. One of the motivations for establishing WMAT is to improve the ability to retain the staff we have and complete successfully for new staff. We have no interest in the greater freedom of academies to employ unqualified staff – we would continue to employ qualified teachers as we do now.
Does Swanshurst realise that a decision to become an academy is irreversible?	Yes, Governors and leaders at Swanshurst are aware that – under current legislation – there is no way to return to being a LA maintained school if the school becomes an academy.
Would being part of a MAT actually increase workload due to collaboration becoming a required 'extra'?	The intention is that forming a MAT would help manage workload. Collaborating to share, review, and create resources, as appropriate, should improve practice as well as reduce workload; a similar principle applies to policy review and development. It is recognised that time for this collaboration needs to be built into normal operations so that it is not an extra and the Headteachers would take this forward if WMAT is established.
Would there be more opportunities for pupils to do things together? Is there a risk that this could increase bullying?	There may be more opportunities for cross-school activities involving pupils, such as trips or inter-school events. This may help broaden opportunities for pupils (for example making trips more viable if pupils from more than one school attend). As staff collaborate more we expect opportunities like this to be identified and taken forward. We anticipate that greater pupil interaction would improve, not harm, relations between schools and individual pupils.
Would there be changes to provision for pupils with SEND, including current pupil-specific arrangements?	There is no reason why any existing provision that is specific to the pupil and has been put in place to most effectively meet their needs – such as dual registration or input from specialists beyond the school – would need to change as a result of forming WMAT. If WMAT is formed, there would be potential to share and develop SEND expertise between the schools.
With two single sex schools, might strategies, interventions, priorities be more targeted towards girls and less beneficial for boys within the Trust?	Although two of the schools have girls only in Years 7-11, they do have co-educational sixth forms. Furthermore, there is still much to gain from working collaboratively between these schools eg closing the disadvantaged gap through sharing pedagogy approaches, resources, and interventions.
There have been some very negative academy experiences locally. Why would this be different?	The reasons for difficulty of other academy trusts was about trust / school specific issues rather than their status as academies. WMAT would be a trust being formed by schools from a position of strength (educational, financial and operational), designed specifically to seek to improve their individual and collective performance. Our confidence for the future is based upon the key principles that WMAT would be founded with (which are based upon practice and values within the schools currently) and the quality and commitment of staff to live those principles for the benefit of our pupils.

<p>What controls do a Local Authority have on a community school now? What does democratic oversight involve?</p>	<p>The Annex to the consultation document set out the differences between a community school (as Swanshurst is) and an academy (as Hall Green and Kings Norton are).</p> <p>While community schools are legally part of a local authority, if they are educationally and financially successful and operating within the law there are very few areas where a local authority can direct the Governing Body or Headteacher. LA officers work with schools, and monitor educational, financial, and operational performance (and report that to Councillors), and may seek to influence the approach that a school takes – but they generally cannot direct regarding educational provision.</p> <p>As the Annex to the Question and Answer document sets out, there are decisions that a LA takes on behalf of community schools which relate to some areas of concern for respondents, such as about terms and conditions for support staff at community schools, and any LA-wide enhancements to terms and conditions for staff beyond the national ones, and school admissions policies.</p> <p>A local authority does have intervention powers where it has concerns about the educational or financial performance of a community school. For an academy, the Secretary of State has very similar intervention powers.</p>
<p>Can academies sell their land?</p>	<p>If any school wishes to dispose of land, whatever type of school it is, it requires the permission of the Secretary of State.</p> <p>This applies to Hall Green and Kings Norton, where their academy trusts own the freehold title of their sites.</p> <p>For Swanshurst, if it becomes an academy the freehold ownership of its land would remain with Birmingham City Council and the academy trust would have a 125 year lease of the land (for the rent of a peppercorn a year). So any disposal of land there would require the permission of Birmingham City Council (as the freeholder) and the Secretary of State.</p> <p>The rules for disposal depend upon what the purpose of disposal is and what the land is used for – playing field land (including playgrounds) is particularly difficult to secure approval for disposal.</p> <p>None of the schools would wish to dispose of any land.</p>
<p>Would the schools continue to follow the national curriculum?</p>	<p>Yes. Hall Green and Kings Norton have done so since they became academies, and all three schools would continue to do so.</p>

Note: Text in italics in the table above was included in the updated Question and Answer document that was issued on 21st June to parents / carers and staff at each school.

Following consideration of the consultation responses each Governing Body agreed that West Midlands Academy Trust will:

1. Continue to employ all teachers in accordance with School Teachers Pay and Conditions Document (STPCD) and Burgundy Book terms and conditions as a minimum;
2. Continue to employ all support staff in accordance with Green Book terms and conditions as a minimum;
3. Continue to recognise those trade unions recognised by Birmingham City Council; and
4. Ensure continuing professional development for all staff.