

MEMORANDUM OF UNDERSTANDING v2: BLACKMORE VALE LEARNING TRUST (BVLT)

The Memorandum of Understanding (MOU) is not a legally binding document but sets the guidelines for the BVLT, including its relationship with the Salisbury Diocese Board of Education (SDBE).

The schools listed in paragraph 10.1 have agreed to work towards a formal education partnership, BVLT, based on a Multi-Academy-Trust (MAT) model. The primary objective of the BVLT is to deliver a high quality educational experience so that all pupils in the BVLT are given the opportunity to develop and achieve their best academically, socially, emotionally, spiritually and physically.

This document sets the framework and guidelines to establish the new BVLT by means of a steering group acting on behalf of the constituent schools.

The specific governance and operational arrangements for the BVLT will be agreed between the partner schools during the development of the BVLT and formalised within the legal constructs of the articles of association.

BVLT PURPOSE AND GOALS (MISSION/VISION STATEMENT)

The BVLT 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. Creating a culture and environment where Safeguarding and Wellbeing are Paramount.
- 1.2. Working within the BVLT and the wider communities to design, and deliver an inclusive, innovative and stimulating 4-19 curriculum.
- 1.3. Raising the aspiration of all within our BVLT in the belief that there is no limit to what anyone can achieve.
- 1.4. Developing and nurturing a collective approach to raising achievement through appropriate challenge and support and a commitment to early intervention.
- 1.5. Providing a learning and teaching environment and culture where all feel safe to take risks in order to learn and grow.
- 1.6. Equipping and developing all professionals engaged in delivering the curriculum with excellent knowledge, and skills through high quality leadership and management.
- 1.7. 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.
- 1.8. Maximising opportunities to provide outstanding resources that underpin the teaching and learning environments across the BVLT.
- 1.9. Creating development plans to support the strategic vision: agreed, shared and consistently applied across the BVLT.
- 1.10. The BVLT's Objects include ensuring that the Voluntary Aided (VA) and Voluntary Controlled (VC) are run in accordance with the principles and practices of the Church of England.

UNDERLYING PRINCIPLES OF THE BVLT (ETHOS & CULTURE)

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

- 2.1. All directors, governors and professionals working for BVLТ will accept and embrace their professional responsibility to care for every child and young person within the BVLТ. They will be open to change, treating all within the wider BVLТ 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 BVLТ leadership and governance accept responsibility to provide 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, of all faiths and none, 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 BVLТ are heard and valued.
- 2.7. The BVLТ will value, respect and maintain 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.

GOVERNANCE

The model outlined here deals with the overarching principles, the structure is at Annex A.

- 3.1. The BVLТ governance structure is democratic and balances the needs of all its the partners and will be efficient in delivering the outcomes.
- 3.2. The BVLТ will continually evolve, improve and develop through strong, effective and accountable leadership at all levels.
- 3.3. The BVLТ will have four Members, of which two will be 'Foundation Members' approved by the SDBE. One of the Foundation Members will be the SDBE Corporate Member.
- 3.4. The BVLТ will have 8 Trustees, of which four will be Foundation Trustees approved by the SDBE Corporate Member.
- 3.5. The Foundation Members and Trustees will ensure that the ethos of the BVLТ maintains and develops the Christian ethos in the VA and VC Schools.
- 3.6. The BVLТ will not appoint to the Local Governing Body (LGB) of a Church of England School within the BVLТ any person who the BVLТ knows, or ought reasonably to know, is likely to undermine or ignore the religious character and status of the BVLТ.
- 3.7. Foundation appointments will make up 25% of the LGB in a VC school and the majority of the LGB in a VA school. Foundation members of LGBs will be approved by the SDBE Corporate Member. In considering such approvals the Foundation Member will have regard to any representations made by the Parochial Church Council for the Parish in which the School is situated, and or in which the candidate resides. Local Governors can only be removed by the bodies who appointed them. In circumstances where a Foundation LGB member is deemed to no longer to meet the requirements of a Foundation local

governor, the BFLT will either remove that local governor or re-designate them as non-Foundation, provided that the appropriate ratio set above shall be maintained at all times.

STAFFING AND LEADERSHIP

4.1. The BFLT will consult the Diocesan Director of Education in respect of the recruitment and appointment of senior staff, in particular the Executive Principal and the principal and vice principal in the Church of England schools. In making appointments for the latter, the BFLT will make applicants aware of the school's Church of England character and the importance of its Christian ethos. The BFLT acknowledges that executive principal is not a 'reserved' position for the purposes of the School Standard's and Framework Act 1998, but recognises that it is a genuine occupational requirement (for the purposes of the Equalities Act 2010) that the chief executive be a person sympathetic to the role of the Church of England in Education.

4.2. Principals of Church of England schools will only be appointed with the agreement of the Diocesan Director of Education. The 'person specification' for any vacancy will be explicit about the central role of the principal in safeguarding and developing the 'Christian distinctiveness' of the school. Only persons sympathetic to the Christian nature of the school will be considered for the role. 25% of the members of any appointment panel shall be reserved to Diocesan nominees (from any tier of Trust governance), and the BFLT will invite an advisor from the Diocese to take part (but not vote) in the appointment process.

RELATIONSHIPS TO EXISTING PARTNERS

The schools 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:

5.1. All schools within the BFLT 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 BFLT is maintained.

5.2. The BFLT shall maintain links with the Church of England (CofE) parish or deanery within which its CofE schools are situated. The BFLT will encourage links with other CofE schools in its diocese or local area and be considered to be part of the family of Co E schools.

5.3. BFLT 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.

5.4. BFLT 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

6.1. The BFLT will be responsible for the budget. Excellent business and financial skills will be required within the leadership and management of BFLT.

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

6.3. Effective financial management systems will be established at BVLT and individual school level. Agreement will be reached to ensure appropriate financial delegation within the governance and operational model. Support will be provided at BVLT 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 BVLT, including opportunities for staff development and deployment.

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

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

GROWTH AND DEVELOPMENT

All schools will be able to join the BVLT providing they meet the criteria set out by the DfE for schools joining a MAT and subject to the due diligence assessment process. The BVLT 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 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.

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

7.2. The BVLT is open to enquiries from all schools of all faiths or none, any 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.

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

7.4. The BVLT 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 expertise.

7.5. The BVLT recognises the importance of being financially sustainable while delivering the education outcomes. The leadership will continually monitor the financial position of the BVLT and explore opportunities for outward growth when benefits can be achieved.

DEVELOPMENT PROCESS & TIMESCALES

8.1 The BVLT Steering Group (SG) members are working towards establishing the 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 steering group will look to support them in a later conversion.

8.2. Academy conversions applications will only be submitted once the schools progressing together into the BVLT have agreed and signed up to this MOU. The signing of this revised MOU, by all schools progressing together, should be achieved by no later than 16 December 2016.

- 8.3. Appropriate external support and services will be secured for the development of the BFLT where these are not readily available to be released from a member school.
- 8.4. 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 BFLT. Conversion and MAT grant budgets will be overseen by the Finance sub-committee and individual schools will be able to access the conversion budgets to support conversion work and staff release.
- 8.5. A SG has been established to lead the development of the BFLT. It has terms of reference and a Chair. The SG will establish committee work-streams with delegated responsibility to lead and develop the specifics of the Trust in appropriate timescales.
- 8.6. The BFLT will be designed initially to include only the schools that have signed this MOU. Provision will be made in the design to provide for expansion if and when appropriate.

STAKEHOLDER ENGAGEMENT APPROACH

- 9.1. The SG will both communicate and consult on the plans for the BFLT. However, consultation is not permission, and the SG and LGBs of joining schools will make the necessary decisions on the development of the BFLT.
- 9.2. The SG 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.
- 9.3. 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.
- 9.4. The SG 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.
- 9.5. A detailed plan will be developed to oversee and manage communications and consultation and this will be closely aligned to any legal consultation requirements.
- 9.6. Feedback and reporting the outcomes of the consultation process will form part of the plans.

MEMBER SCHOOLS

10.1 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.

Hazelbury Bryan Primary School;
Stalbridge Church of England Primary School;
Shillingstone Church of England VA Primary School;
St. Nicholas Church of England VA Primary School Child Okeford;
Sturminster Newton High School; and
William Barnes Primary School.

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.

Proposed Governance Structure

For proposed Governance Structure see Appendix A.

Appendix A

Proposed Governance structure:

1. The 'Directors' in the structure will be called Trustees.
2. The BVLТ 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.
3. 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.
4. The structure will include **Members, Trustees, An Executive Principal and Local Governing Bodies (LGBs)**. There will also be a number of groups in the sub-structure including a **Trust Leadership** group for headteachers/school leaders, to be decided after further discussion.

Members

5. The Members 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 BVLТ strategy document. They can appoint and dismiss Trustees.
6. There shall be 4 Members of the BVLТ. Members will be drawn from the wider community who have an interest in the success of the MAT and therefore the education, learning and wellbeing of its children and young people. 2 Members will be Foundation Members, one of whom will be the SDBE Corporate Member.
7. The Members will be responsible for the scrutiny of all aspects of the Trust. They will be open, transparent in their activity and accountable to the wider town and village community. It is 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 the SG. Care will be taken in the initial selection to ensure that the members have the skills required.
8. The existing SG (which may form a shadow members group) will cease to exist when the MAT is established.

Trustees

9. Trustees set the strategic direction for the BVLТ. They bring a wide experience within and beyond education but as trustees represent the BVLТ, 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 BVLТ and its functions. They are accountable for the performance of the schools within the BVLТ but may delegate aspects of their governance to the LGBs. They hold LGBs accountable for their functions.
10. The BVLТ SG will support the first Members group to appoint 8 Trustees to ensure that the group can work effectively. Trustees would be appointed for the skills required to support and develop the BVLТ.

Key skills required will include business, governance, HR, Legal, and financial skills. Experience in property and capital will also be desirable.

11. Four trustees will be Foundation Trustees, approved by the SDBE Corporate Member in consultation with other Members to ensure a skills balance is achieved.

Local Governing Bodies (LGBs)

12. LGBs oversee different functions of schools within the BVLТ, 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 of the LGB:

- Size and make-up of each school's LGB to be determined locally – effectiveness rather than representation (skills).
- LGBs 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 (excluding the school's leader) and conduct performance management in collaboration with the Executive Principal and the Trustees. However, Chairs of LGBs are expected to participate in the appointment process of the respective school leaders.
- Members of the LGBs may be members of the Trust's sub-committees but will have no executive trustee function.

Leadership

13. **Executive Principal.** The Executive Principal provides the professional leadership of the BVLТ. The following skills are required:

- Proven experience of leading/managing a large organization.
- Innovative and entrepreneurial.
- Strong understanding of 4-19 education.
- Willingness to understand the characteristics of the town and villages.

14. **Individual Principals/Headteachers.** Individual principals/headteachers – 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.

15. **Leadership Group.** The Leadership Group to be convened by the Executive Principal comprising individual school leaders that would meet regularly, informing strategic planning and reporting on performance. This is an important group within the overall MAT operational structure, and will make valuable recommendations to assist in governance

Financial Management

16. In the initial phase of the BVLТ each LGB will be responsible for managing its budget. The expectation is that each school will continue to receive the same funding as they received pre-conversion. The additional funding available as a consequence of conversion will be managed by the Trustees to provide for wider MAT activity as identified in this MOU.