



Whether The Jubilee Academy should join Tithe Academy



CONSULTATION QUESTIONS AND ANSWERS

The following questions and answers provide more information about the implications if The Jubilee Academy (TJA) joins Tithe Academy. Tithe Academy is a local multi-academy trust consisting of Rooks Heath School and Earlsmead Primary School.

What would the proposal to join Tithe Academy mean legally?

1. Does TJA have to join a multi-academy trust?

The Government has a belief that schools should work closely together within multi-academy trusts. The Department for Education (DfE) already has the legal powers to require individual schools to become academies in certain situations (usually as a result of an adverse Ofsted and / or lower standards than the DfE expects).

TJA is a strong school, and the DfE does not have the power to require TJA to join a multi-academy trust. Governors, however, believe that the future for TJA would be more secure if it was part of a multi-academy trust rather than a very small single-academy trust.

2. What would happen, in legal terms, if TJA joined Tithe Academy?

TJA is an academy school, operated by an academy trust called The Harrow Alternative Provision Academy Trust. If the Governing Body of TJA and the Trustees of Tithe Academy decide to proceed, the following would happen:

- a) The Funding Agreement for TJA would be novated to Tithe Academy (this is the contract between the academy trust and the Secretary of State that establishes the academy, sets its age range / number of pupils, and sets out how it will be funded and various other obligations for the Secretary of State and the academy trust);
- b) The lease for the land / buildings that TJA occupy would be transferred to Tithe Academy;
- c) The staff at TJA would have their employment transferred to Tithe Academy through TUPE; and
- d) The other assets and liabilities of TJA would transfer to Tithe Academy through a Transfer Agreement.

Once TJA (the school) had transferred to Tithe Academy, the charitable company called 'The Harrow Alternative Provision Academy Trust' would be wound up.

3. When would these changes happen?

TJA could only join Tithe Academy if all three of the TJA Governing Body, the Trustees of Tithe Academy and the Department for Education approve. It is anticipated that these decisions would be known around Easter 2024. If any one party says that they do not want to proceed then the transfer of TJA stops and it remains a single academy trust.

If all three parties approve TJA joining Tithe Academy then it is anticipated that TJA would become an academy within Tithe Academy on 1 September 2024.

Tithe Academy

4. Which schools are part of Tithe Academy?

Tithe Academy currently includes:

- Rooks Heath School – a co-education secondary school for students aged 11-18. Rooks Heath was judged as ‘Good’ by Ofsted at its most recent inspection in 2019; and
- Earlsmead Primary School – a co-educational primary school for pupils aged 3 – 11. Earlsmead was judged as ‘Good’ by Ofsted at its most recent inspection in 2020.

5. Who runs Tithe Academy?

Please see the section below regarding ‘Academy Governance’ for details of the governance of and within Tithe Academy.

Academy governance

6. How would TJA be governed?

The Tithe Academy already has established governance structures and a scheme of delegation which TJA would become part of. These would be reviewed to ensure that they were suitable for TJA as an alternative provision school.

A multi-academy trust has three levels of governance:

- Members – akin to shareholders (but they are technically guarantors rather than shareholders, and they cannot receive a dividend) – their main role is to appoint Trustees, but they also have to approve changes to the name of the Academy Trust and the Articles of Association. Tithe Academy has five members, two of whom are current or former Headteachers
- Trustees – Trustees exercise all of the powers of the academy trust, and determine what powers are delegated to other committees and / or office holders. The Board of Trustees is the legal Governing Body for all schools within the Trust, and Trustees are also Directors under company law. Tithe Academy has six Trustees.

- **Governors** – Each school within Tithe has a Local Governing Body that includes parents and staff. For TJA, existing TJA Governors would be invited to be part of the new Local Governing Body established for TJA within Tithe’s governance structure. In recognition of TJA as an alternative provision, the Local Governing Body would include senior leaders from schools who commission places at TJA (as the TJA Governing Body does now).

7. Would parents and staff still be involved in the governance of TJA?

Yes, the Local Governing Body for TJA would continue to include parents and staff. TJA, like alternative provision in general, often finds it difficult to recruit parent governors due to students potentially only being at TJA for a short period but it regularly seeks parental nominations.

In recognition of TJA as an alternative provision, the Local Governing Body would include senior leaders from schools who commission places at TJA. This would continue current practice and helps to ensure that TJA is providing provision that meets the needs of schools and students.

8. What happens if a school within Tithe Academy is under-performing?

The trustees of a multi-academy trust have accountability for the performance of all schools within the trust. It is expected that schools within a trust will support each other on an ongoing basis, and that all schools would benefit from this collaboration via sharing of best practice, CPD for staff, and career opportunities. Both current schools within Tithe Academy evaluate their performance as good or outstanding, and the priority of the trust is to maintain this.

It is important to remember that all schools can face challenges through staffing turnover, sickness and so forth – being part of a multi-academy trust potentially provides opportunities for the trust overall to have a more resilient staffing structure than any individual school.

The Funding Agreement enables the Secretary of State to intervene in certain situations, most commonly following an adverse Ofsted inspection but also in other specified situations.

9. How does the trust ensure financial probity and value for money?

The Funding Agreement and Academy Trust Handbook set out the requirements for an academy trust. Tithe Academy is already subject to these requirements and will integrate TJA into its processes to ensure compliance with academy requirements.

Academy policies

10. Would there be changes to the way in which pupils are admitted into the school?

No. Admission to TJA would continue to be through referral from a mainstream secondary school. The admissions policy and priorities for TJA would not change as a result of joining Tithe.

11. Would the school day and school year change?

No – TJA would retain its school day timings and would continue to set the school year in the context of other local schools.

12. Would the school name change?

No.

13. Would the school uniform change?

No.