



Anthony Gell School

Success criteria to underpin our decision to join the Embark Federation

Document control

This document has been produced from a working document that has been prepared by the governors of Anthony Gell School (AGS), specifically led by a focus group consisting of a subset of governors.

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1 Summary position

After six years of study and review, the governing body of Anthony Gell School feel the time is right to consider moving from being a local authority maintained school to part of a multi-academy trust (MAT). With several models considered, we discovered an opportunity to investigate joining an existing local trust with three other secondary schools. This document summarises the criteria that the board feel are important to consider when making a final decision in order to set ourselves up for future success.

We are pulling together our understanding of the process required. We need to determine if there are any more questions we need to ask our stakeholders. We also want to meet and collaborate to share best practise and get good ideas from the other three schools.

In the table below are the headline areas that would underpin our success criteria with our current understanding of whether the criteria would be met if we joined the Embark Federation.

Area	Position
Ethos and values of AGS	Criteria met
Level of autonomy	Criteria met
Shared vision	Criteria met
Track record of success	Criteria met
External partnerships	Criteria met
Community and local presence	Criteria met
School improvement	Criteria met
Financial stability and support available	Criteria met
Premises including Health and Safety	Criteria met
Staff protection and development options	Criteria met
Trust growth plans	Criteria met
Role and protection of the Anthony Gell Foundation	TBC
Role and protection of Gell Friends	Criteria met

Further discussion and consultation is welcomed from stakeholders to check the validity and detail of our decision criteria. Although we have marked the criteria as met, we fully understand that there are a significant number of steps that must be fully realised, documented and signed off before we are ready to convert.

2 Introduction

2.1 Purpose of the document

This document is a summary of the information gathered by the AGS governing board to support the decision on whether to proceed with the proposal to join the Embark Federation Multi Academy Trust (MAT). In some cases, further detail behind individual areas has been gathered and can be discussed on request.

2.2 History of this activity

Six years ago, the Governors of AGS established a focus group to consider various partnerships with which the school was, or could be, involved. AGS has, for several years, been part of the proactive partnership for secondary schools in our area, called Peak 11. Peak 11 was largely disbanded in 2019. AGS has been an active member of another group of Derbyshire secondary schools, a group called Connected Schools, since 2018. The school is also a key member of the cluster of primary schools in our area, known as the Cluster of Gell Schools (COGS). This partnership of schools has been operating for almost 10 years and has developed into an informal federation of schools.

AGS has also provided support to various other schools, either at the request of the Local Authority or the individual school. The school has also sought to work collaboratively with other schools on various local and national initiatives. An example of this would be the partnership working with local secondary schools on the impact of Pupil Premium (vulnerable children) funding.

2.3 Rationale for considering joining a MAT

Whilst there is still some controversy over the effectiveness of all Academies and Multi Academy Trusts (MATs) the Government has made it clear that they have an expectation for all schools to become part of a MAT, which means they must convert to being an Academy. Stand-alone Academies, which were once possible, are now very rare – with the government mandating a minimum size for a MAT which precludes standalone MATs.

The Governors at AGS are clear that they wish to remain in control of our school's future development and not be forced into becoming an Academy or part of a formal partnership with others who are not necessarily aligned with our ethos and values. Currently there are less than 12 secondary schools in Derbyshire that are not part of a MAT or pursuing Academy Status. Nationally, 80% of secondary schools are now academies. The longer any action is delayed the less likely there will be the opportunity to join a MAT of our choice.

If a school receives a poor OFSTED report, it is almost certain they will be forced into joining a MAT of the Department of Education's choosing. Whilst this is not the outcome expected by the school it is certainly not what the Governors of AGS want.

The focus group has given regular feedback to the FGB on progress, and it has been made abundantly clear that consideration will only be given to a MAT that demonstrates they share the same ethos and values as our school.

The focus group carried out a Risk Assessment on the impact of AGS joining different types of MATs and listed various non-negotiable criteria when considering various MATs. These included the size of the MAT and the area covered by the MAT.

2.4 Introduction to Embark Federation

The Embark Federation (a Multi-Academy Trust) was one that the focus group suggested to the Full Governing Body (FGB). This Derbyshire based MAT meets our criteria in relation to ethos, values, size and area covered. However, currently it is primary age children only.

Certain factors were influential in the Governing Body's decision to investigate a future partnership with the Embark Federation. Critically, the ethos and values demonstrated by Embark around care for its pupils and staff, its priorities for school improvement and its vision for the future are aligned with our own and those of other potential partners in the secondary sector, Embark has an excellent reputation and works closely with Derbyshire County Council as well as a range of schools within reasonable distance from Anthony Gell School.

Embark has a proven track record for delivering rapid and effective change and has made several contributions to the wider education system that have been appreciated and recognised nationally.

The FGB charged the Headteacher, Malcolm Kelly, and the focus group to continue to pursue Embark as a possible MAT for AGS to join.

AGS Governors and Senior Leadership Team (SLT) have already had the opportunity to meet with the senior team from Embark and have been able to have many questions answered in detail.

The Headteachers from 4 interested secondary schools (3 + AGS) have met several times with the CEO of Embark. It has been made clear they would have a key function in defining their role and contribution to the development of EMBARK if their separate FGBs chose to pursue this route, and if the DfE and Embark agree.

More details can be found at <https://embarkfederation.com/>

2.5 Other proposed secondary partners

It is undeniable that the Embark Federation is, today, a primary centred trust. The prospect of being a sole secondary in this setup would not be appealing, however, there are three secondaries, Aldercar High School, Buxton Community School and Parkside Community School, who are in a similar position to us and the combination of four schools working together makes for a significantly more interesting prospect.

These three likely secondary partners have substantial proven and pre-existing capacity that they can quickly add to the Trust in terms of secondary expertise, collaborative partnership working, and connection with the wider education sector. The schools have a proven record for engaging in change processes and playing a key role in the leadership of secondary education beyond their own schools; demonstrating collaborative leadership, coalition-building and systems insight to mobilise innovation. There is a synergy between the organisations.

Aldercar High School say 'As a small school in the heart of our local community our mission statement remains the same each year and that is to achieve the best possible outcomes for all our students thereby ensuring the best life chances for everybody in our care.'

They are based in Aldercar, Derbyshire, and more details can be found at <https://www.aldercarhigh.co.uk/>

Buxton Community School say ‘Above all, our aim is that our students should develop into sensitive and confident young citizens, as fully prepared as possible for their life ahead in an increasingly complex world, and with the knowledge, skills and qualifications that their chosen future will require.’

They are based in Buxton, Derbyshire and more details can be found at <https://www.buxton.derbyshire.sch.uk/>

Parkside Community School say ‘Our ethos is at the very centre of our school culture. It serves to promote deep self-reflection and consideration of actions among our pupils so that they make choices that are in their very best interests and those of their local, national and international community.’

They are based in Chesterfield, Derbyshire and more details can be found at <https://parkside.derbyshire.sch.uk/>

2.6 Summary results from the due diligence

Following the initial presentation of the proposal to the regional schools commissioner in January 2022, Embark were charged with undertaking a set of enhanced checks (due diligence) on the four secondary schools to make sure that there are no major hurdles that would jeopardise the MAT or the schools if an academy order was issued and the schools converted.

There were seven focus areas: safeguarding, capacity, HR, culture, quality of education, finance and estates.

- No issues were identified with Culture, all four secondaries aligned with Embark.
- Routine issues were identified with safeguarding, capacity, HR, and quality of education. All could be routinely mitigated by school and trust actions without any concerns raised.
- Notable issues were identified with finance and estates. Embark are confident that both can be reduced to routine issues once the schools have joined the trust.

With the detailed information the due diligence provided, the regional schools commissioner gave wholehearted approval to the proposal.

2.7 Alternative options if this proposal does not proceed

The options to be considered should the current proposal, for whatever reason not proceed, are presented in the following table. However, it should be noted that no option offers complete security against aggressive takeovers or financial failure. Furthermore, no option offers protection against future business or government intervention.

	Option	Considerations
1	Continue as a LA maintained school and look to form more formal partnerships with other maintained schools	<ul style="list-style-type: none"> • Maintains the same level of autonomy and management as now i.e. no change to current arrangements • Limited number of schools wishing to remain part of DCC LA structure • Reducing financial and facilities support • Risk of being forced down a less acceptable MAT road due to non-viability of the LA education department • Not a long term viable strategy

2	Form an independent alliance of like-minded partner schools – which could include secondaries and primaries	<ul style="list-style-type: none"> • Remain in control of own destiny and ethos • Financial autonomy once funding streams agreed • Curriculum and staffing autonomy • Opportunity for AGS to take the lead role • Time to set up may be lengthy and viability of LA department may impact on the process • The number of interested schools has decreased (two potential partners exploring the Embark option) • Changeover may be financially risky • Not a long-term viable strategy
3	Form a Multi-Academy Trust (MAT) with partner Primary school(s)	<ul style="list-style-type: none"> • Local version of 2 above • all the above applies but has a strong community benefit • Keeps COGS schools under local management • Very unlikely that there is sufficient scale to make viable • Massive overhead to create a MAT on school senior leadership and governing body
4	Form a Multi-Academy Trust (MAT) with partner Secondary school(s)	<ul style="list-style-type: none"> • Similar considerations as with 2 but as a MAT • Same advantages and disadvantages • Opportunities for growth if that is seen as a good option for delivering operational efficiencies and the sharing of best practices • Not clear there are sufficient like-minded schools to make a viable sized MAT
5	Join a pre-existing Multi-Academy Trust	<ul style="list-style-type: none"> • Only Embark has to date come close to AGS requirements • Other options could carry the risk of losing identity, autonomy, and ethos • Most would not fit the community role of AGS

2.8 Key stakeholders

Engagement with all stakeholders is important and we will strive to discuss these criteria, hear feedback and thoughts from all members of our wider community with the objective of understanding and building consensus on our approach. We plan to contact and advise the following groups directly.

- Anthony Gell staff
- Anthony Gell students
- Parents and carers of current students and, where possible, those who plan to start in September 2022
- Neighbouring schools (primary and secondary)
- Current partner schools
- Freedom Leisure
- Derbyshire Dales District Council
- Derbyshire County Council
- Groups that use Anthony Gell school
- Anthony Gell Foundation
- Gell Friends

- Wirksworth town council
- Wirksworth Swimming Pool
- Local Health Services
- Wirksworth Festival
- Members of the local press

3 Success criteria

3.1 Section content and format

This section of the document gives additional detail for each of the areas that are critical for us to decide whether to proceed with the proposal.

Each sub-section then covers one of those areas. They are further broken down to explain what we must have and what we would like to have. It is followed by the evidence and detail that has been gathered to support or refute.

3.2 Ethos and values of AGS

3.2.1 Explanation

The strong ethos, values and vision of AGS: Care, Aspire and Achieve must not be changed, as a result of membership of a MAT, but be retained, shaped and developed wholly by AGS as directed by its Governing Body.

AGS is a fully inclusive school which recognises the need to provide a learning environment in which all can and do succeed. The school cares about its students and encourages all to aspire whilst providing an environment in which students can achieve.

AGS is a community in which learners are safe, happy, well supported and inspired. Students are confident and aware of their potential and work hard to achieve academic excellence and self-fulfilment.

Students and staff share a sense of pride in the collective achievements and a sense of belonging.

The Curriculum provides challenge and motivates students and staff, enabling progression and independent learning, whilst equipping them with the knowledge they need

AGS and the community in which it is a part of is rightly proud of its strong Ethos and Values which the School is currently able to wholly retain, develop and shape, as it deems fit and appropriate.

The Ethos and Values have been built and shaped over time and Anthony Gell is a very special place to learn.

3.2.2 Evidence

Embark have given both verbal and firm written assurances, during meetings with Governors on 17 May 2021 and the senior Leadership team that it will not change AGS's Ethos and Values. This is evidenced in various minutes of meetings with Embark and responses to questions.

Embark has similar ethos and values to AGS, namely its vision is to create stand out schools at the heart of their Community. Embark's Core Purpose is to develop well rounded children with the skills to make a difference in our ever-changing world.

Embark's core beliefs are Family, Integrity, Teamwork and Success, and as such there is a great deal of synergy between AGS's Ethos and Values and those of the Embark Federation.

Embark currently has 15 Primary Schools as part of its federation. Contact has been made with some of these Primary Schools and a review has been undertaken of all the Primary Schools websites. The evidence is clear that the differing and individual Ethos and Values of each school has been retained after joining Embark.

Further evidence demonstrates that the Embark Federation schools have been able to determine how they work and operate daily, interact with key stakeholders and local communities, teach and develop their curriculums, and how staff and students are cared for and treated, whilst demonstrating their core values and ethos.

The primary schools have been able to retain independence, to shape their futures, to engage with their local communities and key stakeholders in very individual, one off and relevant ways.

3.3 Level of autonomy

3.3.1 Explanation

AGS must retain a prominent level of autonomy in any formal partnership. The MAT Scheme of Delegation is a key document providing evidence of areas where autonomy is delegated to an individual academy and their Local Governor Team (LGT).

Where an academy is performing below target An Academy Improvement Board (AIB) will be established by the Embark Federation Board to secure the rapid turnaround of an Academy. Whilst the AIB is in place, the Scheme of Delegation for the Local Governing Team shall be suspended.

Autonomy to be retained in the following areas:

- Admissions
- Collaborative planning of Parent sessions
- Discipline- staff and students
- Educational and social visits to be planned collaboratively
- Exam boards and entries decided
- Financial management
- FGB agree all policies
- Governors agree which roles of governance are delegated to HT
- Governor Link roles continue
- Governors work with SLT on deciding curriculum
- Governors work with SLT on deciding staffing structure
- Leadership team makes day to day decisions
- Majority of calendar (possible joint training days and agreement on dates for training days and holidays)
- Oversight of CPD, including succession planning and developing leaders
- Performance Management
- Recruitment of staff except for HT, with appropriate governor involvement
- Safeguarding
- School keeps oversight of wellbeing of students and staff
- School creates and manages timetable

- School takes the lead in monitoring and developing teaching and learning, student achievement
- Staff not moved between schools without agreement

3.3.2 Evidence

We have been able to confirm that all the above items are maintained to an acceptable level. Extensive detail is provided in the Embark scheme of delegation. Furthermore, Embark have given assurances all schools and their leaders will have the opportunity to help policy development within the Trust. The headteachers of the 4 interested secondary schools have already had several opportunities to meet and discuss various issues and decisions, some of which are related to their school retaining autonomy. In addition the below items give a further flavour on specifics mentioned above.

The current Governance structure for Embark states that each school will have a 'Local Governing Team' made of 9 or 11 governors. Their responsibilities include:

- Shaping the vision and strategy for the school within the MAT core beliefs
- Holding school leaders to account for educational performance and performance enhancement of staff.
- Ensure local school finances are well spent
- Monitor the 'Helping Hands' School Improvement Cycle
- Work to the same Scheme of Delegation
- Engage with stakeholders in the local community

Under Key Responsibilities in the Scheme of Delegation it states that 'All academies will follow the Trust's behaviour policy for permanent exclusions and work with the LA to ensure independent permanent exclusion appeals. Embark Federation will be involved in any final appeal' This does reduce the HT's and Governors' autonomy in deciding on a Permanent Exclusion.

In the Scheme of Delegation, the HT and Local Governor Team retain the same role as currently in relation to staff discipline, unless the issue is with the HT, in which case it is the CEO who leads and not the Chair of Governors.

Academies are judged by the CEO, based on rigorous use of performance data this will be reflected in their governance arrangements. While the Trust will be cognisant of the last inspection grade, the Trust leadership team will continuously review the performance of all individual academies and will agree, with Headteachers, a current performance grade. This current performance grade will, then, be used to determine the support needed for each individual Academy and, the level of decision making delegated to the Academy. For schools where the Trust determines performance to be effective or better, the maximum levels of delegation will apply. Where performance is less than effective, Trustees reserve the right to limit delegated decision making levels.

3.4 Shared vision

3.4.1 Explanation

The AGS vision is well described in section 3.2 and so is not repeated here.

There are four groups who must have a commonality of shared vision if this proposal is to proceed: Embark Federation and the three other secondary schools. All the partners need to have a broadly

overlapping set of objectives, even if the language used to describe is subtly different. We do not need complete agreement in all matters, in fact our diversity and differences of opinion can be hugely beneficial as we approach the task in slightly different ways and gain the opportunity to learn from alternative points of view.

There needs to be a spirit of openness and willingness to listen and learn from others. This is not always easy to measure, but there should be a few concrete examples that can be seen.

3.4.2 Evidence

Embark's core purpose (<https://www.embarkfederation.com/our-core-purpose-and-shared-vision>) matches well with our own focus on considering the whole of the student rather than sole focus on academic results. Their shared vision references a commitment to the community that matches our own. The presentation provided to the governing body on 17th May 2021 listed their four key values as: family, integrity, teamwork and success.

The three other Secondary schools that are part of this proposal are Aldercar, Buxton and Parkside Community School and these are strong and flourishing schools with similar and overlapping shared visions.

Aldercar challenges students to have high expectations of themselves throughout school life. Being respectful, courteous and disciplined allows students to develop into responsible members of both the school and their local community.

Buxton School states that it is a family with a vibrant diversity at the heart of the community and believes that every pupil can be inspired to be the very best that they can be, with integrity and the aim for all young people to become high achievers and kind, active citizens.

Parkside Community Schools vision is for young people who have the essential knowledge to be educated citizens and to continue to develop the values, knowledge, competencies and attributes that will enable them to enjoy learning, achieve personal excellence, relate well to others and live safe, full, healthy and satisfying lives, with integrity being key.

Embark have already invited the four secondaries to join several multi-school sessions to learn and share best practise.

Work has been undertaken by the four secondary schools and Embark on leadership, curriculum development, levels of accountability and autonomy. This work has been rewarding and fruitful with all schools benefitting and learning from best practise.

Buxton school has recently assisted AGS with recruitment of senior leaders.

Secondary headteachers have already attended and participated in Embark's termly leadership development days. During this they were thinking ahead about joining the trust and how to ensure the staff induction was the very best it could be. They discussed growing careers within Embark and the possibility of an Embark Aspiring Leaders programme. There was such a clear alignment between the schools vision and values and those of Embark and all present were excited by this.

3.5 Track record of success

3.5.1 Explanation

Success in education can be defined in many ways. The most obvious and frequently used are data driven approaches such as academic results, Ofsted ratings or financial measures, but there are any number of other critical success factors in education around wellbeing, readiness for the next phase of life, engagement in the community and world around us and perhaps most importantly the happiness of the students.

In this section, we will consider data driven academic results in terms of Ofsted results and touch on some of those subjective measures. Any MAT that we join should be able to reflect on a track record of predominantly “Good” or better ratings over a sustained period.

We should also see several examples of sustained programmes of effort with positive outcomes for students.

3.5.2 Evidence

Unfortunately, due to the pandemic, there have been no publicly published figures or Ofsted reports for any of the current Embark schools. Informal reports and discussion gives great confidence that ‘good’ levels are being maintained for all schools.

Embark have a proven track record in providing quality material that has been used by educators across the UK and abroad.

There is ample evidence that life opportunities in the form of external trips have been created by Embark for their current students. In many cases these students wouldn’t otherwise have been able to experience these amazing trips.

In addition to ourselves, there are a significant number of schools who have approached Embark about joining their trust in the time we have been discussing the details of the proposal. This gives further comfort of the benefits they offer being recognised by others.

There is clear evidence that Embark have managed to bid for and have confirmed some significant capital improvement grants for the schools within the trust.

The finances of the trust and schools within are in a very positive position as evidenced in section 3.9.

3.6 External partnerships

3.6.1 Explanation

AGS has a number of External partnerships which the school has built up over time and which it trusts and values for example, Freedom Leisure, Browne Jacobson, Catering, Derbyshire District Council, Peak 11, COGS, local suppliers and partners. These external partnerships have been selected by AGS after due processes for example tenders, meetings, referrals and in turn the external partners AGS uses, mirrors or endorses the school's ethos and values and enables the school to retain its ethos and values.

AGS should remain at liberty to retain, develop, end, expand and/or enter into existing and additional external partnerships as it feels appropriate and relevant, including any put forward by Embark.

AGS is aware that Embark may bring economies of scale, and put forward proposals for central purchasing, with benefits of increased bargaining power to negotiate contracts, however AGS should be able to decide and have the final say on who it partners with, for what services and goods, and, at what cost including quality, deliverables and for how long external partnerships exist.

AGS should retain direction and decision-making ability concerning forming external partners whilst being able to take advantage of any potential external partnerships as introduced by Embark.

3.6.2 Evidence

Embark have given verbal assurances that AGS existing partnerships will not be changed unless there are good reason to do so, for example economies of scale, cost reductions, service enhancements.

Embark continue to work with DCC for example and AGS will also continue to have a relationship with DCC where appropriate.

Embark has 15 primary schools as part of its MAT and further evidence supports that the individual schools have been able to retain existing partners where it has been deemed important and necessary to do so.

Embark have stated that they do not have a 'one size fits all' policy across its schools and they have demonstrated a collaborative approach with their existing primary schools. What are Embark's views on individual schools retaining external partners where the relationships have been well established and good work at good value is delivered. Would Embark be willing to extend such partnerships into their other schools if deemed advantageous.

The Embark Federation has a Scheme of Delegation which indicates that local responsibility and accountability is encouraged where appropriate with each school having different Service Level agreements and contracts in place. It is the responsibility of the Headteacher working with the school to manage local SLA's and Contracts.

Embark state that their Boards intention is to be as light touch as possible.

Embark states that its Academies are a partnership of equals, and that members of the local Governing teams are best able to service the needs of each school and its local community.

There is no central procurement policy for Embark on its website.

3.7 Community and local presence

3.7.1 Explanation

Background

Anthony Gell School currently benefits from strong active partnerships with local primary schools, Peak District Secondary Schools and with the local community. As examples:

COGS (Cluster of Gell Schools) is a working group of geographically local Primary schools that link with AGS. It aims to support and expand the work of individual schools and share best practice.

The Peak 11 Federation was formed in 2004, bringing together the eleven secondary schools in the High Peak and Derbyshire Dales with the aim of improving educational opportunities and providing collaborative vocational education for the young people across the area. The federation has now dispersed to a large degree due to many of the schools concerned establishing academies or joining a MAT, but there still exists a positive relationship and ongoing informal partnership.

AGS must be allowed to continue to develop these positive partnerships to benefit from the added value.

AGS values our position at the heart of the local community, and two-way links that we enjoy with the community, as a key element in delivering our mission and vision. We seek to maintain and develop the links we currently benefit from with the local community.

3.7.2 Evidence

Embark stand by their statement creating "Stand Out" schools at the heart of their community by supporting AGS in the maintenance and development of positive partnerships and links, particularly in respect to SLT and staff time and resources. (for example, time spent in sustaining and co-ordinating relationships with businesses and professionals in the community that can bring positive work experience and training benefits to students)

The COGS group of schools, representing the feeder primaries to AGS, should maintains its partnership work and continue to provide support and mutual benefit to all the schools involved in the group.

There is space for ongoing links and informal partnerships with other secondary schools, for example those that AGS has historically worked with through Peak 11, to be pursued where beneficial.

Funds raised by activity in and with the community, and through charitable donation, can be used to directly benefit AGS students' education and enrichment.

The co-operative relationship with sports groups and leisure centre to provide, maintain and share use of excellent sporting facilities for the benefit of both school, town and surrounding villages is protected, and the mechanisms for the partnerships between AGSF, AGS, Freedom Leisure and DDDC are evidenced.

Embark encourages links with the local community through its award scheme, for example:

- Clean up the community
- Sing in an old people's home
- Belong to a team outside of school and show evidence of this

Many primary schools in the Embark Group talk about links with community e.g.

- Chaucer Junior: "aim to actively promote links between the home, school and the wider community"
- Aldercar Nursery and Infant: "Enable our children to become responsible and proactive members of our local, British and world community"
- Howitt Community Primary: "Central to our vision is helping children to be positive members of our school and the wider community."

Within Embark group of schools there is active fund-raising through PTAs, through connection with locally based charities and through community activity; decisions on spending funds raised in this way are made by the individual school concerned.

Some schools receive support, and may benefit from, from local hubs e.g. Amber Valley; Embark has discussed the development of a local hub for the DDDC, and other local councils, at previous presentations to the governing body.

The Governance structure for Embark allows Local Governing Teams at each school of 9 or 11 governors and one of the key elements expected of these governors is to 'engage with stakeholders within the local community.'

3.8 School improvement

3.8.1 Explanation

The partnership should be focused on school improvement and in providing opportunities for all students to experience high quality learning, equipping them for the world in which they will live in and contribute to their success.

3.8.2 Evidence

Currently, whilst recognising most of the experience of School Improvement amongst Embark leaders is primary based, many of the skills applied to this are transferable to the secondary sector. All the key leaders in Embark can demonstrate impact in improving outcomes for children in numerous schools. This is from the CEO, the head of school improvement (primary) and the majority of Headteachers. Even headteachers new to this role can evidence a positive impact on school improvement.

School improvement activities in all current schools in the Embark MAT are judged to be good or better.

The trust currently has 2 NLEs (National Leaders in Education). These colleagues work with HTs to grow leadership capacity within the Trust. The partnership with other secondary schools applying to join the MAT will increase capacity in this area. There is an NLE currently in a senior position at AGS

Access to Ofsted trained staff and support for inspections is provided by the Trust.

Guidance provided in writing key documents.

A Secondary School Improvement lead will be appointed with the involvement of the HTs from the 4 interested HTs. Currently we receive 3 days of external support from the LA. Indications are this would be increased if we join the MAT.

Various strategies for developing and improving governance in individual schools are currently offered to Governing Bodies of schools in the MAT.

The Embark Board meet regularly and as often as necessary. The Chair of Embark Federation and CEO will schedule meetings with the Headteachers and Chairs of Local Governing Bodies as and when required. This provides an opportunity for information sharing between Embark Federation and Local Governing Bodies and have issues raised which may have influence across its broader

family as well as institutions. Feedback from the Trust will be a standing item on all Local Governing Team agenda.

The proposed development of regional hubs in each of the Derbyshire districts would enhance the opportunities for shared school improvement initiatives across all educational phases. This could further develop the COGS partnership that exists in our area.

3.9 Financial stability and support available

3.9.1 Explanation

The Trust provides financial stability and investment opportunities.

AGS forecasted budget revenue surplus and capital carry forward is achieved and protected.

Funding streams remain untouched or increased eg Pupil Premium, SEND.

Financial support from Anthony Gell Foundation is unaffected including lettings income (see 3.13 Role and Protection of Anthony Gell Foundation).

The shared use agreement with Freedom Leisure is maintained

Significant & effective central support is provided by the Trust and to replace those services currently provided by the LA : Legal, HR, GDPR, Audit, Premises Inspections, Health & Safety, Risk Management, ICT & new technology, Occupational Health.

3.9.2 Evidence

Embark presentation to AGS Governors May 2021 : “All 12 schools in the Trust are now in a stronger financial position”

Embark Statement of Accounts 2021 : Income £20m, Surplus £4.8m, Net assets £23.8m - for further detail see the accounts on the Embark website, Key Documents, Finance, Statement of Accounts to Aug 31st 2021. P12/13 : “Pension Fund deficit of £10.2m will result in a cash flow effect.”

Embark have several strategic partners they work with : eg Lead ICT, Surveyor2Education, Dains Accountants Internal Audit, Flint Bishop Solicitors, PKF Smith Cooper Audit Ltd External Audit. There is a Finance, Audit & Risk Committee, a Finance & Operations Lead and they have appointed a Financial Controller.

3.10 Staff protection and development options

3.10.1 Explanation

AGS staff are one of our most important assets. We need to make sure they are protected and valued. Staff terms and conditions should be transferred from the LA without change including salary and allowances, holiday entitlement, TPS & LGPS pension scheme entitlement, absence pay, maternity and paternity pay. Training and Development should be encouraged and promoted by the Trust. Economies of scale gained by the conversion must not be borne from the staffing structure.

3.10.2 Evidence

DfE statutory policies relating to staff discipline, conduct and grievance procedures, and allegations of abuse against staff apply equally to academies as they do to LA maintained schools. Embark has all relevant policies in place, published on the federation website.

During the meeting and presentation from leaders of Embark with AGS on 17th May 2021, the following assurances were given by Embark:

1. No changes to staff terms and conditions.
2. School retains autonomy in right places.
3. Staff are not asked to move schools (except by agreement).
4. Career development is supported with training opportunities, coaching and mentoring.
5. Staffing structure retained with no reduction in roles.
6. Recruitment - AGS governors appoint staff with the Head teacher as currently.

Collective agreements such as the 'School Teachers' Pay and Conditions Document' and 'National Agreement on Pay and Conditions of Service (the Green Book)' do not apply to academies, although TUPE regulations would apply to AGS teaching and support staff. The conditions applicable at the date of transfer would be transferred to their employment with Embark. Casual staff such as supply teachers would not necessarily transfer under TUPE regulations. TUPE is indefinite and terms and conditions can be improved. <https://www.acas.org.uk/changing-an-employment-contract-after-a-tupe-transfer-employer-responsibilities>

Staff terms and conditions can be changed in the future, even when transferred under TUPE, for 'economic, technical or organisational' (ETO) reasons involving a change in the workforce. For example, where essential cost-savings are required or as part of a restructure, which may or may not be subject to local governing body approval, depending on the governance structure at the time. Terms and conditions of staff could also be changed to benefit members of AGS staff and a future transfer to standard Embark terms and conditions may be possible, if there is a perceived benefit to staff.

Although the DfE would meet liabilities for the Local Government Pension scheme in the event of academy closure, evidence could not be obtained at this stage of sufficient future planning to meet increased TPS and LGPS pension contributions. Further details on standard pay structure terms and conditions including pay progression offered by Embark to be obtained and provided to current AGS staff for information and for future staff appointments to AGS after academisation.

3.11 Premises including Health & Safety

3.11.1 Explanation

Embark ensure effective maintenance of and investment in AGS buildings and facilities including ICT and new technology.

As student numbers increase, investment is made in creating extra space and resources.

Regular premises, H&S and facilities inspections take place and action taken as required.

All AGS's current safety management systems and policies are upheld and improved:

- Work with the SLT and governing body to address changes in safety legislation and implement them.
- Hold regular dialogue with the SLT and H&S governor to share best practice to improve both AGS and Embark's ongoing safety management
- Respect any aspects of safety management unique to AGS's situation

- Endorse the AGS whistle blowing procedure and allow it to be applied to Embark management if any concerns occur regarding their approach to safety

3.11.2 Evidence

In 2021, Embark received Condition Improvement Funding of £1.5m from the DfE.

As a result of exceeding 3,000 pupils in 2021, Embark are eligible for a Direct Capital Grant from the DfE. This funding should increase if the 4 secondary schools join Embark – it will be important for AGS to ensure a fair share of this funding to improve buildings and facilities

Embark have employed the services of Surveyor2Education and Every to work on estates and compliance.

From Embark’s Risk Assessment Health & Safety Category RED: “Work with Estates & Finance to finalise a capital expenditure strategy plan using the DCC Conditions Survey and Surveyors2Education Survey. Embark have completed a Condition Survey across AGS and there are major projects to be undertaken at significant cost.

3.12 Trust growth plans

3.12.1 Explanation

It is essential for Embark to be able to confirm their strategy for growth and to provide assurances that any growth ambitions do not undermine the MAT’s ability to deliver against its vision, mission, and values. Any future expansion of the MAT must not in any way undermine AGS’s position at the heart of the local community.

It will also be important to establish that the percentage of income allocated to student facing activities is optimised through any plans for expansion of the MAT, with the aim of always exceeding a baseline percentage equivalent to the figure currently allocated by AGS to such activities.

3.12.2 Evidence

In terms of growth Embark have some key principles:

- Never approach a school.
- Maintain 3:1 ratio of good or better schools to those that require improvement.
- Move towards geographical teams.
- Has to be a good fit with values to protect schools that are already part of Embark.

They plan to move towards regional teams of approx. 6-8 schools, so they get the benefits of working in a tight knit team but also the economies of scale of being part of a larger trust.

Due diligence is thorough to ensure current schools are protected. It is as much about seeing if school is right fit for the trust as vice versa. They do not take on every school that asks to join and have examples of reasons where there has not been a good fit. They are not actively pursuing growth so therefore take each request and start from there.

Embark take 5% of the General Annual Grant from each school, which doesn’t include any pupil premium funding, and the rest goes to the school. This has been the same for the last 3 years with no wish to change it.

As they move to the regional model then undoubtedly the central support model will evolve and this will create the opportunity for the development of regional provision which should start reducing the amount of duplication and repetition across schools in the Trust. They continue to review opportunities for joint procurement so that they can deliver more economic and efficient services to all schools.

3.13 Role and protection of the Anthony Gell Foundation

3.13.1 Explanation

The Anthony Gell School Foundation (AGSF) is a Charitable Trust responsible for administering its property and investments for the benefit of the School and its students, former students and young people from the local community, and has been a constant source of support and additionality to the school, providing items, services and facilities. It also promotes the education of persons in need of financial assistance in the following order of priority:

- Students of the school
- Anyone who has at any time attended the school
- Persons under the age of 25 and resident in the Parish of Wirksworth and the surrounding villages.

The trustees have a multi-generational responsibility to look after the Foundation's assets, students and former students in the coming years. There must be no material change, exposure to risk or impact on assets by this proposal. Material assets include:

- The Hannage Playing Fields
- 3 Astro-turf pitches and integral equipment
- Half of School House
- The unadopted stone surfaced cul-de-sac at the end of Canterbury Terrace
- The perimeter land around the outside of the playing fields
- The land on which the school, the Leisure Centre, the Swimming Pool is built on

Sufficient legal agreements will need to be drawn up between Embark Federation and AGSF which specify that:

- The Foundation's assets will be fully protected for use by the Foundation to fulfil the charitable objects of the Trust
- The Foundation's assets remain fully within the AGSF Trusts' governance
- The fabric of buildings owned by the Foundation are fully and properly maintained in a returnable condition throughout their use, with no dereliction, and with legal assurance of future repair.
- Foundation land leased to the school and Leisure Centre, and any other future leaseholders, is fully and properly maintained.
- That all leases are secured and protected before conversion, and any unresolved management issues (for example, proportionate electricity charges on the Astro pitches shared between school and community use; clarification on shared costs of fabric and equipment of Astro pitches proportionate to school and community use) are either resolved before a conversion or clearly noted as requiring resolution.

- All income to the Foundation from lettings of facilities regarding the hire of Astro pitches, is protected as per current agreement.
- All and any structural changes to the MAT, including potential absorption into larger MAT, ensures protection of the Foundation's assets and governance as above.

3.13.2 Evidence

AGSF Trustees have met with Embark Federation and clarified the independent status of the Foundation as a charity, including assurance that all necessary legal agreements will be drawn up before any conversion date. Simplistically, Embark would seek to replace Derbyshire County Council in any relevant current leases.

Trustees have also discussed creating a working Document of Understanding in order to move forward.

AGSF trustees will continue discussions in order to gather evidence for mutual understanding and ensure a future positive partnership. AGSF also requests:

- A governance structure for the MAT that enables AGSF to have contact with financial and strategic decision-makers through formal representation of some sort with the Embark Federation. (At present AGSF Trustees have representation with voting rights on AGS Governing Body, and AGS Governing Body is represented at Trustee meetings. As important decisions about the governance of the school in relation to Embark governance are considered, this needs to be taken into account.)
- That AGSF would receive regular updates from both school and Embark Federation and can hear from those that need individual support.
- The MAT manages estate issues locally with community users to ensure communication with AGSF regarding issues with the pitches and/or perimeter.

3.14 Role and protection of Gell Friends

3.14.1 Explanation

Gell Friends (GF) is our parent and friends association that provides funding and support for a myriad of causes and situations. Any proposed shift should not impact their work or funding.

3.14.2 Evidence

Embark have given assurances, via the CEO, that there will be no impact or change for such groups as Gell Friends if AGS become part of the Embark MAT. Any funds raised will stay with the school and the students. Embark will support all such groups and will raise the profile of any fund-raising events.

Looking at the profiles of each of the schools already part of Embark MAT it is evident that they all have some form of parent, staff and, in some examples, friends of the school, who support fund raising activities for the school and charities. It is evident from school newsletters and web sites that schools have been able to give extra opportunities to children to support learning or provide additional social activities to benefit pupils.

4 Timeline of past and future action

4.1 Past activity

The following table details key activity that has already taken place.

September 2015 – July 2020	Various members of the governing body and the AGS Foundation have analysed Academy Trusts in various guises to ascertain whether there would be any advantages in converting or joining such a trust.
September 2020 – March 2021	A detailed review of options . Including current and possible future local partnerships, becoming an ‘empty MAT’, joining an existing MAT, an analysis of a range of existing MATs, speaking with local schools (primary and secondary).
September 2020 – date of conversion (if this happens)	Regular opportunities for governing board to consider progress, proposal(s) and agree on next steps (which will include the option to stop the process at any time before the conversion date)
March 2021 – June 2021	Consideration and evaluation of options by governor working group , with recommendations being made to FGB, discussions and FGB and agreements reached .
March 2021 – June 2021	HT meetings with possible partners .
May 2021 – September 2021	Initial due diligence checks – sharing of staffing model, financial position future stability. Meetings between MAT representatives and governors . Question and answer sessions.
June 2021	Agreement of timeline and communication strategy with prospective partner schools.
June 2021	Initial conversations with regional representatives of Regional Schools Commissioner’s Office (RSC) by MAT senior leaders.
June 2021	DCC informed of option being considered.
September 2021	Start of informal consultation . Including communications with staff, parents/carers, Foundation Trustees, partner schools, trade unions.
September 2021 – Any Conversion Date	Continued due diligence by all parties. More detailed checks than before.
October 2021	Completion of expression of interest with DfE (online application) by HT and Chair.
From October 2021	Review of feedback obtained via informal consultation and FGB decide whether or not to proceed to period of formal consultation.
From November 2021	Visit(s) to school by Embark employees.
January 2022	Initial consideration by Advisory Board . Enhanced due diligence required before proposed April 2022 revisit to Advisory Board
January 2022	Initial creation of success criteria to enable to all stakeholders and the governing board to guide and support decision making required in progression of the proposal.
January 2022 – April 2022	Detailed due diligence being undertaken ahead of review by the Advisory Board.
April 2022	Detailed proposal reconsidered by Advisory Board , prior to their recommendation going to the RSC.
April 2022	RSC approve proposal .
May 2022	Formal consultation begins

4.2 Future activity

Detailed below is our current best understanding of the timetable ahead of us. Dates are usually the earliest point such an activity is likely to occur and may be delayed or changed.

May 2022 – conversion date	Review and update of success criteria to enable to all stakeholders and the governing board to guide and support decision making required in progression of the proposal.
May 2022 – conversion date	Legal proceedings involving DCC, AGS Foundation and Embark. Focus on land ownership/transfer.
May 2022 – June 2022	Period of formal consultation . Formal consultation to include, but not be restricted to, public meetings.
June/July 2022	FGB review feedback from formal consultation and agree on next steps.
October 2022	Earliest likely date for the first two of the schools to convert (could be anytime between October and March 2023).
February 2023	Earliest likely date for Anthony Gell School to convert, if governors decide AGS should join Embark.