



Department
for Education



THE CHURCH
OF ENGLAND
EDUCATION OFFICE

Memorandum of Understanding between the National Society and the Department of Education

Published 18th April 2016

<https://www.gov.uk/government/publications/church-schools-and-academies-memoranda-of-understanding>

Purpose

- Sets out the key principals and working arrangements between the National Society and the Secretary of State
- Applies to all Church of England schools seeking to become an academy and statutory action related to Church of England schools

Key parties

- Regional School Commissioners (RSCs)
- Diocesan Boards of Education (DBEs)
- Diocesan Directors of Education (DDEs)
- Governors and Leaders of all Church of England schools
- National Society Officers
- DFE and EFA Officials

Key Principles

- 1) Commitment to Church of England education and CofE schools in the national system
- 2) Commitment to securing the religious character of CofE schools and preserving the diocesan families of schools
- 3) Recognition by Secretary of State of the role of the DBE, and land trustees of CofE schools and other stakeholders

Key Principles

- 4) RSCs and their staff are bound by the agreement and are expected to comply with the guidance
- 5) Commitment to joint working between RSC and DBEs/DDEs to ensure consistency and transparency in all actions and decisions
- 6) DBE retains the sole responsibility for any judgements regarding the religious character of CfE schools (through SIAMS and DBE Measure)

Key Principles

7) Model Documents will be used for CofE schools

- **Articles of Association**
- **Church Supplementary agreement**
- **Special clauses for Funding Agreement**

8) Expectation that all parties will comply fully with Memorandum of Understanding

Academy Conversion



Clear Expectation

*“Church schools that wish to convert will do so as part of a MAT with governance arrangements that reflect, at member and director level, **no dilution** of the level of church governance and involvement as it was immediately prior to conversion...”*

DBEs will not usually expect to see a Church of England VA school joining an existing or new Church minority MAT”

What does this mean?

The DBE will only give its consent for:

- Voluntary Aided (VA) schools will join ‘Church majority’ MATs (which can include community schools)
- Voluntary Controlled (VC) schools can join ‘Church Minority’ MATs (which can include community schools)

With the DBE’s explicit agreement, and in exceptional circumstances VC schools may be allowed to join Church majority MATs

‘Mixed MATs’

- The DBE **will not** give its consent to any Church of England school (VA or VC) joining a MAT without any Church Corporate Members*

For example, a Church school will not be allowed to join a MAT consisting of exclusively Community schools or non-church academies

- VA and VC schools are able to form ‘Church Mixed MATs’ between Church schools **providing** that Church corporate bodies **are in the majority** on these MATs

Church Corporate Bodies

The Church of England ensures the status, ethos and religious character of its schools through the appointment of Church Corporate bodies as Members of CofE MATs:

- **The Diocesan Bishop or Suffragan Bishop**
- **Archdeacons**
- **Rural and Area Deans**
- **Diocesan Board of Education**

Rochester DBE policy



- *Prioritise its resources towards supporting and facilitating the growth of Church of England MATs across the diocese*
- *Adopt a more pro-active, positive stance towards the academy programme, encouraging the development of the existing CofE MATs and supporting the creation of new Primary school MATs across the diocese*

RDBE Academy Criteria



- DBE will give its consent to one of its Church schools becoming an academy **in principle** when it is satisfied that its academy conversion criteria is met in full, see:

<http://www.rdbe.org.uk/schools/academies/conversioncriteria>

- This includes an administrative charge payable to the DBE of £4.5K to cover the costs of the DBE in supporting the school to ensure that its Church status and religious character is appropriately protected through the process

Starting the process

- All Church schools must contact the DBE through John Constanti, (Lead Officer for academy conversions) **before** starting any discussions with other schools or MATs (Church or Community) or contacting the Local Authority
- The DBE may consult and liaise directly with the RSC to seek their agreement to the school's proposals – the RSC makes the final decisions and may reject a proposal
- The DBE will discuss the options available to the school with the Governing Body and Headteacher of the school **before** agreeing to a solution and will then issue a letter indicating the DBE's consent in principle
- The school can then contact the DFE and register to become an academy using the DFE website in order that the initial funding is released to the school to allow legal and project management work to begin

Contact details



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