

Formation of a Multi Academy Trust - The Elmgreen School and Rosendale Primary School

Risk 1a Strategic and reputational risks - during conversion

Risk Ref No	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
a1.1	Failure to get the Department for Education/Regional Schools Commissioner (RSC) to accept our proposed model for the MAT	Risk that conversion will not take place	Initial contact with the RSC suggests the model is acceptable	M	Develop the planning documentaion to show potential for growth once established	L	Mitigated
a1.2	Failure to monitor and react accordingly to the requirements of our stakeholders	Risk that stakeholders feel they do not have an adequate voice in the conversion process. Risk of union opposition leading to bad publicity and/or industrial action	The consultation period has been extended. There have been online and paper responses to the consultation. Staff and SLT members at both schools have met with union representatives. The SLT at Rosendale have also met with Helen Hayes MP who has expressed her support for the process	M	Continue the dialogue with all stakeholders after the consultation period. Stakeholders will be represented fully on the Steering Board which is overseeing the conversion process. Documents will be made available in other languages for those who need them	L	Mitigated
a1.3	Failure to agree a governance structure that is acceptable to all stakeholders	Risk that theParent Promoters Foundation (PPF) will withhold consent for conversion or that the Rosendale governors decide to withdraw from MAT proposal	There have been discussions between the two governing bodies and PPF and agreement on their roles in governance	M	Provide documentation (Business Plan, Risk Register and Financial Plan) to parents and governors	M	Mitigated
a1.4	A change in government or government policy impacting the creation of an MAT	Risk that conversion will not take place	No current indications that this will happen. Even with a change of government/education policy, the local authority will not be restored to its previous capacity to enable schools to access the level of support they require	L		L	Accepted

Risk 1b Strategic and reputational risks - post conversion

Risk Ref No	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
b1.1	Failure to understand the current performance and the ongoing improvement needed at both schools, leading to a fall in standards	Risk of a school in the trust being downgraded to Good/Requires Improvement leading to Ofsted involvement and reputational damage	Ofsted currently grades the schools as either Outstanding or Good. Each school has a clear plan in place for ongoing school improvement and is held to account by their governing bodies.	L	A commitment to the transparency of data is vital. Frequent opportunities will be timelined to ensure the sharing of performance data across the schools. Structures will be put in place to ensure the mutual accountabilty of data. The trust will be held to account by the Board of Trustees. Each school will be held to account by its local governing body.	L	Mitigated

b1.2	A change in either school's vision and values so that they are no longer aligned	Risk that a MAT is no longer beneficial to one or more of the schools involved with no option for either school to leave	Both schools' Development Plans are written by representatives of all of their stakeholders including governors/PPF. The working party made up of governors from both schools have seen both plans and have agreed the schools share a similar ethos and values. The heads at both schools are satisfied that the 2 schools are aligned. It is possible to leave a MAT by presenting a business case to the Education Funding Agency and the Regional Schools Commissioner for approval. The Secretary of State has the ultimate say in whether the school would be allowed to leave and be a standalone academy or to join another MAT	L	School Development Plans will be shared across the schools in the trust. The board of trustees will continue to involve all stakeholders to ensure commitment to the trust's vision. The vision and values will be owned by the Board of Trustees not just the head teachers. The board will carry out an annual review of the strategic overview	L	Accepted
b1.3	A change in leadership at either school putting the shared values and vision at risk	Risk that a MAT is no longer beneficial to one or more of the schools involved with no option to leave	Both schools' Development Plans are written by all stakeholders including governors/PPF. The working party made up of governors from both schools have seen both plans and have agreed the schools share a similar ethos and values. The heads at both schools are satisfied that the 2 schools are aligned. It is possible to leave a MAT by presenting a business case to the Education Funding Agency and the Regional Schools Commissioner for approval. The Secretary of State has the ultimate say in whether the school would be allowed to leave and be a standalone academy or to join another MAT	L	Converting to a MAT provides more career opportunities for staff and the senior leadership teams making it less likely they will leave to seek challenge elsewhere. Proper procedures for appointing a new head teacher will be in place, including succession planning to ensure home grown talent is suitable for taking over the head teacher roles at either school when the need arises	L	Accepted
b1.4	Incident involving serious misconduct of staff/children in either school	Risk that this affects the reputation of the whole trust and attracts negative media coverage. Resources may be directed away from improving standards	Schools have effective policies and procedures in place to allow staff to deal with these incidents effectively	L	Effective media training to be provided for certain key personnel. A well thought through communication strategy will be put in place for managing communication with stakeholders. this risk would exist with/without conversion and we will continue all existing measures to prevent them	L	Mitigated
b1.5	Difficulties in recruiting and retaining staff	Risk that teachers are fearful of academies and are attracted to schools still under the control of the local authority rather than to the trust	Schools currently have no problem recruiting high quality staff as both are attractive places to work. Local authorities are slowly being phased out. Teaching at an academy will eventually become the only option	L	There will be many more opportunities for staff development in the MAT attracting more high quality staff. There will be more freedom for schools to promote teachers and therefore the MAT will be more attractive to teachers and other staff	L	Mitigated

b1.6	Safeguarding concerns in one school affecting the reputation of all schools in the trust	Risk that a safeguarding incident in one school will affect the reputation of the whole trust and attract negative media coverage. Resources may be directed away from improving standards while the incident is dealt with	Schools have effective policies and procedures in place to allow staff to deal with these incidents effectively. The leadership teams and key members of staff receive regular safeguarding training	L	Effective media training to be provided for certain personnel. PR for the trust to be managed effectively A well thought through communication strategy to be in place for managing communication with stakeholders	L	Mitigated
b1.7	The MAT growing too quickly	Risk that taking on too many schools into a fledgling organisation puts a strain on resources	School leaders have a good understanding of the risks of doing too much too soon and a desire to establish a stable well functioning MAT before taking on more schools	L	There will be documentation setting out the long term plan for the trust, including criteria for schools wanting to join as well as details of the due diligence that will need to take place before this happens. The timeline will show at which points the MAT is ready to take on new schools, varying according to the quality of school being taken on	L	Mitigated

Risk 2a Operational Risks - during conversion

Risk RefNo	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
a2.1	Pressure on workloads of senior staff in the early stages of conversion	Risk that attention is diverted away from improving teaching and learning and that health and wellbeing of staff suffer	All senior staff are enthused by the possibility of converting to a MAT and the opportunities it will offer. The current staffing structure will allow senior staff to spend some time working on the conversion	L	Clear roles and responsibilities will be documented in the project plan and realistic timelines agreed	L	Mitigated

Risk 2b Operational Risks - post conversion

Risk RefNo	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
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b2.1	Failure to ensure that the Governors/trustees possess the skills and experience required to run the trust	Governors find it difficult to take on the responsibility for other schools that they have little experience of as well as understanding the extra complexities of being part of a MAT	The existing governing bodies of both schools currently work effectively and will automatically transition over to the MAT becoming known as local governing bodies of their existing schools. Their roles will be very similar to their existing ones.	L	There will be a clear induction process for all existing governors prior to transferring over. It is important that there is proper induction and training for all governors of the MAT regardless of their experience, particularly on 'how to ask questions of senior leaders' It is the Board of trustees who will be made up of educational and local experts and it is these people who will need extra skills and experience. In this way, strategic advice given to head teachers will be improved. Challenge will be provided by other head teachers from different places The trust's Director of School Improvement will ensure effective communication prior to and post all meetings and will act as a mentor to the governing bodies	L	Mitigated
b2.2	Difficulties in retaining a high standard of teaching talent into the MAT	Teachers are fearful of academies and are attracted to schools still under the control of the local authority.	Formal and informal discussions with staff have not suggested that retaining staff will be a problem, in fact the opposite with many staff indicating excitement and renewed vigour at the opportunities the MAT will provide. Continuing to have a commitment to staff development, high academic standards, behaviour, staff well being and voice will ensure they continue to be committed to the school. Staff voice is well presented at big SLT meetings/ the governing body	L	The ability to change admissions criteria will help staff retention for children of staff who might previously have left to go elsewhere. A commitment to outstanding staff development and well being will be part of the documentation provided by the Board of Trustees. A set of commitments to be followed in order to ensure the SLT meet their leadership expectations will also be provided	L	Mitigated
b2.3	The school providing the CEO being seen as the lead school in the trust	A hierarchical relationship between the schools puts a strain on the relationships between schools in the trust leading to sub optimal outcomes	Both schools are aware of the current government preference for a single CEO but are committed to exploring other options with the Regional Schools Commissioner Both schools are entering into the process aware that the head of the outstanding school may well become the CEO	L	Advice will be taken from the Regional Schools Commissioner and the project lead from the DfE when appointing the CEO. Both schools are committed to the aim of the trust to form a non-hierarchical structure with job descriptions for the founding head teachers being co-constructed. There will be a good level of communication between both schools and the board. There will be regular discussion about the success of the model of governance so that adjustments can be made if necessary	L	Mitigated

b2.4	Pressure on the workload of the headteacher who becomes CEO - particularly as the MAT grows	Attention is diverted from improving teaching and learning in the head teacher's school	Rosendale has 3 capable deputies who will be able to share the workload of the head teacher. The CEO will be supported by experienced board members	L	An improved staffing structure with clearer lines of responsibility will be written to ensure that delegation of tasks is effective	L	Mitigated
b2.5	Head teachers losing control of staff recruitment if CEO is responsible for this	Risk that the most suitable staff for a particular position in a particular school are not recruited because the CEO isn't as knowledgeable about 'best fit' for the school as the headteacher in that school		L	A comprehensive scheme of delegation will outline who is responsible for appointments at all levels. Appointments will be made through the proper channels and proper procedures will be in place to ensure safeguarding requirements are met when recruiting. Decisions need to be taken about which appointments the local governing bodies can make and which will need to be taken by the board.	L	Mitigated
b2.6	The size of the trust board becoming unwieldy particularly if the MAT grows	Risk that decision making becomes an arduous and lengthy process	Current governing bodies have 12 members	L	There will be between 12 and 15 places on the board of trustees. These positions will not be given away lightly with only properly qualified people being eligible for the roles. The board will be properly chaired by the CEO with board papers being sent well in advance. Responsibilities of board members will be made clear. MATS can change the number of board members if they think it necessary. They can do this with the agreement of the Members	L	Mitigated
b2.7	High quality teaching staff spend less time improving standards in their own schools in order to support weaker schools in the trust	Risk that standards fall	There is lots of evidence which shows the schools already take on large projects such as Connecting Knowledge and ReflectED without impacting on school standards. Supporting other schools is hugely beneficial to the school carrying out the support in terms of staff development. Staffing structures at Rosendale will allow us to give support where needed.	L	Proper due diligence will be undertaken before schools join the trust with clear vision and planning as to how they will be improved. Proper financial planning will be undertaken to ensure the supporting school does not suffer financially and properly reimbursed for work undertaken. The Board of Trustees will write a 3 year development plan so that any school to school support required is properly scheduled and budgeted for	L	Mitigated
b2.8	The core infrastructure of the trust becomes overstretched	Risk that centralised functions such as finance and HR don't work as efficiently as they should and that is hard to ensure consistent procedures and systems	There are areas of both schools current infrastructure that don't work as efficiently they could currently. Opportunities for sharing skills and knowledge are being sought	L	Sharing of expertise across the schools will improve the functions rather than make them worse. Decisions about these functions will be taken at board level and will allow the best practices across the whole trust to be shared. Staffing structures will ensure a local representative in all schools	L	Mitigated

b2.9	Health and wellbeing of staff is adversely affected in the MAT	Risk that staff morale is low, good will is lost and absence figures rise	Both schools have a commitment to staff development, high academic standards, behaviour, staff well being and staff voice. Staff voice is well represented at big SLT meetings/ the governing body	L	A commitment to outstanding staff development and well being will be part of the documentation provided by the Board of Trustees. A set of commitments to be followed in order to ensure the SLT meet their leadership expectations will also be provided	L	Mitigated
Risk 3a Compliance Risks - during conversion							
Risk Ref No	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
a3.1	Failure to comply with Employment Law and TUPE	Risk of legal challenge. Risk of employment tribunal. Risk of financial loss. Risk of loss of good will. Retention issues	Staff have been consulted and reassured. Union meetings have been held. Advice has been sought from HR	L	Thorough preparation to ensure compliance will take place during conversion. Appointment of a reputable firm of solicitors will be undertaken and appropriate time allowed for the due diligence	L	Mitigated
a3.2	Either school has outstanding staffing issues such as staff going through capability proceedings	Risk of financial loss and resources diverted away from a focus on improving standards	Schools have informally declared that they do not have any existing issues	L	A legal declaration will be in place to document this. Governors will need to have full responsibility for it. Proper due diligence will be carried out on all new schools joining the trust	L	Mitigated
Risk 3b Compliance Risks - post conversion							
Risk Ref No	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
b3.1	Health and Safety	Risk of non compliance with health and safety legislation	Both schools have policies and procedures in place enabling them to meet current legislation. Both schools regularly receive Health and Safety audits	L	The trust will explore the possibility of appointing an operations manager to take on this role in the future. Health and Safety for individual schools will be the responsibility of the local governing bodies	L	Mitigated
b3.2	Fraudulent individuals within the trust seek to make individual gains	Risk of financial loss and reputational damage	Proper accounting procedures are in place. The current scheme of delegation prevents fraudulent behaviour	L	A new Scheme of Delegation will be put in place. The trust will be audited by the Charities Commission and be fully transparent. Accounts will be published at Companies House	L	Mitigated
Risk 4a Financial Risks - during conversion							

Risk Ref No	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
a4.1	One or both schools is operating in deficit or is predicting a deficit within 2 years	Risk that the MAT will not be financially viable and is unable to meet objectives	Although Rosendale is currently running an in year deficit, this is covered by a surplus carry forward. Rosendale has made staffing savings and is aware of the need to make more of these if income is not increased	L	Schools will share budgets, projections and financial plans in a structured way. They will continue to share financial documentation throughout the conversion process and at board meetings once the MAT is established. The ability to increase pupil numbers will significantly increase Rosendale's income	L	Mitigated
a4.2	Either school has liabilities in terms of leases etc	Risk of unknown liabilities being incurred when leases transfer to the trust	There is regular financial accounting to the governing bodies	L	Proper due diligence will be carried out. Each school will share lists of contacts, leases and service level agreements. There will be a full review of these in September 2016 as part of the conversion process. A reputable firm of solicitors will be appointed	L	Mitigated

Risk 4b Financial Risks - post conversion

Risk Ref No	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
b4.1	Introduction of the National Funding Formula in April 2017	Risk of significant loss of income under the new funding arrangements. Risk of insufficient time to plan for this.	Each school has is budgeted and planned with this in mind. The government has announced that this has been delayed by at least a year	L	The trust will make sure it is properly informed and prepared for any changes	L	Accepted
b4.2	A change to financial legislation affecting the employment of staff such as minimum wage levels or pension and national insurance contributions	Risk that on valuation the liabilities of the pension scheme result in a substantial increase in employers contributions. Risk that increased staffing costs could impact on financial viability leading to a significant decrease in financial resources and decline in cash flow	Schools have already planned for the increase in employer contributions scheduled for 2018	M	An increase in pupil numbers will secure some financial stability for the schools	M	Accepted

b4.3	The poor condition and suitability of some school buildings	The age of the Rosendale building has led to deterioration of some parts of it - such as the Premises Officer's House. Parts of the building constructed by the Local Authority are also in a poor state of repair and also require future investment	Rosendale commissioned Cullinan Studios Architects to prepare a master plan for developing the environment. All subsequent building works have been carried out with their input and advice	M	Access to the Education Funding Agency (EFA) means that Rosendale will be able to carry out any building works required to a high quality rather than accepting a cheaper alternative	L	Mitigated
b4.4	Service Level Agreements and other long term service contracts	Risk of not capitalising on economies of scale by sharing services, where possible	Any Service Level Agreements up for renewal in the near future or those which are not working optimally have been identified. For example the CLC who provide IT services to Rosendale are due to provide IT services to Elmgreen	L	The trust will need a timeline for when Service Level Agreements are due for renewal so they can be consolidated	L	Mitigated
b4.5	Either school requiring major building work to repair/replace delapidated buildings	Risk of schools failure to secure funding bids to repair/replace buildings	Contingency for building projects is already built in to the budgets of both schools	L	The MAT will have access to a separate fund to apply to for building projects. The MAT will be able to negotiate with the Education Funding Agency (EFA) for money for these in return for accepting other schools into the trust. Ensuring the maintenance of outstanding educational outcomes will improve the likelihood of securing additional funding	L	Mitigated
b4.6	Failure to understand the extra financial obligations such as maternity/paternity pay (currently done by the Local Authority) that the trust would be liable for	Risk of financial loss through poor financial planning	The local authority provide a very small amount of funding for this currently. Schools have a good understanding of their obligations and have budgeted for this	L	Both schools are committed to maintaining Service Level Agreements with Lambeth Schools HR to ensure that correct procedures around maternity/paternity leave are followed and that the MAT is up to date with any changes to legislation	L	Mitigated
b4.7	Competition from other local academy trusts	Risk of numbers on roll falling making the trust difficult to sustain	No evidence that this will happen	L	Maintaining the ethos and academic results will continue to attract the numbers the schools do currently	L	Accepted
b4.8	A critical incident at either school such as fire or flood	Risk of financial loss	There are current insurance policies and current business disaster plans in place	L	The existing policies and plans will be reviewed. A security review at all sites will take place	L	Transferred
Risk 5a Community Risks - during conversion							
Risk Ref No	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary

a5.1	Deterioration of the relationship between the schools and the Local Authority	Head teachers of both schools refusing to sit on the advisory boards they currently attend and no longer participating in a variety of Local Authority forums. The Local Authority could provide the schools with misinformation if the relationship is no longer useful	Both head teachers are committed to maintaining good relations with the Director of Children's and Young People's Services at Lambeth and have made a formal commitment to continue to work on Local Authority forums	L	Both head teachers to continue to make themselves available to the Local Authority during the conversion process	L	Mitigated
a5.2	Deterioration of the relationship between the SLT/Governing Body and other members of the school community	Risk of a fall in staff morale and falling rolls as parents move their children elsewhere	There has been open and honest communication between all sections of the schools community. The consultation period has been extended and the documentation requested by the parent groups has been provided	L	Ensuring that governing bodies continue to be as well informed as possible about the MAT. Parents to be well represented on the Steering Board overseeing the conversion process	L	Mitigated

Risk 5b Community Risks - post conversion

Risk Ref No	Risk Description	Risk Consequences	Existing Actions in place to Reduce Risk	Initial Risk Score	Actions Required to Reduce Risk further	Final Risk Score	Response summary
b5.1	Moving away from the local authority, means that local vulnerable families may slip through the net	Risk of poorer community and educational outcomes for the most vulnerable in the community	Admissions for SEND children will still be under the control of the local authority. Both schools are committed to Quality First Teaching for all children. There is fulltime SENCo in both schools. Rosendale has 3 outreach workers currently working in the Children's Centres supporting vulnerable families across the school in addition to a full time Learning Mentor. Elmgreen has a system of pastoral care for children across the school.	L	Joined up thinking across the schools will allow more sharing of expertise and best practice. Each school will benefit from the initiatives in place at the other school. The Board of Trustees will document their commitment to supporting local vulnerable families in the Scheme of Delegation	L	Mitigated
b5.2	Risk that with the MAT having control over its own admissions policy that local SEND / other vulnerable children will not be accepted by the school	Risk that the MAT will not be meeting the needs of the local community and will be departing from its core values.	Admissions for SEND children will still be under the control of the local authority. Anything written in the SEND Code of Practice will still be adhered to. Consultation with parents and governors is needed before school admissions policies are changed	L	Becoming a MAT will give the schools more freedom to provide the specialist provision needed to support some of the most vulnerable children. Support for these groups will improve	L	Mitigated

b5.3	Risk of an erosion of local democracy where parents have a smaller voice in the MAT than in the existing schools	Risk that people feel disenfranchised by the MAT	Both schools have a high representation of parents on their governing bodies and strive to communicate effectively with parents through high quality websites, blogs, newsletters and drop in sessions. Both schools recognise the vital role that parents play in the educational outcomes of children	L	Parents will be represented at all levels of the trust, having representatives on the Members, Board of Trustees and on the local governing bodies. The expansion of the Parent Promoters Foundation (PPF) across both schools will give parents a further channel to engage with the school. They will also be represented on the Steering Board overseeing the conversion process. There will be more parent representation in the MAT than there is currently. The local governing body, through the Scheme of Delegation will still be responsible for school finance, attainment, achievement and the school environment.	L	Mitigated
b5.4	Risk that Early Years education becomes marginalised with a focus on secondary transfer	Early Years education is compromised leading to worse outcomes for young children	Commitment to Early Years education evident at Rosendale across its 3 Children's Centres and outstanding Nursery/Reception provision. The school staffing structure has a Phase Leader responsible for Early Years	L	Apply for funding for more 0-5 places so that more children can benefit from the education provided by the trust	L	Mitigated