

A UNISON campaigning guide

Campaigning against cuts in Multi Academy Trusts



This guide has been produced to help branches and regions campaigning against cuts in multi academy trusts (MATs). Although the focus of the guide is MATs, the guidance can also be used in 'standalone' academies.

Where a MAT crosses branch and or regional boundaries you will need to have a discussion with your region about who acts as the strategic lead for the campaign and negotiations.

Section 1

Key initial steps

1. Request full disclosure of all financial information from the multi academy trust (MAT) – see section 2 below.
2. Alert colleagues in other branches and/or regions early on and ask them to get ready. Mapping of membership across the MAT will be a key initial task.
3. Speak to your region about a press and campaign strategy.
4. Involve members and reach out to non-members in the early stages of campaign. As soon as restructure proposals are made public, send an initial bulletin and hold members' meetings.
5. Focus on how proposed cuts would impact on pupils and running of schools for example:
 - **Cuts to TAs, learning and pastoral support roles** will impact on 'value added' and vulnerable learners and will create workload issues for other support staff, teachers, SENCO, and SLT.
 - **Cuts to premises staff** could put the health and safety of pupils at risk. Asbestos testing, fire safety appropriate and timely fire alarm testing, essential maintenance and repair work could all be impacted.
 - **Cuts to office staff** will potentially have an impact on safeguarding. Office staff are often the ones who contact parents when a child does not turn up for school. They also sometimes administer medicines to pupils, counter-sign medicines, cover for colleagues' comfort breaks, provide witness during behaviour issues, de-escalate angry visitors, etc.
 - **Cuts to midday meal supervisors** – who will do these duties? Teachers won't, and TAs and other support staff shouldn't either otherwise they will not get their legal break time. Midday meals supervisors have important roles including safeguarding, socialisation and play support.
6. Build coalition with teachers and heads. Whilst it needs to be clear from the outset that only UNISON, GMB and Unite can negotiate collectively on behalf of support staff, it is worth involving teachers' and heads' unions on the grounds that the proposed cuts will impact on the workload of their members. Additionally, for heads, the cuts could undermine their ability to run the school on a day to day basis on behalf of pupils (i.e. being overridden by a remote trust), and fulfil their duty of care and safeguarding responsibilities, thus undermining the very freedoms academisation was meant to bring.
7. Reach out to parents, local politicians and councillors to build maximum support against the cuts.
8. Is there support for taking strike action? Run a consultative ballot in conjunction with the region. You will need to speak to region/s very early on about potential timeframes.

Section 2

Information to request from MAT

From experience, we know it's important to question the MAT's financial/business case right from the start. This will mean finding out exactly what the financial issues are, where the trust has been spending its money and what alternatives there are to staffing cuts. To have the time to do this you will need to ask for a reasonable period of 'pre-consultation' between the recognised unions and the trust before formal consultation on the restructure begins. This is now standard practice in a lot of MATs.

As part of this pre-consultation you should request the following information.

- The MAT's latest audited accounts - these have to be submitted to the Education and Skills Funding Agency (ESFA) by 31 December and published by the following February. The ESFA is essentially the organisation that funds and regulates academy trusts on behalf of government.
- The MAT's budget for the year and the last two months' management accounts - these will show performance against budget to date, any variance and revised forecasts for the remainder of the year as a result.
- The MAT's 3-year financial plan.
- A copy of the MAT's 'school resource management self-assessment tool report'. All academy trusts are required to complete the school resource management self-assessment tool and submit to the ESFA annually. You will want to see what recommendations the MAT has come up with as a result of this.
- A copy of the MAT's 'risk register'.
- The complete business case for the proposed restructure/s with the total projected cuts/savings, broken down by each school and function where applicable. You will need the number of job roles, posts and FTEs per school and function at risk. This should

also include proposed timelines and arrangements for pooling of posts in any proposed new structure etc.

- Estimated savings broken down by the projected cuts to jobs and the reduction of any salaries of employees affected (post pay protection).
- Map of existing duties and tasks undertaken by those roles that are part of the proposed restructure and how these roles and tasks will be undertaken in any new structure, i.e. who is going to take over the roles/responsibilities of displaced staff?
- The risk assessment and equality impact assessment for proposed restructures/cuts.

Follow up questions to ask

- How much money is the MAT looking to save and where will that money go? i.e. is it to pay down a deficit run up by the trust centre, meaning frontline education losing out to central management/offices etc?
- Amount of money spent on agency staff and employment agencies for the last three years.
- Amount of money spent in the last three years on consultants and projections for the coming year.
- Number of post holders at the trust centre for last three years broken down by those earning: £50-60k, £61-70k, £71-80k, £81-90k, £91-100k, £101-110k, £111-120k, £121-130k, £131-140k, £141-150k, £151-160k, £161-170k, £171-180k, £181-190k, £191-200k, £201-210k, £211-220k, £221-230k, £231-240k, £241-250k etc, up to whatever amount the highest earner in the trust is currently paid. The salary of the highest earner in the last financial year will be published in the MAT's accounts which should be on their website.
- Range of percentage pay increases paid to senior post holders at the MAT centre over the last two to three years, including details of any bonuses paid.
- Value of any 'golden hellos', relocation expenses, travel, etc for senior post holders at the MAT.

- Has the MAT been subject to a review by the ESFAs ‘school resource managers (SRMs)’? If so then ask for a full copy of any resulting reports and recommendations from the SRMs. There has been lots of coverage in the press about how some of these recommendations have been totally unrealistic and potentially very damaging to schools. We have even received reports of some MATs refusing to follow these recommendations because of the detrimental impact they would have on schools and pupils.
- A full list of any related-party transactions by the MAT. Related-party transactions are deals between academy trusts and linked private companies. For example, a trust buying services from a company run by one of its members or trustees, or one of their family members, counts as a related-party transaction.
- How have the proposed new roles been evaluated and graded? This should have been a joint exercise done prior to the opening of formal consultation on implementation of a new structure. Failure to do this could leave the MAT vulnerable to equal pay risks.

If the MAT refuses to provide any of this information, please urgently consult your region for legal advice. In addition, if the trust is delaying, you may want to consider submitting a Freedom of information (FOI) request for some of this information. See UNISON guidance on FOI requests.

Section 3

What to look out for

- Higher pay increases and or bonuses for the trust’s top earners.
- Large amounts of money spent on agency staff.
- Large amounts of money spent on external consultants.
- How big is the MAT’s top slice? Has this increased and how does it compare to other MATs?
- Numbers of higher paid staff at the MAT centre or regions – i.e. have they increased the number whilst proposing cuts to front line staff in schools?
- Is the MAT trying to pay down a deficit in an unrealistic and damaging timeframe? The ESFA’s own guidance for academy trusts dealing with deficits makes clear the need to be realistic. In fact this ESFA guidance states that it can sometimes take between 3 to 5 years for a trust to achieve an in-year surplus position.
- Is the MAT using ‘benchmarking’ as an excuse for making cuts? Has the MAT used the Department for Education’s (DfE) benchmarking tools on staffing costs in drawing up its proposals? If so, be very careful. These tools can be arbitrary and result in a levelling down to a ‘one size fits all’ model that would be damaging to educational provision. For example, schools within the MAT may require a higher number of TAs than some other trusts because of the number of pupils with special educational needs. Request full information on any benchmarking and challenge the assumptions being made. We will be producing more guidance on these benchmarking tools.
- Reducing spend on staffing as a percentage of total income – Gavin Williamson, Secretary of State for Education, stated in Parliament on 3 September 2019 that: “...85% of the spend of a school is on its workforce...” However, we are concerned that in some of its benchmarking tools and advice for schools the ESFA

may be using a much lower figure, which is encouraging arbitrary cuts.

- Is the proposed restructure novel or contentious? Following a number of academy financial scandals the DfE introduced a new provision that trusts must refer any 'novel, contentious and/or repercussive transactions' to the ESFA for prior approval. **Novel transactions** are those of which the academy trust has no experience, or are outside its range of normal business. **Contentious transactions** are those that might cause criticism of the trust by Parliament, the public or the media. **Repercussive transactions** are those likely to cause pressure on other trusts to take a similar approach and hence have wider financial implications. It may be that you are able to argue that in particular the MAT proposal is 'contentious' and therefore needs explicit ESFA sign off before formal consultation.
- Has the trust been paying out related party transactions, if so to whom and for what in return?

Section 4

Alternatives to cutting staff

- What are the MAT's plans for making savings in non-staffing areas i.e. procurement, energy efficiency, agency spend etc?
- Has the MAT approached the Education and Skills Funding Agency (ESFA) about a possible advance on their general annual grant funding (GAG)? Some other trusts have done this and it has enabled them to take a longer-term approach to deficit reduction, i.e. natural wastage etc. In fact we believe some MATs have had additional funding that they do not need to pay back.
- Does the MAT have unmarked capital reserves that it can access to help balance the revenue budget?
- Can the MAT review earmarked capital projects? If an academy trust has a big capital reserve then, unless it has been earmarked for a specific purpose, could the trust access it to help balance the revenue budget? Even if it has been earmarked, the trust can review this in light of changing circumstances.
- There may be items on the margins of revenue and capital where, previously, the revenue budget would have paid for it, such as painting or replacement of lights. Can these costs be capitalised? MATs may need to speak to auditors about whether this is possible.
- Does the MAT have a policy of regularly transferring a percentage of GAG into its capital fund? If so, is this a contributory factor to this year's revenue budget deficit? If so, it may be appropriate to suspend any transfer until the budget is balanced.

Section 5

Campaign ideas

1. Survey members to ask how they think the cuts will impact on their pupils and their schools – see the sample survey which makes clear that results will be anonymised to protect the identity of individuals (see Appendix 1).
2. Write to MAT board and school governing bodies.
3. Write to local MPs and councillors to make them aware of the proposed cuts and the potential impact on pupils – ask them to raise this issue with the trust, in council and in Parliament.
4. Work with region on press releases, maybe jointly with other unions.
5. Members' meeting, maybe jointly with other unions.
6. Petition of parents, maybe jointly with other unions.
7. Ascertain support for possible strike action, maybe jointly with other unions.
8. Does the recognition agreement contain a dispute resolution clause? If so, consider when is the best moment to trigger the clause and pause the restructure process.

Section 6

Links to other resources

- ▶ [UNISON Bargaining Support guides](#)
- ▶ [Dismissal, redundancy and transfers](#)
- ▶ [Freedom of Information Act](#)
- ▶ [Model organisational change agreement](#)
- ▶ [UNISON academies webpage](#)

Appendix 1

Sample survey

Academy restructure and cuts proposal – let us know your thoughts

This confidential survey is to help us identify any potential concerns about the restructure and cuts being proposed in your school. Please be assured individual responses to this survey will be kept completely anonymous.

1. Are you:
(allow only one selection)

- a member of staff
- a parent/carer
- a school governor
- a member of the general public
- a volunteer

2. If you are a member of staff, is your primary role:

- Classroom teacher
- Head teacher or senior manager
- Learning support staff e.g. TA/HLTA/cover supervisor etc
- Caretaker/premises staff
- Other estates staff i.e. cleaning, catering etc
- Specialist & technical i.e. school technician, ICT, librarian
- Pupil support and welfare i.e. learning mentor, lunchtime supervisor, crossing patrol
- Admin and finance i.e. school business manager, finance officer, HR, payroll, PA, administrator, receptionist, etc

If you have more than one job description e.g. split role, please list your further roles here:

3. Do you believe the proposed restructure will have a detrimental effect on any of the following?
(allow multiple selection)

- The overall running of your school
- The pupils' mental health and wellbeing
- The pupils' educational achievements
- The head teachers
- Teaching staff
- Support staff
- The community the school serves
- Health and safety of staff and pupils

If so how?

4. If you work in one of the roles to be restructured do you carry out additional tasks outside of your job descriptions?
If so please tell us the types of tasks below, e.g.

- a) collecting money
- b) chasing absences
- c) bulk photocopying
- d) record keeping & filing
- e) classroom displays
- f) exam invigilation
- g) teacher cover admin
- h) ICT troubleshooting
- i) new ICT equipment
- j) ordering supplies etc
- k) stocktaking
- l) prep/issue of materials
- m) minuting meetings
- n) personnel advice
- o) inputting pupil data
- p) checking visitors' ID
- q) dealing with parents
- r) dealing with visitors
- s) covering first aid
- t) looking after pupils ill/sent out of class/waiting to be collected

- u) handle violent situations
- v) please add any other roles you can think of

If you have answered 'yes' to any of the above, are you paid for additional tasks outside of your job description?

5. Do you have any health and safety concerns about the cuts and changes being proposed?

- Yes
- No
- Don't know

If yes what are your concerns?

6. Do you have any suggestions for alternative financial savings that your employer could make instead of cutting jobs and resources in schools? If so please tell us below:

7. Have there been previous cuts to staff at your school?

- Yes
- No

If you have answered 'yes' have the cuts and restructuring impacted on the overall running of the school?

- Yes, negatively
- Yes, positively
- No impact

If 'negative' or 'positive' please provide examples in below

8. Do you have any other comments or suggestions that you would like us to look into or raise? If so please tell us below:

Many thanks for completing this anonymous survey. If you would like to get more involved and become a union representative, please contact your local office or branch.

