



Department  
for Education

# **Commissioning High-Quality Trusts**

**How the Department for Education's  
Regions Group takes decisions about the  
creation, consolidation and growth of  
academy trusts**

**6 July 2023**

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## Executive summary

High-quality trusts, and the people who lead them, are essential for building a strong and resilient school system which delivers the best possible outcomes for all children. This is why we want all schools, over time, to be part of a high-quality multi-academy trust. To achieve this vision, we will work collaboratively with school and trust leaders as well as local authorities to **grow the number of high-quality trusts across all areas of the country**.

Our vision is that the next phase of development for the academies sector will be characterised by increasing choice and capacity across the country. This will ensure each school can be matched with the right high-quality trust to support the needs of its students and, factoring in local context, the needs of its wider communities too.

To get there, we will back strong trusts that have the capacity for growth, especially those that accept the risks and challenges of supporting schools facing the most challenging circumstances. This commissioning guidance demonstrates our commitment to empowering high quality trusts to extend their reach by taking on and improving more schools.

Our approach is to start by identifying identify strategic needs in every area. In turn, we will combine this assessment of strategic need with our high-quality trust framework – using both quantitative and qualitative data to drive consistency, objectivity and transparency in our decision-making.

The Department's Regions Group, led by Regional Directors, is responsible for taking decisions on behalf of the Secretary of State about the creation, consolidation and growth of academy trusts. Regions Group's role includes deciding which trusts are commissioned to run which schools. This guidance sets out clearly how these decisions will be taken.

Regions Group will:

- **assess the strategic needs** of the school, of the academy trust, and of the local area
- **use quantitative and qualitative evidence** to consider factors relating to the quality of academy trusts
- align the strategic needs of the school, the academy trust and the local area with trust quality factors to **reach a recommendation**

The starting point is an assessment of strategic need. Assessing the strategic needs of local areas builds on the approach taken to Trust Development Statements in Education Investment Areas (EIAs) – where Regions Group will work with local partners including trusts, local authorities and dioceses to identify the needs of each local area. This will ensure that our decision-making is focused on what is right for the school, for the trust, and for the local area.

To support consistency and objectivity in our decision-making, this commissioning guidance sets out the basis for quality judgements. Our approach is built on the descriptions of trust quality, which we set out in draft in April. We are formally adopting the trust quality descriptions as part of this guidance with minor changes. Flowing out of these are the sources of evidence which will be considered by Regions Group in reaching commissioning decisions. Our approach combines strategic need with a consistent approach to evidence. The purpose is not to make summative judgments about trust quality, but to identify the right trust for each school within their local context.

The [trust quality descriptions \(Annex A\)](#) and [associated evidence \(Annex B\)](#) define what we want trusts to deliver. Pillar one (High-Quality and Inclusive Education) is the core of what we expect schools and trusts to provide for children and young people in their communities and our starting point for considering a trust's effectiveness. Pillar two (School Improvement) captures the capacity the trust has to offer. The third, fourth and fifth pillars (Workforce, Finance & Operations, and Governance & Leadership) consider the resilience and sustainability of the trust's operating model.

The sources of evidence are divided into different categories:

- **Headline metrics** help to build our hypothesis and prompt further questions.
- **Verifiers** provide more in-depth data for a richer understanding of the trust.
- **Qualitative evidence** enables us to explore areas where data is not easily available or where it does not tell the whole story.

This consistent approach to evidence will inform a nuanced and objective decision about which trust is best placed to meet respective needs of the school, the trust and the local area. It will also allow Regions Group to consider trusts' historical track records and future trajectories.

The categories of evidence Regions Group will use will vary across the five pillars. Regions Group will use headline metrics, verifiers and qualitative evidence to assess High-Quality and Inclusive Education, School Improvement and Finance and Operations.

For the Workforce and Governance pillars we do not currently have headline metrics. Here Regions Group will rely on a wider basket of verifiers and qualitative sources of evidence.

Pillar	Headline metrics	Verifiers	Qualitative
High-Quality and Inclusive Education	Included	Included	Included
School Improvement	Included	Included	Included
Workforce	From 2024/25	Included	Included
Finance and Operations	Included	Included	Included
Governance and Leadership			Included

This is not an algorithmic approach. Regions Group will consider data and strategic need together to inform decisions about the right trust to manage a school in its particular context, or the best trusts to grow within an area. Evidence will also inform dialogue with trusts. This will enable trusts to provide further information so that any context around evidence is understood. Our approach will recognise the individual context of each decision, whilst remaining consistent and objective about how we match the best trust to the specific needs identified. This will drive more reliable, more objective and more trusted decisions across the country.

No single metric will be used to determine trust quality. Instead, we will assess a range of evidence to give a rounded picture. The evidence will also vary depending on the decision being made. Regions Group will focus on the evidence most relevant to meeting the identified needs. This guidance sets out in detail how Regions Group will prioritise the evidence for different commissioning scenarios.

By being transparent about how commissioning decisions are made, we will support trusts to direct their own self-improvement activity – **so that together we can grow capacity, capability and choice across the system**. This adds to the Department’s wider work to set a clear strategic direction so that school and trust leaders can better target their resources. Other examples include our area-based approach to intervention – which is underpinned by our enhanced powers to intervene in schools with two or more

consecutive below Good Ofsted judgements – and our recently published Trust Development Statements (TDSs) for the 55 EIAs.

The [Academies Regulatory and Commissioning Review](#) heard that there are benefits to trusts developing geographic clusters. This guidance – alongside the recently published Trust Development Statements and the intention to explore trust level intervention in cases of sustained educational failure – aims to support that objective.

Finally, to help users to find the information they need, we are consolidating guidance on how commissioning decisions are taken into one place. This guidance updates the information about commissioning previously set out in the ‘Building strong academy trusts’ guidance and the ‘Regional Director decision-making framework’, and so replaces both these sources. To support trust and school leaders further, we also include links to wider departmental guidance and relevant application processes, and to sources of funding which can support trust growth.

- **Section one** defines commissioning and sets out the different types of decisions that Regions Group make to ensure that every school is in the right, high-quality trust. It also includes links to further information and support for school leaders, and to relevant application processes.
- **Section two** sets out how Regions Group takes commissioning decisions by assessing the strategic needs of the school, the trust, and the local area – and by making objective evidence-based assessments of the quality of a trust. This section also shows how the strategic focus will vary across the different commissioning scenarios.
- **Section three** sets out sources of departmental funding available to support trust growth and how to access them.
- [Annex A](#) sets out the descriptions of trust quality.
- [Annex B](#) sets out the evidence, aligned with these descriptions, which will be considered when making assessments of trust quality.

## Who is this publication for?

This guidance is for trust and school leaders, local authorities, and parents and carers seeking to understand how the Department for Education’s Regions Group, led by Regional Directors, takes commissioning decisions on behalf of the Secretary of State for Education. The guidance focuses specifically on decisions about the creation, consolidation, and growth of academy trusts. It will be relevant for school and trust

leaders considering applying to join, create or grow a multi-academy trust, and would like to understand how such decisions are made. This guidance will also be relevant for parents and carers seeking to understand how decisions are made about their school.

## Terminology and ways of working

Throughout this document we use the term Regions Group to refer to the role of Regional Directors and their local teams in taking commissioning decisions on behalf of the Secretary of State for Education. For more information about the roles and responsibilities of Regional Directors, see the [Regional Directors About us](#) page.

Regions Group was established in July 2022 by the Department for Education, following the recommendation made in the [Review of the Education and Skills Funding Agency \(ESFA\)](#) to create a unified directing voice at a regional level. Regions Group is now the primary interface between the Department and schools and academy trusts. All trusts have a designated Trust Relationship Manager to provide help and advice.<sup>1</sup>

The work of Regions Group is continuously informed by contributions from the ESFA, which provides a timely and accurate picture of academy trusts' financial health and overall financial risk to inform commissioning decisions. The ESFA has oversight over academy trusts' financial management and, working directly with Regions Group, supports trusts and their academies to strengthen their financial capabilities and to make the most of their resources.

Throughout this document, we use the term 'trust' as an abbreviation for 'academy trust'. When referring to 'trust' we do not, therefore, mean the trust which holds the land for the school which for Catholic and Church of England Schools is normally the diocese. In section two of this guidance, we set out how Regions Group will make commissioning decisions about church schools and multi-academy trusts.

We also refer to 'leaders' throughout this document. Unless otherwise specified, we include within this term both executive leaders such as the CEO and senior team, and non-executive leaders such as members, trustees and the chair of the trust board.

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<sup>1</sup> If you are unsure about who your Trust Relationship Manager is, please contact your [regional office](#).

## **Section One: Commissioning and the role of Regions Group in commissioning decisions**

Academy trusts are funded directly by the Department for Education, which commissions them to run and improve schools. When taking decisions about which trusts run which schools, our objective is to ensure every school is in the right, high-quality trust to deliver the best outcomes for children. Commissioning is one of our key levers for driving quality in the system. It is one of the ways the Department facilitates improvement across the system, in part by allowing the most effective trusts to grow.

### **Types of commissioning decision**

#### **Approving applications from maintained schools and sixth-form colleges to convert to academy status and join an existing academy trust**

Any maintained school can [convert to an academy](#) and join an existing academy trust.

Joining an academy trust can help build improvement capacity and thereby the overall quality of education. Many schools voluntarily make the decision to join existing academy trusts, bringing their skills, expertise and resource to the wider academy trust.

Applications, whether from individual schools or from groups of schools applying to join a trust together, are decided by Regions Group.

Sixth-form colleges must apply separately with details available at [Convert to an academy: guidance for sixth-form colleges](#).

#### **Approving applications from maintained schools and sixth-form colleges to convert to academy status and set up a new academy trust with other schools**

Regions Group will consider applications from groups of Good or Outstanding maintained schools to establish a new trust, particularly proposals which respond to gaps in high-quality education provision in a particular area. This may include applications to support one or more schools with a less than Good judgement looking to join at the same time.



## **Intervening to address underperformance in schools**

Regions Group, acting on behalf of the Secretary of State, has a number of powers to intervene in both maintained schools and academies to address underperformance. Interventions are about acting decisively to deliver the best outcomes for pupils. Regions Group will take action to secure improvements where there are concerns about school performance in relation to education provision, governance, safeguarding arrangements, or financial management – incorporating the work of the ESFA.

Where a maintained school receives an inadequate Ofsted judgment, the Secretary of State is under a statutory duty to issue the school with an academy order mandating that it convert to academy status. A maintained school also becomes eligible for intervention where it has failed to comply with a warning notice, or is not making necessary improvements, meaning it is currently judged as Requires Improvement, having been judged below Good in its previous inspection. Regions Group has a range of powers in these circumstances, including issuing a school with an academy order.

When a maintained school has been issued with an academy order, it is legally required to convert to academy status. Regions Group will identify a high-quality trust to sponsor the school to deliver rapid school improvement to secure the best outcomes for pupils.

For academy trusts, Regions Group may issue a termination warning notice (TWN) to the academy trust for one or more of its schools if they are judged Inadequate by Ofsted or are not making necessary improvements. TWNs may be issued to academies in other circumstances as set out in the academy's funding agreement. Failure to comply with a TWN may lead to the termination of the funding agreement and the school concerned being transferred to a different trust. As with issuing academy orders to maintained schools, Regions Group will identify a high-quality academy trust to sponsor the academy.

More information on how Regions Group may use its power for intervening to address underperformance can be found in the [Schools Causing Concern guidance](#).

## **Approving applications for academy trust transfers**

Regions Group makes decisions about applications from trusts to transfer one or more of their academies to a different academy trust. A single academy trust might also choose to join an existing or new multi-academy trust.

Transfers may be advantageous where geographically the school, or group of schools, would gain improved access to shared resources, teaching communities and professional development opportunities.

Regions Group also makes decisions about two or more trusts wanting to amalgamate. This may be to consolidate education provision within an area in order to effect greater change. Trusts may choose to use the existing structure of one trust, or they may choose to establish a new academy trust which better represents a shared ethos and set of values.

Our [Information note for academy trusts about academy transfer](#) provides information for academy trusts wanting to transfer one or more of their academies to a different academy trust. Contact your Trust Relationship Manager for further advice and support on the transfer process, or to discuss your plans.

## **Approving applications to open new free schools**

Regions Group assesses applications for new free schools, including university technical colleges (UTCs). Applicants wanting to set up a new free school apply within an application round. Applications are assessed against a set of published criteria, which reflect the Government's priorities for that round. Regions Group will then advise ministers, who make the final decisions on which applications to approve.

The [Set up a new free school](#) guide provides information for applicants setting up a free school and includes links to relevant application processes.

## **Approving academy trusts selected by local authorities to open presumption free schools**

When a local authority identifies the need for a new school, it must seek proposals for the [establishment of a new academy via the 'free school presumption process'](#). Local authorities will share evidence with Regions Group in order to support decisions about the provider for new schools established through this process. The local authority's preference is supported in most cases. There are times, however, when the evidence Regions Group holds about a trust means that a different trust may be considered more suitable.

## How Regions Group considers SEND and AP in commissioning decisions in mainstream and special and AP schools

When making decisions, Regions Group will always consider the needs of pupils with Special Educational Needs and Disabilities (SEND), both in decisions about mainstream schools and in decisions about special schools or alternative provision (AP) schools.

When considering the strategic context for the local area, Regions Group will look at Ofsted/CQC local area SEND inspection reports, which assess the effectiveness of the local area partnership's arrangements for children and young people with SEND including education, health and care provision. In cases where the inspection suggests there are widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of children and young people with SEND or, under the old framework, where there is a Written Statement of Action, it will be important that a particular focus is given to outcomes for pupils with SEND in commissioning decisions.

In these instances, further data will be reviewed as described in the High-Quality and Inclusive Education Pillar.

- **Post-16 Destinations** – can give a more nuanced understanding of how well a trust is achieving outcomes for pupils with SEND.
- **Ofsted reports** – provide us with a rounded view on the quality of teaching, including commentary on the curriculum provided, outcomes for pupils with SEND and safeguarding policies.
- **Regional Director conversations with both the Trust and LA** – can establish how well they collaborate in areas such as admissions, SEND/AP, sufficiency, safeguarding and attendance – these conversations will take place on a risk-based basis and will be informed by evidence.

As they are developed, Regions Group will also refer to Local Area Inclusion Plans (LAIPs). These plans were a new commitment in the [SEND and AP improvement plan](#), bringing together a wide range of partners to plan how best to deliver services and provision for children and young people with SEN and disabilities. It is expected that all areas will have a LAIP by the end of 2024/25.

## Section Two: How Regions Group takes commissioning decisions

This section explains how Regions Group will take commissioning decisions about the creation, consolidation and growth of academy trusts. We begin by setting out how Regions Group will assess the strategic needs of schools, trusts and local areas. We next explain how Regions Group will use evidence to assess the quality of an academy trust objectively against the five pillars of trust quality as described in [Annex A](#). [Annex B](#) details the evidence Regions Group will draw on. We then show how Regions Group will combine a fully rounded assessment of strategic need with evidence-based assessments of trust quality to reach a recommendation.

### Assessing strategic need

When taking commissioning decisions, Regions Group will assess the strategic needs of the **school**, the **academy trust** and the **local area**.<sup>2</sup>

### Assessing the strategic needs of schools and academy trusts

How Regions Group considers the strategic needs of schools and academy trusts will vary depending on the type of commissioning decision.

### Intervening to address underperformance in schools

Where Regions Group has issued a maintained school with an academy order, the process will identify the most suitable academy trust to sponsor that school. Similarly, where Regions Group has exercised its intervention powers to transfer an underperforming school out of one academy trust to another, the process will determine which trust is best placed to sponsor the school to deliver rapid and sustained improvement.

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<sup>2</sup> We define the local area as the local authority area in which the school or schools that are involved in the relevant commissioning decision are based.

Regions Group will prioritise identifying trusts with the expertise and track record in delivering High-Quality and Inclusive Education, and with the capacity to rapidly transform the performance of the school.

Regions Group will consider the individual school characteristics and school improvement needs to match the school with the right trust. This starts with developing a longlist of all trusts currently working in the area or who have shown an interest in doing so.

The trusts identified for this longlist can then be considered alongside the needs of the school in question. For example, through plotting outcomes against indicators such as disadvantage, SEN or English as an additional language (EAL), teams will be able to compare school performance data with that from similar schools to identify those trusts performing well in similar settings.

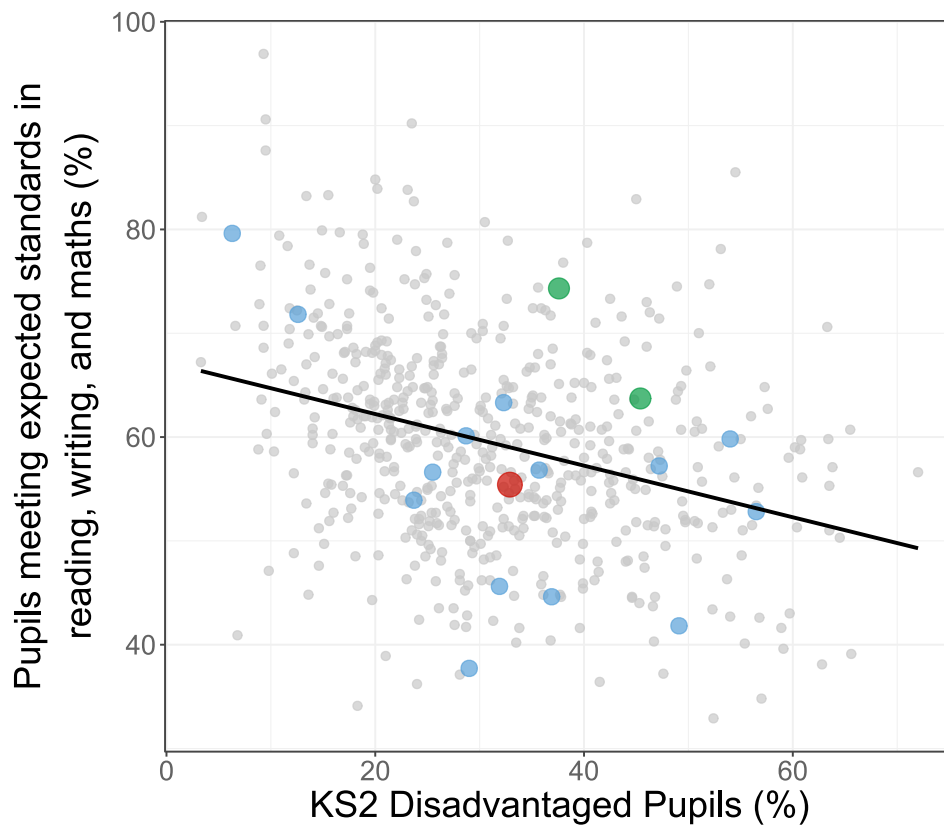


Figure 1. Trust-level headline metric, the percentage of pupils meeting the expected standards of reading, writing, and maths, against a trust-level verifier metric, the percentage of disadvantaged KS2 pupils. Here, the relationship between our headline and verifier is compared for a specific trust of interest (red), all of the trusts with at least 1 school in the LA (blue) and trusts that could be brought into the LA (green).

Regions Group will follow the steps outlined in subsequent sub-sections of this guidance to narrow down the longlist and decide the best trust to support, or sponsor, each underperforming school. We are, however, removing the need for trusts to obtain designated sponsor status from our decision-making process. We have therefore withdrawn the application process for trusts to apply for designated sponsor status and from September 2023 trusts will no longer hold such status. Although designated sponsorship will no longer be a formal part of our commissioning approach, we will continue to use the term 'sponsor', to refer to the process by which trusts take on an underperforming school following departmental intervention. This change will not affect the status of sponsors named in academy trusts' articles of association.

### **Approving applications from maintained schools and sixth form colleges to convert to academy status and join an existing academy trust**

For converters which have already identified a trust they wish to join, the focus is on checking whether the match is the right one and whether the trust is ready to grow to take on another school.

Regions Group will look for evidence that any new school will be able to contribute to a clearly defined and effective strategy to improve and maintain the performance of schools already in the trust. For the incoming school, Regions Group will examine whether the trust is a good match to support the school in addressing any developmental needs identified by Regions Group, through Ofsted inspection reports or by the school itself.

### **Approving applications from maintained schools and sixth form colleges to convert to academy status and set up a new academy trust with other schools**

For proposals to set up a new trust, Regions Group will assess the strategic needs and priorities of the local area, and the needs of the schools joining the new trust. In addition, Regions Group will consider the quality of those schools and the quality of governance proposed for the new trust. It will also consider the proposer's school improvement strategy including its capacity to support the wider system.

Regions Group will take the existing relationship between the schools into account, as well as whether setting up a new trust is right for the local area. For example, it may be that a new trust is able to respond to a lack of trust capacity, or to a need to diversify the trust landscape. Regions Group will prioritise evidence of the individual schools' outcomes in delivering a High-Quality and Inclusive Education, as well as any supporting evidence showing that the proposed trust has a clearly defined strategy for school improvement.

## **Approving applications for academy trust transfers**

When assessing applications from trusts looking to transfer one or more of their academies to another trust, Regions Group will look for evidence that the schools will be able to contribute to a clearly defined and effective strategy to maintain and improve the performance of schools already in the incoming trust. For the incoming school, Regions Group will examine whether the trust is a good match to support the school in addressing any developmental needs identified by Regions Group, through Ofsted inspection reports or by the school itself.

For trusts looking to amalgamate, the process will be used to determine whether the proposed new structure is right for the schools and the local areas they serve. It will also determine whether the newly formed trust can provide new opportunities and benefits to the schools not otherwise provided by their existing trust.

Regions Group will focus on whether the proposal complements the needs of each academy trust and those of the local area. For example, transfers can prevent smaller trusts from becoming isolated or can help spread best practice amongst schools and trusts in a local area. Regions Group will focus on testing whether the evidence supports the proposal, rather than seeking to identify alternative trusts.

In doing so, Regions Group will draw on relevant evidence across the trust quality descriptions and evidence annex. Regions Group will focus on whether the trusts coming together have a clear strategy for school improvement and that they complement each other in areas of High-Quality and Inclusive Education, such as curriculum, student outcomes, accessibility, and inclusive pastoral support. Regions Group will also look for supporting evidence of effective arrangements for finance and operations, a clear leadership structure including a Chief Executive Officer and Accounting Officer, with the right expertise on the trust board and with effective delegation in place.

## **Approving applications from existing trusts to open new free schools, including presumption free schools**

Applications for new free schools will be assessed in line with the criteria for that round – which will be set out in our [‘How to apply’ guide](#). The guide will set out any strategic need that the application round is looking to address. Using the approach to commissioning set out in this guidance, the assessment process will be used to confirm that a trust applying to set up a new free school is in a position to grow, and that its strengths are well matched to the type of school it is looking to open, or that it has a plan to get there.

## Assessing the strategic needs of local areas

When assessing the strategic needs of the local area, Regions Group will look at the pattern of educational provision in that area. This is about working with the sector to:

- identify where there is a need for high-quality trusts to grow
- identify where there is a need for the development of new trusts
- ensure we are taking into account phase coherence, so that schools that share sites or are close by can, where beneficial, work together, and ensure that feeder relationships between primary and secondary schools are understood, and
- understand where there are challenges specific to the local area – for example areas facing overcapacity, or areas with significant numbers of small, rural schools

### Assessing strategic need in Education Investment Areas: Trust Development Statements

The Levelling Up White Paper (February 2022) identified 55 Education Investment Areas (EIAs) where we will implement a package of measures to drive school improvement and improve pupil outcomes where educational attainment was weakest based on sustained low performance (2017 - 2019).

In order to support area-based approaches to commissioning, we have developed a Trust Development Statement (TDS) for each EIA. Each TDS sets out the Department's priorities for that area. TDSs reflect the different challenges and opportunities in each area. They set out: where we want maintained schools to form or join trusts; where we want new high-quality trusts to move into an area; and where we want to make local provision more coherent. Each TDS has been developed with local partners including trusts, local authorities and dioceses. The Department will engage with these partners to review progress and to ensure plans remain relevant and continue to reflect the needs of the area. By publishing TDSs, we will help trusts to plan for growth and encourage high-quality trusts to expand in the areas where they are needed most.

We recognise that many trusts operate across more than one local area. We recommend that, in the first instance, trusts looking to move into a new area contact their Trust Relationship Manager in Regions Group for more information about how Regions Group will assess proposals against the needs of the different local areas that the trust is operating across.



We have initially published TDSs in EIAs only, as these are the areas of the country where educational outcomes are weakest. We will assess the impact of these statements before rolling out, over time, to other areas outside of EIAs.

## Assessing trust quality

Regions Group will consider the quality of a trust by looking at evidence across the five pillars of trust quality underpinning the [trust quality descriptions in Annex A](#). These are:

1. High-Quality and Inclusive Education
2. School Improvement
3. Workforce
4. Finance and Operations
5. Governance and Leadership

Quality of education will always be our primary concern. Beyond this, the emphasis Regions Group will place on each pillar will be informed by the strategic need and the type of decision. For example, where a sponsor is sought for an educationally underperforming school, there may be a particular emphasis on the quality and consistency of the trust's school improvement; or a financially fragile school might seek a trust with strengths in finance and operations.

We have worked this into a range of evidence which Regions Group will consider under each pillar. This is set out in [Annex B](#). We expect this to iterate over time as we know there are areas where we will be able to improve our understanding in future.

Under each pillar, the evidence is broken down into three categories:

- **Headline metrics** help us build our hypothesis and prompt further questions.
- **Verifiers** provide more in-depth data for a richer understanding of the trust.
- **Qualitative evidence** enables us to explore areas where data is not easily available or where it does not tell the whole story.

We are working towards having headline metrics for all pillars. For now, however, Regions Group will rely on verifier and qualitative evidence for Workforce, and on qualitative evidence to assess the quality of a trust's governance.

## Working through the evidence

Our approach to evaluating evidence is not algorithmic or linear. It is informed by data rather than determined by data. Each commissioning decision is based on professional judgment. Regions Group will assess the relevant evidence to the particular commissioning scenario. They will consider the needs and characteristics of the schools, the trust, and the local area in order to form an objective judgement. No single metric is determinative of trust quality. Instead, we use a range of metrics to provide a holistic picture of trust quality.

The evidence base will be enriched by the knowledge Regions Group holds about a trust, gathered through planned Strategic Conversations or through discussions initiated by the trust. Trusts looking to grow should engage with their Trust Relationship Manager to discuss their plans. These conversations will help develop a shared understanding between Regions Group and the trust about the quality of the trust and its capacity for growth. They will help ensure that Regions Group understands, and can factor in, any contextual detail which will improve their interpretation of the evidence. The conversations will also help trusts to understand Regions Group's strategic approach to the local area and in relation to any individual decisions of interest.

Regions Group will perform an initial objective assessment of financial performance and governance compliance for any trust or trusts under consideration for growth. This will identify if a trust is in receipt of a Notice to Improve, or where concerns exist regarding the trust's compliance with the financial and/or governance requirements set out in the Academy Trust Handbook and/or its Funding Agreement. Regions Group will consider any contextual information when performing this assessment. Trusts that fail to meet these conditions would be ruled out for further growth at that time.

If no concerns have been identified when performing early finance and governance checks, Regions Group will then examine headline metrics related to the High-Quality and Inclusive Education pillar to form a hypothesis about the trust's quality. The headline metrics are drawn, in part, from the multi-academy trust performance tables.<sup>3</sup> The metrics can be used to compare trusts both nationally and locally – depending on where the trust

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<sup>3</sup> From November 2023 onwards once 2023 performance data becomes available.

operates. This initial hypothesis provides a foundation on which to look at wider sources of evidence:

- High-Quality and Inclusive Education verifiers will allow Regions Group to test its hypothesis about the trust's quality. For example, Regions Group may contextualise headline metrics with information about the percentage of pupils with English as an additional language (EAL) or with SEND. The verifiers serve two purposes: to provide a deeper understanding of the trust, and to focus in on the areas that are particularly relevant to the commissioning scenario.
- Qualitative evidence under the High-Quality and Inclusive Education pillar can expand the picture presented by headline metrics and verifiers, deepening our understanding. This is crucial for nuanced, human judgement that weighs the relevant evidence against the respective needs of schools, trusts and local areas.
- A trust's track record in School Improvement adds to the picture, helping us to understand the trust's ability to support schools. This will be explored using a headline metrics and verifiers.
- Information related to the Workforce, Finance and Operations, and Governance and Leadership pillars is also available – with Regions Group focusing on those metrics most relevant to the needs of the school in question.

We recognise the vital work of trusts that take on and improve schools facing the most challenging circumstances. We want to encourage more trusts to do the same where they have capacity to do so. When considering evidence to measure trust quality under the School Improvement pillar, Regions Group will take this context into account, looking at progress and attainment measures alongside evidence about the cohort of pupils.

## **Working through the evidence in relation to Specialist and AP settings**

The principles and processes described above apply to all schools, including special schools and AP; however, when assessing the quality of a trust to run specialist and AP schools, Regions Group will look in particular for strong evidence of expertise in managing such specialist provision. We also recognise the challenges in using traditional academic performance metrics to assess the quality of education provision in specialist and AP settings. This means a wider range of metrics and intelligence will be needed to ensure decisions meet the specific needs of the pupils of the school or schools in question, for example: School Ofsted reports, post-16 destination and absence data. Regions Group will also consider the strategic plans of the relevant local authorities as the body responsible for both commissioning and funding high needs places.

## Reaching a recommendation

In order to reach a recommendation, Regions Group will align its assessment of the strategic needs of the school, the trust and the local area with an evidence-based assessment of the trust's quality across the five pillars and come to a final decision. When looking for a trust to take on a school subject to intervention, this will include a shortlist of options.

## The role of Advisory Boards

Regions Group may take some decisions to their Advisory Board for advice. The agenda for each Advisory Board meeting is published in advance and includes the commissioning decisions being considered at the meeting.

This agenda enables members of the public, including parents and carers, to see the projects that will be discussed at the Advisory Board meeting in advance, and then make representations. Representations can be made up to five working days before any meeting by sending an email to the address provided in the Advisory Board draft agenda. A link to draft agendas for each region can be found on the [Advisory Board guidance page](#). Advisory Boards consider the representations and provide advice before Regions Group takes a decision.

Meeting notes are published once key stakeholders (schools, trusts, individuals) have been informed of decisions and have had the opportunity to respond.

## The role of Advisory Board members

To help inform their decision-making, Regions Group draws on the insight of their region's Advisory Board, which is made up of education sector professionals.

Advisory Board members provide an additional source of challenge and insight to Regions Group decision-making, and enable Regions Group to draw on relevant sector experience. Advisory Board members are not decision makers. Advisory Board members may provide advice based on their particular areas of expertise, such as trust governance, school improvement and school budget management.

We are currently revising our Advisory Board meeting agenda and meeting note templates to show more clearly how decisions are made and the evidence used to inform

those decisions. We will also review the wider purpose and role of Advisory Boards in advance of the next round of elections in 2025. As part of this review, we will explore ways to retain and promote opportunities for parents and carers to make representations ahead of any commissioning decisions.

## **How commissioning decisions are made about church and other faith schools**

The Catholic Church and Church of England are England's largest providers of schools (around 30% of all state-funded schools), and individual dioceses will have their own academy strategies. Regions Group works in partnership with dioceses to develop and implement diocesan academy strategies. Regions Group also recognises the statutory requirement for dioceses or the relevant religious body to consent to the academy conversion of their schools.

When assessing strategic needs when making commissioning decisions, Regions Group will refer to the relevant academy strategy to ensure any decision meets the needs and priorities identified by the dioceses. In cases where decisions are being made about which multi-academy trust will take on an underperforming school or individual academy, Regions Group will look for trusts with church articles of association or for trusts that are in discussion with the Diocese about moving to have church articles.

When working with diocesan trusts<sup>4</sup>, meetings between the academy trust and the Department will always include diocesan representation. When making commissioning decisions, Regions Group will discuss its decision with representatives of the diocese before communicating directly with the academy trust. The relationship between the diocese, their schools and Regions Group is set out in the Memoranda of Understanding (MoUs) between the Department and the Catholic Church and the National Society of the Church of England.

In working with other religious bodies for schools designated with a religious character, Regions Group will act in the spirit of the MoUs in place with the Churches and

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<sup>4</sup> By diocesan trust, we refer to any trust where the diocese has the right under the articles to appoint members and directors/trustees.

recognises the need for them to consent to voluntary conversion of schools for which they are the religious body.

## **How to complain about a Regional Director's decision**

If you wish to make a complaint about a decision that a Regional Director has made, please e-mail – [RegionsGroup.COMPLAINTS@education.gov.uk](mailto:RegionsGroup.COMPLAINTS@education.gov.uk).

We will investigate all formal complaints in line with the [Department for Education's complaints procedure](#).

### **Note on applications from open academies to make ‘significant changes’ and recommendations regarding the closure of an academy by mutual agreement**

The role of Regions Group in the strategic oversight of the system extends beyond commissioning to include making various decisions about applications from open trusts wanting to make ‘significant changes’ to any of their academies. These include expansions of physical capacity, age range changes, amalgamations or de-amalgamations of the schools within a trust, faith-related changes (with the consent of the relevant religious body), and changes to special educational and alternative provision.<sup>5</sup> Separately Regions Group will also make recommendations to the Secretary of State about the closure of academies by mutual agreement - for example, when there are surplus places in a local area and there is no predicted increase in the need for places in future.

As with commissioning decisions, Regions Group assesses applications from trusts to make a significant change (in advance of the change being made) with the aim of ensuring that proposals align with the needs of the local area and will secure the best educational outcomes for pupils. Questions around trust quality and capacity are always taken into account when making decisions on significant changes, as is the case for closure of an academy by mutual agreement.

We are currently refreshing our significant change guidance and will be publishing an update soon.<sup>6</sup>

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<sup>5</sup> Academy trusts proposing to make a significant change to any of their academies must submit a proposal for change and follow the process set out in published guidance Making Significant Changes to an Open Academy before the change is made.

<sup>6</sup> [Information about how Regions Group currently consider applications from open academies to make significant changes](#)

## Section three: Accessing departmental funding to support trust growth

### Trust Capacity Fund (TCaF)

Once Regions Group has approved a trust's growth project, trusts are eligible to apply for TCaF. Further details on how trusts can apply for and how applications will be assessed is set out in the [TCaF guidance and information](#). TCaF provides funding to help trusts develop their capacity to grow and has a focus on underperforming schools and EIAs. We have committed £86m of funding until March 2025, and in April launched a new two-year TCaF fund. Larger grants will be available for projects which respond to local priorities for trust growth set out in Trust Development Statements in EIAs, and we particularly welcome applications for projects which involve groups of schools.

### Trust Establishment and Growth (TEG) Fund

Applications are open to apply for the [Trust Establishment and Growth \(TEG\) Fund](#). This is a competitive grant available to trusts, schools, dioceses and other organisations looking to establish a new multi-academy trust, or an existing trust looking to expand or create a hub in a new area. Funding must be used to support activities associated with the initial start-up stage of a trust growth project and applicants must discuss their proposed project with the relevant regional office to ensure it fits with the Regional Director priorities.

### Trust and School Improvement

The Department supports system-led approaches to supporting underperforming standalone academies, schools and multi-academy trusts through the [Trust and School Improvement](#) offer. For eligible schools and trusts, the Department can fund up to ten days of support from a system leader, delivered primarily by a high-quality multi-academy trust or by a National Leader of Education (NLE). The support is designed to help school and trust leadership teams identify and implement sustainable improvements within the school/trust, alongside signposting to additional expert support offered by curriculum and behaviour hubs. If your school or trust does not meet the criteria but you feel you would benefit from the offer, email [school.improvement@education.gov.uk](mailto:school.improvement@education.gov.uk).



## Emergency School Improvement Fund (ESIF)

The [Emergency School Improvement Fund](#) (ESIF) is a funding stream designed to support at risk schools and academies where they are facing unexpected or imminent failure. More specifically, ESIF supports schools and academies to improve in areas such as leadership, governance, safeguarding, human resources and finance. Funding secured through this programme is often used as part of a wider intervention package to enable a school to move into a strong multi-academy trust. Applications can be made for short-term support while a longer-term sustainable solution is developed, such as through the support of a new academy sponsor. We consider applications for longer term, whole-school support where no other sustainable solution can be found. Applications must have the support of either the relevant Regional Director or local authority before they are submitted.



Department  
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