

# THE EAST CLEVELAND CO-OPERATIVE LEARNING TRUST

## STATUTORY PROPOSALS

### 1 Introductory Information

#### 1a School Details

This is a proposal for the following schools to change category from Community to Foundation and acquire Trust status.

- Badger Hill Primary School which is a Community School located at Marston Road, Saltburn-by-the Sea, TS12 2XR;
- Belmont Primary School which is a Community School located at Lauderdale Drive, Guisborough, Cleveland, TS14 7BS;
- Chaloner Primary School which is a Community School located at Wilton Lane, Guisborough, Cleveland, TS14 6JA;
- Galley Hill Primary School which is a Community School located at Campion Drive, Hutton Meadows, Guisborough, Cleveland, TS14 8DW;
- Handale Primary School which is a Community School located at West Park Avenue, Loftus, Saltburn-by-the Sea, TS13 4RL;
- Highcliffe Primary School which is a Community School located at Hutton Lane, Guisborough, Cleveland, TS14 8AA;
- Lingdale Primary school which is a Community School located at Davison Street, Lingdale, Saltburn-by-the Sea, TS12 3DU;
- Lockwood Primary School which is a Community School located at Saltburn-by-the Sea, TS12 3BL; and
- Whitecliffe Primary School which is a Community School located at Kilton Lane, Carlin How, Saltburn-by-the Sea, TS13 4AD.

#### 1b Dates

The proposed implementation date is 31st August 2013.

#### 1c Objections or comments

Within four weeks from the date of publication of these proposals, **by noon on 11<sup>th</sup> July 2013**, any person may object to or make comments on the proposals by writing to one of the above schools.

#### 1d Consultation

A great deal of consultation has taken place with regard to these proposals.

- i) Our consultation document (copy in Appendix 1) was issued on 24<sup>th</sup> April 2013 to all consultees listed in section 9 of the consultation document and published on the websites, and there was press coverage at the start, and during the consultation. Additional copies of the consultation document were made available upon request.
- ii) The results of this extensive consultation exercise were summarised in a report for the governing body of each school and this report is attached (copy in Appendix 2).
- iii) The consultation was promoted widely and over 2000 consultation packs were distributed.
- iv) At the end of the consultation period on 24<sup>th</sup> May 2013 a total of 83 response forms had been returned. This is approximately 4% of the total and is par for the course.

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- v) These broke down as follows – 58 were from parents, 20 were from staff, 3 were from Governors and 2 were from ‘others’. The reader should remember that the numbers below may not tally absolutely to the number of responses received, as some respondents may have missed some questions and answered others twice, or had dual roles (eg. staff governor)
- vi) The overwhelming majority (73) of the response forms returned were supportive. No responses were received which were against the proposals, with 8 respondents being unsure and 1 respondent supporting the change of category only (see Appendix A).
- vii) Of the 44 respondents who supported the proposals, 49 were parents, 19 were staff, 3 were governors with 2 ‘other’.
- viii) There were separate staff and public meetings at the schools and meetings with the unions, school, and local authorities to discuss the proposed alterations.
- ix) Simultaneously with the public consultation pupils and students in the schools were consulted using a mixture of assemblies, school council and informal discussions. [This process gave support for the proposals].
- x) It is clear that the great majority of staff are fully reassured that this legal change of employer will not make any difference to their present pay and conditions arrangements. A letter to obtain the required employment assurances has been sent to the LA (see Appendix E). In addition a staffing protocol (see Appendix F) developed with Trade Unions and Teacher Associations and which has been adopted by governing bodies in most other Co-operative Trusts has also been proposed. Linked to this is a formal national agreement between UNISON and the Schools Co-operative Society (SCS), which is the recently formed representative body for co-operative schools. Nevertheless there may well be a few staff that still harbour some concerns. It will be important to reassure them that experience elsewhere in the other co-operative trust schools, mean any remaining concerns are completely unfounded. The proposed LA reassurances and associated staffing protocols with the TA/TUs plus the UNISON/SCS National Agreement, should all serve to reassure staff. This is particularly true for support staff with regard to the UNISON/SCS National Agreement. Each governing body is recommended to formally adopt these two documents.
- xi) As the information provided in this section demonstrates, all statutory requirements about consulting on these proposals have been met. The Governing Body of the four schools met separately to consider the consultation responses on 6<sup>th</sup> June 2013 and considered the issues raised. They each agreed to move to Statutory Notice.

### **1e Changes made in response to consultation responses**

Following careful consideration of the responses to the consultation, the Governing Bodies of each school decided no alterations were necessary.

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### 1f Alteration Description

Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that:

The Governing Body of Badger Hill Primary School, intends to make a prescribed alteration to Badger Hill Primary School which is a Community School located at Marston Road, Saltburn-by-the Sea, TS12 2XR

The Governing Body of Belmont Primary School, intends to make a prescribed alteration to Belmont Primary School which is a Community School located at Lauderdale Drive, Guisborough, Cleveland, TS14 7BS

The Governing Body of Chaloner Primary School, intends to make a prescribed alteration to Chaloner Primary School which is a Community School located at Wilton Lane, Guisborough, Cleveland, TS14 6JA

The Governing Body of Galley Hill Primary School, intends to make a prescribed alteration to Galley Hill Primary School which is a Community School located at Campion Drive, Hutton Meadows, Guisborough, Cleveland, TS14 8DW

The Governing Body of Handale Primary School, intends to make a prescribed alteration to Handale Primary School which is a Community School located at West Park Avenue, Loftus, Saltburn-by-the Sea, TS13 4RL.

The Governing Body of Highcliffe Primary School, intends to make a prescribed alteration to Highcliffe Primary School which is a Community School located at Hutton Lane, Guisborough, Cleveland, TS14 8AA.

The Governing Body of Lingdale Primary School, intends to make a prescribed alteration to alteration to Lingdale Primary school which is a Community School located at Davison Street, Lingdale, Saltburn-by-the Sea, TS12 3DU;

The Governing Body of Lockwood Primary School, intends to make a prescribed alteration to Lockwood Primary School which is a Community School located at Saltburn-by-the Sea, TS12 3BL.

The Governing Body of Whitecliffe Primary School, intends to make a prescribed alteration to Whitecliffe Primary School which is a Community School located at Kilton Lane, Carlin How, Saltburn-by-the Sea, TS13 4AD.

The proposed alteration in each case is to:

- change school category from Community to Foundation; and
- together with one or more of the proposed partners to acquire a Trust established otherwise than under the School Standards and Framework Act 1998 (SSFA 1998).

### 2. Changing Category

a) The governing body of each school believes that forming a Trust will provide opportunities to improve learning in our community. The proposal for this Trust arises

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from a desire to build upon the very strong existing collaborative arrangements amongst the nine Consulting Schools, and the additional nine schools identified as Partners.

- b) Each school will have a foundation established otherwise than under the SSFA 1998.
- c) This is not a change of category to foundation from a voluntary aided school so no consent is required.

### 3. Acquiring a Trust

a) The name of the Trust that Governors intend to acquire from the 31<sup>st</sup> August 2013 is "The East Cleveland Co-operative Learning Trust".

b) The East Cleveland Co-operative Learning Trust partner organisations plan to work in partnership and collaboration with our schools. Forming the Trust body formalises that working relationship and ensures that relationships survive changes of personnel, for the benefit of all schools in the wider area acquiring the same Trust. Working as a shared Trust will clarify our vision and aims, raise expectations, aspirations and standards, and make our existing collaboration more sustainable. We believe it will help our children achieve even more than they do now. We aim to provide the very best education possible for all children in our communities by working together more effectively, sharing very best practice and learning across all of our schools as well as promoting community cohesion.

Key aims of the Trust are to:

- provide opportunities to develop knowledge and understanding, skills, attitudes and attributes throughout the learning journey
- make the quality of teaching and learning our top priority
- operate a support structure which ensures students can achieve their full potential, both by ensuring a safe and happy environment and by knowing each student as an individual
- ensure that student-centred personalised approaches are always at the forefront of our ethos and practice, with each and every child and young person within our trust
- seek to make every student feel a part of the community by increasing their ownership and participation
- celebrate achievement and creativity
- engage parents in an equal partnership to support their child
- invest in our staff to increase our skills and experience
- celebrate and support innovation and research in teaching and learning by our colleagues

In addition, we aim to improve social cohesion within our community by strengthening our commitment to co-operative values, including respect, social justice, fairness and democracy.

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- c) The proposed members of the trust are:
- Redcar and Cleveland Local Authority (1 Trustee)
  - The Co-operative Movement (initially represented by the Co-operative College) (1 Trustee)
  - Badger Hill Primary School (2 Trustees – see below\*)
  - Belmont Primary School (2 Trustees – see below\*)
  - Chaloner Primary School (2 Trustees – see below\*)
  - Freebrough Academy (1 Trustee)
  - Galley Hill Primary School (2 Trustees – see below\*)
  - Handale Primary School (2 Trustees – see below\*)
  - Highcliffe Primary School (2 Trustees – see below\*)
  - Huntcliff School (1 Trustee)
  - Kilton Thorpe Specialist Academy
  - Laurence Jackson School (1 Trustee)
  - Lingdale Primary School (2 Trustees – see below\*)
  - Lockwood Primary School (2 Trustees – see below\*)
  - Saltburn Primary School (1 Trustee)
  - Skelton Primary School (1 Trustee)
  - St Joseph's RC Primary School (1 Trustee)
  - St Peter's CofE Primary School (1 Trustee)
  - St Paulinus RC Primary School (1 Trustee)
  - Whitecliffe Primary School (2 Trustees – see below\*)

\* for schools for whom the Trust shall act as a foundation, the two trustees shall be the Head Teacher and Chair of Governors – or the Chair's nominee.

In addition learners at the school, parents, staff, members of the local community and local community organisations will be able to become members of the Trust. The Trust will have a Stakeholder Forum composed of members, which will be able to appoint two of the Trust's trustees.

It is proposed that the Trust would perform in the most effective and democratic manner if it were to be established and operate in accordance with co-operative values of self-help, self-responsibility, democracy, equality, equity and solidarity. The co-operative model provides a level of community engagement and participation that is essential if the adoption of trust school status is going to achieve the Schools' vision for education in the community and will assist in the promotion of community cohesion.

Accordingly membership of the Trust would be open to anyone approved by the Trustees, is willing to be bound by the provisions of the Trust's constitution and who is eligible for membership of any one of the following five membership constituencies:

- learners attending the School;
- parents and carers of those attending the School;
- staff working at the School;
- members of the local community; and
- local community organisations

The Stakeholder Forum would discuss issues affecting the Trust, make recommendations to the Trustees, and appoint two Trustees. As the Trust develops it

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will welcome other schools joining the Trust.

It is anticipated that Huntcliff School and Saltburn School will consult on joining the Trust. They have recently undergone a separated consultation on Federation. It is proposed that the federated schools will have, in total, 3 Trustees. These would be the Executive Head and 2 Chair nominees.

The involvement of partners in this project in no way prejudices their relationships with other education providers.

d) The Trust will appoint a minority of Governors (namely two), onto the Governing Body at each school as defined in Appendix 3.

e) Each Partner will appoint trustees as shown in 3c. The Stakeholder Forum will appoint two Trustees.

f) The proposed constitution of each Governing Body is shown in Appendix 3.

g) The Trust's charitable objectives will be to advance the education of the learners in the East Cleveland Co-operative Learning Trust remit, to advance the education of other members of the community, and otherwise to benefit the community, it being acknowledged that in carrying out the objects the Trust must (where applicable) have regard to its obligation to promote community cohesion under the Education Acts.

h) The Trust does not already act as a foundation for any other school.

i) The Trust will meet the requirements on Trusts as detailed in School Organisation (Requirements as to Foundations) (England) Regulations 2007.

j) The rationale for acquiring the Trust, the contribution it will make, and the direction it will provide to the schools can be summarised as:

The Governing Bodies of the consulting schools are jointly proposing to establish, through a Trust, a long- term partnership that aims to bring together the Co-operative Movement, and other partners; we believe that collaborating more closely with partner schools and building on the good relationships developed to date, will further improve the quality of the learning journey for our young people. Becoming a shared Trust will help us to develop our vision and aims, continue to raise expectations and standards across the partnership, and make our existing collaboration more sustainable. We believe that to meet the needs of the community we need to work together as a community. As a group of schools we know that we can achieve more by working together than we can by working alone. A shared Trust, in this case the East Cleveland Cooperative Learning Trust, would help to make that belief a reality.

The Trust will contribute to the advancement of education and raise standards through the creation of a platform for on-going improvement. The resources and expertise brought to the Trust by the partners will strengthen strategic leadership, increase support and challenge and consolidate effective monitoring, thereby bringing about rapid improvement in outcomes for students.

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k) The schools acquiring the Trust already work with other schools in an Extended Schools partnership towards delivering the core offer for Extended Schools. This work will continue so that the entire Trust area, and not just the schools acquiring the Trust, will offer community cohesion and development for our local community and will contribute to the diversity of educational provision in the area.

l) After considering responses to these proposals, the governing body of each of the schools will decide whether it wishes to acquire the Trust. If the governing body of a school decides that it does not wish to acquire the Trust, that decision will not preclude the other schools from acquiring the Trust.

Dated: 13<sup>th</sup> June 2013

Signed:

Mr Martin Stone	Chair of the Governing Body	Badger Hill Primary School
Mr Mike Bloomfield	Chair of the Governing Body	Belmont Primary School
Mr Arthur Bailey	Chair of the Governing Body	Chaloner Primary School
Mr Paul Kirkham	Chair of the Governing Body	Galley Hill Primary School
Mr Daren Fowler	Chair of the Governing Body	Handale Primary School
Mr Howard Bean	Chair of the Governing Body	Highcliffe Primary School
Miss Kay Longstaff	Chair of the Governing Body	Lingdale Primary School
Mr John Tombs	Chair of the Governing Body	Lockwood Primary School
Mr Ross McMillan	Chair of the Governing Body	Whitecliffe Primary School

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### Appendix 1 – Consultation Documentation.

Booklets One and Two, plus the summary information leaflet are attached separately

### Appendix 2 – Report of the Consultation process

The Report is attached separately

### Appendix 3: Proposed Reconstituted Governing Body Composition.

From September 1<sup>st</sup> 2012, new regulations came into force that apply to all schools changing category after that date. Further Guidance can be found at:

<http://www.education.gov.uk/aboutdfe/statutory/g00213385/school-governance-constitution-regulations-2012>

#### Key points

- the regulations allow governing bodies constituted on or after 1 September 2012 to have a minimum size of seven members<sup>1</sup>, rather than nine as under the Constitution Regulations 2007;
- the governing body should ensure that it has the skills needed to conduct the governing body's business effectively;
- the method of appointing the LA governor has been amended;
- a new definition of co-opted governor has been introduced; and
- the role of sponsor governor and community governor has been removed.
- The role of co-opted Governor is introduced

The governing body of a foundation school with a 'minority' Trust as its foundation, which is what we are proposing, has to be composed as follows;

- The Headteacher;
- One staff governor;
- At least two parent governors;
- One Local Authority governor;
- At least two, but no more than 45% of the total – foundation governors appointed by the named Trust; in our case we are proposing the legal minimum of two.
- As many co-opted governors as the governing body consider necessary. The total number of co-opted governors who are also eligible to be elected as staff governors must not exceed one-third of the total membership of the governing body, you must also count the Headteacher position in this figure.

In our case we are proposing that changes should be minimal when compared with the 'old' (Pre-September 2012) composition of our Governing Body. The tables below show the proposed composition of the Governing Body of each school:



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## Badger Hill Primary

Governor type	Current	Proposed
Local Authority	3	1
Parent	5	2
Staff	4 inc head	2 inc head
Community	3	
Foundation/Trust		2
Co-opted		5
<b>Total</b>	<b>15</b>	<b>12</b>

## Belmont Primary

Governor type	Current	Proposed
Local Authority	3	1
Parent	7	4
Staff	3	1
Community	3	0
Foundation/Trust	0	2
Co-opted	0	7
<b>Total</b>	<b>16</b>	<b>15</b>

## Chaloner Primary

Governor type	Current	Proposed
Local Authority	1	1
Parent	2	2
Staff	3	2 (inc Head)
Community	0	0
Foundation/Trust	0	2
Co-opted	7	6
<b>Total</b>	<b>13</b>	<b>13</b>

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### Galley Hill Primary

Governor type	Current	Proposed
Local Authority	2	1
Parent	4	2
Staff	3	1
Community	3	0
Foundation/Trust	0	2
Co-opted	0	6
<b>Total</b>	<b>12</b>	<b>13</b>

### Handale Primary

Governor type	Current	Proposed
Local Authority	3	1
Parent	3	3
Staff	1	1
Community	0	0
Foundation/Trust	0	2
Co-opted	6	6
<b>Total</b>	<b>13</b>	<b>13</b>

### Highcliffe Primary

Governor type	Current	Proposed
Local Authority	4	1
Parent	7	5
Staff	4	2
Community	5	0
Foundation/Trust	0	2
Co-opted	0	7
<b>Total</b>	<b>20</b>	<b>17</b>

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## Lingdale Primary

Governor type	Current	Proposed
Local Authority	3	1
Parent	5	2
Staff	3 (inc Head)	2 (inc Head)
Community	3	0
Foundation/Trust	0	2
Co-opted	0	7
<b>Total</b>	<b>14</b>	<b>13</b>

## Lockwood Primary

Governor type	Current	Proposed
Local Authority	3	1
Parent	4	3
Staff	5	2
Community	4	0
Foundation/Trust	0	2
Co-opted	0	7 (3 Staff)
<b>Total</b>	<b>16</b>	<b>15</b>

## Whitecliffe Primary

Governor type	Current	Proposed
Local Authority	3	1
Parent	2	2
Staff	2	2
Community	0	0
Foundation/Trust	0	2
Co-opted	5	5
<b>Total</b>	<b>12</b>	<b>12</b>