

**DOVESTONE LEARNING PARTNERSHIP (DLP)**

**STATUTORY DETERMINATION REPORT**

**To**

**The Governing Bodies of  
Delph & Diggle Primary Schools and Knowsley Junior School**

**6 July 2017, 6.00 pm**

**Saddleworth School**

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## **Main Report**

### **Overview**

This document summarises the feedback from the consultation and statutory representation period conducted by the Governing Bodies of Diggle and Delph Primary School and Knowlsey Junior School in relation to the proposed change of category to foundation status and acquiring of a charitable trust known as the Dovestone Learning Partnership. The consultation was supported by Julie Bowdidge who has produced this report and, in writing it, has sought to ensure that it conforms fully with the following regulations and accompanying statutory guidance.

- The Education and Inspections Act 2006 (sections 18 to 24.)
- The 'SOPAM' Regulations 2013; i.e. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013); ('The Regulations') and
- 'School Organisation: Maintained Schools – Guidance for proposers and decision-makers" and Annexes B and C

The Regulations specify how proposals are to be published (para 5 of Schedule 1) but they do not otherwise prescribe if any consultation should be carried out. The SOPAM regulations need to be followed and the statutory guidance need to be considered when making changes and these are covered in the executive summary below and in more detail in Appendix A.

### **Executive Summary**

The Governing Bodies of Diggle and Delph Primary Schools and Knowlsey Junior School are the decision maker for these proposals. All the representations that had been received at the time of writing, i.e. after the six week consultation and statutory representations period had finished at noon on Wednesday 21 June 2017 are included here.

It now falls to the Governing Bodies to make a decision about whether or not to implement the proposals. The Statutory guidance (para 10-29 of Annex B) defines the criteria to be considered by the decision maker and these are summarised in the documents as follows:

The requirements of the Trust Statutory guidance are:

- a) that the proposal meets the legal requirements of the Regulations;
- b) that the Governing Body has considered the impact of the proposal on:
  - i) educational standards and the diversity of provision;
  - ii) demand;
  - iii) school size;
  - iv) proposed admission arrangements (including post-16);
  - v) the National Curriculum;
  - vi) equal opportunities issues;
  - vii) community cohesion;

viii) travel and accessibility; and

ix) capital.

Each of these points is addressed below.

**a) That the proposal meets legal requirements**

The consultation period began at noon on 28 April 2017 until noon on the 21 June 2017. During this time meetings were held with staff, parents/carers, unions, pupils and an open meeting for other stakeholders. The statutory notice period ran from Friday 12 May 2017 for a 4 week period. The proposal was published on the individual school's website, in a local newspaper and at every entrance of the school in accordance with the 2013 Regulations. Representations were accepted for a period of four weeks between 12 May 2017 to 9 June 2017. See appendix A for more details.

The Trust itself meets legal requirements and will be established and registered with exclusively charitable objectives. The structure of the Trust meets the requirements of proposed members and trustees and none of the current or proposed trustees are disqualified persons and processes are in place to ensure that this remains the case in the future.

**b) That the Governing Body considers the impact of the proposal on:**

**i) educational standards and the diversity of provision**

Through acquiring a Trust each school which has made the Trust its legal foundation will be supported by a partnership with the co-operative movement, currently represented, at this stage represented by the Co-operative College, Saddleworth School, St Agnes CE Primary School, Christchurch Denshaw CE Primary School, St Mary's CE Primary School and St Thomas' Leesfield CE Primary School in ensuring achievement is further raised and a coherent provision made available across all phases of education.

The rationale for acquiring the foundation and the ethos that it will bring to the schools can be summarised as:

Building Capacity to improvement performance of childfree and staff with a group of like-minded colleagues School improvement is key to the success and sustainability of our partnership. The support of working in teams will be invaluable – we all have similar challenges to deal with in the different settings. We will be in a larger group of schools to argue for what we want in the best interest of our children. The co-operative values are very important in how we work together in a mutually beneficial way – we are not being 'taken over' by larger schools – we all have things to contribute and things to gain for the benefit of the children in all our schools. There are no guarantees as funding and standards requirements are changing all the time, but we are trying to provide ourselves with access to a wider pool of expertise to ensure high standards.

We share the co-operative values that underpin the vision of Dovestone Learning Partnership ie to work together to inspire and empower our children to achieve their very best. In order to achieve this DLP is focused on:

- Sharing use of resources, opportunities and expertise,
- Sharing opportunities to work across a range of settings and communities

- Collective brokering of services and opportunities for children and staff development, thus offering better value for money for each of our schools
- Strong local accountability, with priorities responsive to our local situation and diverse collection of schools

Our vision is of a strong family of inspiring schools that serve our local community and contribute fully to the provision of education in the area and collaborate with other partners to achieve common goals. Leading the way in education for Oldham children and young people enabling them to enjoy learning and achieve well as individuals.

To achieve our vision we will ensure:

- The community is passionate about learning.
- Everyone's point of view is heard and appreciated.
- A relevant curriculum is engaging, inspiring and challenging for all learners.
- Children and young people experience excellent learning and teaching enabling them to thrive and flourish within a vibrant, happy, inclusive and safe learning environment.
- The adults employed to work with them are valued and challenged to be the best they can be.

The overarching aims of the Dovestone Learning Partnership are:

- To enable distinctive, aspirational schools
- To encourage innovation and inspiring decision making
- To build capacity, resilience and determination
- To develop strong leadership, governance and accountability
- To strengthen cross-phase working and transition
- To enable wider opportunities for all within the community
- To share expertise and best practice across our schools
- To provide exciting and relevant CPD opportunities for staff
- To support the well-being of pupils, staff and wider school community
- To deliver long term sustainability through efficiencies and savings, that release resources to improve the rate of progress for all pupils

Establishing the Trust formalises existing working relationships and helps ensure that these survive changes of personnel, for the benefit of all schools within DLP

By forming a co-operative school trust, the schools will become part of the global co-operative family. They can become members of the Schools Co-operative Society (SCS), the national network of co-operative trusts. The SCS support the national and regional networks of co-operative schools. This will also help bring a global dimension to the schools and assist in establishing national and international links with other co-operative organisations. The Co-operative College has extensive experience in both the general school sector and the co-operative trust sector. There are a range of curriculum materials available to the schools and the membership element of the Trust will encourage participation and promote the ethos and culture of each school and DLP to address national and local agendas through local, national and international engagement with the co-operative movement. The Local Authority will continue to challenge and support the school and take an active part in helping the school and the Trust address national agendas.

**ii) demand**

Should this proposal go ahead, it is possible that opportunities for pupils and staff will be enhanced, thus encouraging local parents to select our schools in future.

**iii) school size**

See above comment

**iv) proposed admission arrangements;**

The schools will work in a collaboration with the local Authority in ensuring strict adherence to the Schools' Admission Code whilst reserving the legal right to review admission arrangements if deemed appropriate. The DLP will continue to have a fair admissions policy and will not introduce selection by ability. The governing body will continue to work with the Admissions team at Oldham LA, as they do now, regarding the PAN for each school. The LA continues to have the responsibility to ensure there are school places for children.

**v) the National Curriculum;**

Like all maintained schools, Trust schools will teach the National Curriculum and still be inspected by Ofsted. Through working together with other Partnership schools, we expect to enhance our curriculum and offer further enrichment activities collectively for children within our schools' communities

**vi) equal opportunities issues;**

The school's legal obligation will continue to be met.

**vii) community cohesion;**

The Trust Partners are committed to improving community cohesion and ensuring there is cultural respect and tolerance between different groups of people living together. The Trust will strategically develop opportunities for all pupils to succeed to the highest levels by removing barriers to access and participation in learning and by engaging with other partners, parents and wider communities both nationally and globally.

**viii) travel and accessibility;**

There are unlikely to be significant changes regarding travel and accessibility as we shall continue to find solutions to enable children to participate in some activities in other locations, as we do now.

**ix) capital.**

Trust schools are funded on the same basis as other maintained schools, according to the local authority's funding formula. They are allocated their own capital money on the same basis as other schools.

If the decision is taken to form the DLP the land and buildings will transfer from the LA to the Dovestone Learning Partnership. The assets are held on trust for the duration of its relationship with the schools. The Trust does not have to pay for the land and assets. A Trust has the legal title to the land but holds it 'on trust' for the purpose and benefit of the schools

The responsibility of the Trust to hold the land for the benefit of the schools is set out in its Articles of Association. The actions of the Trust will be determined by these and by the requirements of company and charity law. Beyond checking that the school is adequately insuring and maintaining them, the Trust does not have responsibility for the upkeep of the land or the buildings on it or for contracts for goods or services which the governing bodies enter into.

Trust school governing bodies have day-to-day control over the school premises in the same way that all maintained school governing bodies do. Local authorities are responsible for maintaining school buildings, although this is usually delegated to governing bodies. Governing bodies are able to manage their buildings and services themselves, or to enter into agreements with their local authorities or with commercial organisations for the facilities managements of their premises, if they wish

### **Other issues**

The nature of a co-operative trust is such that it strengthens and supports the school/s within it via the membership model and the partners who will contribute towards the future development. There is support available to the Trust to develop the membership and stakeholder model and this engagement with parents, pupils, staff and the local community will further support the Trust and the schools and is seen as strength of the co-operative school trust model.

### **Recommended Action**

It can be seen from the above that the necessary statutory considerations have been well met; and as the Proposals have not been referred to the Schools Adjudicator, the Governing Bodies of Diggle and Delph Primary Schools and Knowsley Junior School are the decision makers for these proposals.

### **IT IS RECOMMENDED:**

- a) that the Governing Bodies approves the Proposals as set out with the amendment of the proposed Implementation Date of 1 October 2017. The Governing Bodies should also authorise the associated changes to its Instrument of Government as set out in Appendix C.
- b) that the Governing Bodies delegate any other urgent matters pertinent to the enactment of these proposals to the Chair of Governors of the Schools, in consultation with the Headteachers and Clerk to the Governing Body.

## **APPENDIX A. Determination by the Decision Maker on the Proposals to acquire a Trust**

### **Characteristics of the Trust it is proposed to acquire:**

- a. The Trust is not seeking to acquire or alter the religious character of the schools.
- b. The Trust will be registered with Companies House as a company limited by guarantee.
- c. The objectives of the Trust are wholly charitable with the objective to promote the advancement of education of the learners of the school/s for which the Trusts acts as the legal foundation..
- d. The Proposals clearly set out the mechanisms by which the Trust will promote community cohesion.
- e. Should the Local Authority become Members of the Trust they shall have no greater than 20% of voting rights.
- f. Trustees and Proposed Trustees - at the Implementation Date – will confirmed as not being disqualified from exercising their function either by virtue of:
  - I. Disqualification under company or charity law;
  - II. Disqualification from working with children or young people;
  - III. Not having obtained a criminal records certificate under section 113A of the Police Act 1997;
  - IV. The Schools Organisation (Requirements as to Foundations) (England) Regulations (2007/1287) (as amended) which disqualify certain persons from acting as charity trustees.
- g. The Proposals are for the Trust to appoint a minority of Trust governors to the Governing Bodies of the school/s for which it will act as the legal foundation.

### **Consultation and Representations.**

There were no responses received to the Statutory proposals See Appendix B for responses to the consultation.



**APPENDIX B: Responses to the Consultation.**

**Appendix Bi Consultation Response – Questionnaires**

**School: Delph Primary School**

A total of seven questionnaires were received following over 230 consultation documents being sent to all parents/carers, staff and governors of the schools as well as to a number of interested parties. These broke down as follows – 2 from parents and 5 from staff. Copies of these responses are available for governors’ perusal. The responses are supportive of the proposals. There were no responses against the proposals.

The number of responses for each question is given below together with the comments received. The background of the respondent, where known, is also given.

**Summary of response forms**

**Q1. How do you feel about the school changing category and establishing Dovestone Learning Partnership**

	Parents/ Carers	Staff	Governors	Other	Not Known
I support the proposals	2	5			
I am not sure and would like more information particularly on .....					
I do not think the school should change category and join the Trust because.....					

**Comments received:**

**None**

**Q2. How do you feel about the partners in Dovestone Learning Partnership?**

Our partners would be the Co-operative Movement, Saddleworth School, St Agnes CE Primary School, Christ Church Denshaw CE Primary School, St Marys CE Primary School, Greenfield and St Thomas’ Leesfield CE Primary School

	Parents/ Carers	Staff	Governors	Other	Not Known
These are the appropriate partners	2	5			
These are not appropriate partners					
I think the school should also think about other partners (please comment below)					

**Comments received:**

None

**Q3. What do you feel about this vision?**

Our vision is of a strong family of inspiring schools that serve our local community and contribute fully to the provision of education in the area and collaborate with other partners to achieve common goals. Leading the way in education for Oldham children and young people enabling them to enjoy learning and achieve well as individuals. To achieve our vision we will ensure:

- The community is passionate about learning.
- Everyone's point of view is heard and appreciated.
- A relevant curriculum is engaging, inspiring and challenging for all learners.
- Children and young people experience excellent learning and teaching enabling them to thrive and flourish within a vibrant, happy, inclusive and safe learning environment.
- The adults employed to work with them are valued and challenged to be the best they can be.

	Parents/ Carers	Staff	Governors	Other	Not Known
This is right for the school	1	5			
I think this is wrong for the school					

**Comments received:**

None

**Q4 We expect that the partnership would strengthen the Governing Bodies. This would bring in expertise from our partners but parents, staff, Local Authority and community governors would still be represented on the governing bodies. Do you think this model is right for the school?**

	Parents/ Carers	Staff	Governors	Other	Not Known
Yes – this sounds like a good idea	2	5			
No, I do not like this proposal					

**Comments received:**

None

**Q5. Please use the space below to give us any comments, concerns or suggestions that you feel we should think about before we publish formal proposals.**

**Comments received:**

Will staff be shared between different sites? (staff)

I think it's a good idea to join the partnership. Whilst we are in a position to choose who we work with, before being forced to be part of an academy with no choice. I think it's the right thing for Delph School. (staff)

My job is very important to me. I need and enjoy my job. I am putting my faith into what I'm being told by the Headteacher and governors. Please keep the staff, as well as the children & parents feeling secure. (staff)

'The school governing body would employ staff, not the local authority' – What input does the school have at present and what input would they have after the changes? Who will fund employees? Who will fund school assets if held by the Trust rather than the LA? It states: 'we already encourage active citizenship in our schools' – How does this manifest itself and if changed, how would the model involve staff and pupils more in the running of the school? (Parent)

**Appendix Bii Consultation Response – Questionnaires**

**School : Diggle Primary School**

A total of two questionnaires were received following over 176 consultation documents being sent to all parents/carers, staff and governors of the schools as well as to a number of interested parties. These broke down as follows – 1 from parents and 1 from staff. Copies of these responses are available for governors’ perusal. The responses are supportive of the proposals. There were no responses against the proposals.

The number of responses for each question is given below together with the comments received. The background of the respondent, where known, is also given.

**Summary of response forms**

**Q1. How do you feel about the school changing category and establishing Dovestone Learning Partnership**

	Parents/ Carers	Staff	Governors	Other	Not Known
I support the proposals	1	1			
I am not sure and would like more information particularly on .....					
I do not think the school should change category and join the Trust because.....					

**Comments received:**

None

**Q2. How do you feel about the partners in Dovestone Learning Partnership?**

Our partners would be the Co-operative Movement, Saddleworth School, St Agnes CE Primary School, Christ Church Denshaw CE Primary School, St Marys CE Primary School, Greenfield and St Thomas’ Leesfield CE Primary School

	Parents/ Carers	Staff	Governors	Other	Not Known
These are the appropriate partners	1	1			
These are not appropriate partners					
I think the school should also think about other partners (please comment below)					

**Comments received:**

I think this is a great step forward and is exciting for the future of all schools involved. Really glad Saddleworth is included as it will establish a strong link between Primary and Secondary

Possible Business partners: Barclays - work experience, financial assistance and preferred banking rates

**Q3. What do you feel about this vision?**

Our vision is of a strong family of inspiring schools that serve our local community and contribute fully to the provision of education in the area and collaborate with other partners to achieve common goals. Leading the way in education for Oldham children and young people enabling them to enjoy learning and achieve well as individuals. To achieve our vision we will ensure:

- The community is passionate about learning.
- Everyone's point of view is heard and appreciated.
- A relevant curriculum is engaging, inspiring and challenging for all learners.
- Children and young people experience excellent learning and teaching enabling them to thrive and flourish within a vibrant, happy, inclusive and safe learning environment.
- The adults employed to work with them are valued and challenged to be the best they can be.

	Parents/ Carers	Staff	Governors	Other	Not Known
This is right for the school	1	1			
I think this is wrong for the school					

**Comments received:**

Excellent vision encompassing all the schools being a key part of the community, very respectful of all parties – including staff, and the children will be inspired and challenged.

**Q4 We expect that the partnership would strengthen the Governing Bodies. This would bring in expertise from our partners but parents, staff, Local Authority and community governors would still be represented on the governing bodies. Do you think this model is right for the school?**

	Parents/ Carers	Staff	Governors	Other	Not Known
Yes – this sounds like a good idea	1	1			
No, I do not like this proposal					

**Comments received:**

A strengthened governing body is definitely a good thing – sharing of ideas, expertise, practices and experiences will make the schools stronger

I think a full review of the governors should be taken as we go into partnership.

**Q5. Please use the space below to give us any comments, concerns or suggestions that you feel we should think about before we publish formal proposals.**

**Comments received:**

Newsletter from the trust with updates, call to help and opportunities to be involved.

I think you should be realistic about what can be achieved and when – too ambitious sets the partnership up for a fall; not ambitious enough and people will criticise. The partnership needs to shout about the good things being done even if they are small steps in the right direction to keep parents and staff engaged on the positive journey.

**Appendix Biii Consultation Response – Questionnaires**

**Knowsley Junior School**

A total of two questionnaires were received following over 422 consultation documents being sent to all parents/carers, staff and governors of the schools as well as to a number of interested parties. These broke down as follows – 1 from parents and 1 unknown. Copies of these responses are available for governors’ perusal. The responses are supportive of the proposals. There were no responses against the proposals.

The number of responses for each question is given below together with the comments received. The background of the respondent, where known, is also given.

**Summary of response forms**

**Q1. How do you feel about the school changing category and establishing Dovestone Learning Partnership**

	Parents/ Carers	Staff	Governors	Other	Not Known
I support the proposals	1				1
I am not sure and would like more information particularly on .....					
I do not think the school should change category and join the Trust because.....					

**Comments received:**

None

**Q2. How do you feel about the partners in Dovestone Learning Partnership?**

Our partners would be the Co-operative Movement, Saddleworth School, St Agnes CE Primary School, Christ Church Denshaw CE Primary School, St Marys CE Primary School, Greenfield and St Thomas’ Leesfield CE Primary School

	Parents/ Carers	Staff	Governors	Other	Not Known
These are the appropriate partners	1				
These are not appropriate partners					
I think the school should also think about other partners (please comment below)					1

**Comments received:**

Other schools that are closer eg Springhead Infants

**Q3. What do you feel about this vision?**

Our vision is of a strong family of inspiring schools that serve our local community and contribute fully to the provision of education in the area and collaborate with other partners to achieve common goals. Leading the way in education for Oldham children and young people enabling them to enjoy learning and achieve well as individuals. To achieve our vision we will ensure:

- The community is passionate about learning.
- Everyone's point of view is heard and appreciated.
- A relevant curriculum is engaging, inspiring and challenging for all learners.
- Children and young people experience excellent learning and teaching enabling them to thrive and flourish within a vibrant, happy, inclusive and safe learning environment.
- The adults employed to work with them are valued and challenged to be the best they can be.

	Parents/ Carers	Staff	Governors	Other	Not Known
This is right for the school	1				1
I think this is wrong for the school					

**Comments received:**

None

**Q4 We expect that the partnership would strengthen the Governing Bodies. This would bring in expertise from our partners but parents, staff, Local Authority and community governors would still be represented on the governing bodies. Do you think this model is right for the school?**

	Parents/ Carers	Staff	Governors	Other	Not Known
Yes – this sounds like a good idea	1				1
No, I do not like this proposal					

**Comments received:**

None

**Q5. Please use the space below to give us any comments, concerns or suggestions that you feel we should think about before we publish formal proposals.**

**Comments received:**

I would like more information nearer the time as to how this will affect on children's learning in school (unknown)

Sounds like a very good idea indeed (parent)



**APPENDIX C: Proposed Reconstituted Governing Body Composition.**

**Ci: Delph Primary School**

***INSTRUMENT OF GOVERNMENT: FOUNDATION SCHOOL***

1. The name of the school is: Delph Primary School
2. The school is a foundation school.
3. The name of the governing body is ***“The governing body of Delph Primary School***
4. The governing body shall consist of:
  - a. Three Parent governors
  - b. One LA governor
  - c. One Staff governor
  - d. Three Co-opted governors
  - e. Two Foundation/Trust governors
  - f. One Headteacher
5. Total number of governors = 11
6. The name of the body entitled to appoint foundation governors is Dovestone Learning Partnership
7. The school has a trust entitled Dovestone Learning Partnership.
8. The term of office of governors is to be 4 years
9. This instrument of government comes into effect on 1 October 2017.
10. This instrument of government was made by order of Oldham LA on [leave blank for LA to insert date –}
11. A copy of the instrument must be supplied to every member of the governing body and any trustees

Governor type	Delph Primary School	
	Current	Proposed
Local Authority	1	1
Parent	3	3
Staff	2	1
Community/Co-opted	4	3
Trust/Foundation	0	2
Headteacher	1	1
<b>Total</b>	11	11

**Cii: Diggle Primary School**

**INSTRUMENT OF GOVERNMENT: FOUNDATION SCHOOL**

1. The name of the school is: Diggle Primary School
2. The school is a foundation school.
3. The name of the governing body is ***“The governing body of Diggle Primary School***
4. The governing body shall consist of:
  - a Three Parent governors
  - b One LA governor
  - c One Staff governor
  - d Three Co-opted governors
  - e Two Foundation/Trust governors
  - f One Headteacher
5. Total number of governors = 10 (plus one associate governor)
6. The name of the body entitled to appoint foundation governors is Dovestone Learning Partnership
7. The school has a trust entitled Dovestone Learning Partnership.
8. The term of office of governors is to be 4 years
9. This instrument of government comes into effect on 1 October 2017.
10. This instrument of government was made by order of Oldham LA on [leave blank for LA to insert date –]
11. A copy of the instrument must be supplied to every member of the governing body and any trustees.

Governor type	Diggle Primary School	
	Current	Proposed
Local Authority	1	1
Parent	3	3
Staff	1	1
Community/Co-opted	5	3
Trust/Foundation	0	2
Headteacher	1	1
<b>Total</b>	<b>11</b>	<b>11</b>

Plus one Associate Governor

**Ciii: Knowsley Junior School**

**INSTRUMENT OF GOVERNMENT: FOUNDATION SCHOOL**

1. The name of the school is: Knowsley Junior School
2. The school is a foundation school.
3. The name of the governing body is ***“The governing body of Knowsley Primary School***
4. The governing body shall consist of:
  - a. Three Parent governors
  - b. One LA governor
  - c. One Staff governor
  - d. Three Co-opted governors
  - e. Two Foundation/Trust governors
  - f. One Headteacher
5. Total number of governors = 11
6. The name of the body entitled to appoint foundation governors is Dovestone Learning Partnership
7. The school has a trust entitled Dovestone Learning Partnership.
8. The term of office of governors is to be 4 years
9. This instrument of government comes into effect on 1 October 2017.
10. This instrument of government was made by order of Oldham LA on [leave blank for LA to insert date –]
11. A copy of the instrument must be supplied to every member of the governing body and any trustees

Governor type	Knowsley Junior School	
	Current	Proposed
Local Authority	1	1
Parent	3	3
Staff	1	1
Community/Co-opted	5	3
Trust/Foundation	0	2
Headteacher	1	1
<b>Total</b>	<b>11</b>	<b>11</b>

## APPENDIX D: Correspondence.

### Di: LA Assurances

The following letter was sent by the Chairs of Governors of Delph and Diggle Primary Schools and Knowsley Junior School to Oldham LA seeking staff assurances. Also included below is the response from the LA representative.

Xxx April 2017

Dear Mr Collinge

#### Assurances from the Local Authority regarding Pension Arrangements, Costs of Early Retirement and Redundancies and related matters.

I write as Chair of the Governing Body of ( *name of school* ). You will be aware that we have begun consulting on changing our school category from community to foundation and at the same time acquiring a charitable trust. The proposed change will mean that governing body becomes the employing body on the proposed implementation day of 1 September 2017.

The TUPE process, under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007) provide for all rights, powers, duties and liabilities to transfer existing staff from the Local Authority to the Governing Body of the school.

Employees will be employed by the school's Governing Body instead of the Local Authority and it will continue to recognise the same teachers' associations and trade unions. The existing rights of teachers will be fully protected if the school acquires a Trust as the Governing Body will still be bound by the School Teachers' Pay and Conditions Document.

The Governing Body will set terms and conditions for its own support staff. However, terms and conditions will be safeguarded as per the prescribed regulations for existing staff and our support staff will maintain the same employment rights as Local Authority employees.

The Governing Body also agree to abide with the existing local agreements and policies currently in place for school staff, that have been negotiated by teacher associations and trade unions with the Local Authority and for recognition matters and payment towards facilities time.

However there are now a number of matters we require written assurances on from the Local Authority. These are as follows:

A). Liabilities affecting the governing body in respect of employment matters.

The governing body may, as employer, in some circumstances have to appear at an Employment Tribunal to defend ourselves, if, for example, candidates for a post at the school complain that a governing body's decision or procedure discriminated against them, or if an employee complains that they had been dismissed unfairly.

We would like an assurance in writing that the local authority recognises that in cases of dismissal, it has to pay any compensation or legal costs awarded by an Employment Tribunal unless it can show that it has good reason to charge the school's delegated budget (for

example, if the local authority had previously advised the governing body that an Employment Tribunal was likely to decide a dismissal was unfair).

B). Responsibility for the cost of premature retirements and compensation for redundancy.

The governing body, as the employer, can grant premature retirement to the staff either for reasons of redundancy or can terminate a member of staff's employment in the interest of the efficient discharge of their employer function. The governing body also decides on the level of compensation to grant any member of staff they may make redundant.

We would like an assurance in writing that the local authority recognises that it, as the "compensating authority" has to pay "mandatory compensation" towards a teacher's annual pension and retirement lump sum if they are granted premature retirement by the governing body. We do recognise that the local authority has the power to take the costs of premature retirement from a school's delegated budget if the authority has not agreed to the premature retirement. Similarly, the authority is empowered to take the costs of discretionary compensation for redundancy from a school's delegated budget if they have good reason to do so (an example of this might be if the local authority thought the discretionary payment in a particular case was too high in relation to its own policy).

C).Pensions of support staff.

Support staff at foundation schools are allowed to continue to be in the Local Government Pension Scheme (LGPS) if the local authority, with the consent of the school governing body, has by a statutory resolution specified them to be eligible to belong to the scheme. Otherwise, the support staff will no longer be members of the LGPS and it will be for them and the school governing body to make alternative pension arrangements. In our case, the governing body has resolved to seek to ensure continuity of pension arrangements for support staff through the local authority and the LGPS. We are now formally seeking written assurances that

- i) That the local authority will agree as a matter of urgency the statutory resolution specifying that support staff currently in the LGPS will continue to be eligible to belong to the scheme. We would ask for a copy of the actual resolution and the minute of the meeting where it was agreed.
- ii) That the local authority will also agree to support staff currently not in the LGPS, continue to have the right to join it going forward and that a similar offer be made to new support staff joining us in the future.

Yours sincerely,

Xxxxx (name)  
Chair of Governors  
School

**Response from the LA**

Date: 19<sup>th</sup> June 2016



**Chair of Governors  
XXX School**

Economy and Skills Directorate  
Business Support Service  
Level 3  
Civic Centre  
West Street  
Oldham  
OL1 1UT  
Tel: 0161 770 4239

Dear (Chair of Governors)

**Foundation Trust Status**

Thank you for your recent letter regarding the schools consultation on foundation trust status.

In response to the matters raised in your letter namely liabilities in respect of employment matters, retirement and redundancy costs and membership of pension schemes I can confirm that the school will be subject to the same rules and considerations as all other maintained schools in the borough.

The LA applies the same rules regarding pension membership, redundancy payments and liability payments to all maintained schools (including Trust and VA Schools).

Should the trusts status change in the future and any of the schools in the trust move to academy status then the LA would no longer be responsible for any payments in relation to any employment matters.

Yours sincerely

Andy Collinge  
Head of School Support Services

**working for a co-operative borough**  
[www.oldham.gov.uk](http://www.oldham.gov.uk)

**Dii: Trade Union Recognition Agreement and Collective Agreement 2017**

The Partnership is in receipt of the Trade Union Recognition Agreement and Collective Agreement 2017 and has been asked to sign it in order to ensure the relationship between schools and the Trade Unions. If the Trust as proposed is agreed this will be adapted to recognised the Foundation Trust. A copy of the agreement has been circulated to Headteachers.

## **APPENDIX E: Summary of Consultation Meetings**

**Ei: Delph Primary School**

**Notes from the Dovestone Learning Partnership consultation.**

**Delph Primary School, 4 May 2017, 3.30 pm**

### **Staff Meeting**

#### **Present**

16 Staff plus Headteacher  
Unison Representative  
GMB Representative  
Julie Bowdidge, Trust Facilitator  
Mark Hopkins, Chair of Governors

Julie Bowdidge gave a presentation about the partnership including:

Background Developments  
National Context  
Local Context  
Not for Sale  
Options  
Governing Body involvement  
The proposal and Moving Forward

And then invited questions and comments.

Q Will our jobs be safe?

A There is no intention that forming the Trust will create any job losses. We can not guarantee no job losses but this will not be because of forming the Trust it will be because of managing change due to the squeeze on school budgets. We are hoping that we can make financial savings so that this does not happen. If it should we would hope that there will be opportunities across the Partnership. The partnership will be looking to prioritise financial efficiencies as one of the workstreams.

Q What about pay, pensions and continuous service?

A There will be no change to this. We have written to the LA for assurances. Staff should see no change and schools will be treated in the same way as other foundation school in the LA. There is a TUPE process to go through and HR and payroll will not change in the short term. The Trust has to pay national pay and conditions for teaching staff and honour any local agreements for support staff.

Q Will any policies be changed?

A There is no intention to change any of the policies at this time but should this become the case then full consultation will take place.

Q What about other schools in the area? Why are they not involved?

A All the schools in the collaborative were invited to be involved but for different reasons it wasn't right for them. Friezland are still part of the partnership while there governors take some additional time to consider their options. We are working with them to provide more information.



Q What sort of opportunities could the Trust provide for us?

A There may be career opportunities within the Trust and opportunities to experience different schools. There could be more training opportunities and opportunities to share skills and expertise through networks, working together, observations etc. We are also looking at what enrichment activities could be developed across the schools and school improvement strategies to help us develop as a whole school too.

Q Will there be any prescribed alternations?

A No there are none planned

Q Will the Trust adopt the Model Recognition Agreement for working with the unions?

A Yes in principle. Please can you supply a copy so we can look at it.

Q You said in the presentation that staff will not have to work in other schools without agreement from all parties. What about new appointments?

A The Trust may employ people to work across the partnership. For example if we agree that we need some specialist support in certain areas. This will be made clear though in any advertisements so that people know what they are applying for.

Staff were encouraged to return the questionnaires so that the governing body would get a clear indication of what they thought.

## Notes from the Dovestone Learning Partnership consultation.

Delph Primary School, 4 May 2017, 5.00 pm

### Parents/Carers Meeting

5 Parents and governors  
Headteacher  
Trust Facilitator  
Chair of Governors

Julie Bowdidge gave a presentation about the partnership including:

Background Developments  
National Context  
Local Context  
Not for Sale  
Options  
Governing Body involvement  
The proposal and Moving Forward

And then invited questions and comments.

Q How will the school be funded? Does it become charity funded?

A No the school will received the funding in the same way it does now and at the same level it does now. There is no change to the funding arrangements as the school is still classed as a Local Authority maintained school. The Trust is registered as a charity so it does mean that it could open up opportunities for grant funding that as a school they would not be able to apply for.

Q Why have you decided to go down this route? Does it prevent academisation?

A No it does not prevent academisation but so long as schools remain good or outstanding then we should not have to go down that route. We hope that everything we are planning to put in place and work on will prevent there being any surprises and we will all know our strengths and areas to develop. It is about local schools working together to keep the uniqueness of what we have as village schools. It is also about support at a time when the LA is not in a position to offer the support it once did. We have to look at where we can get that support from and for us this is the best option. It could be a stepping stone to other things if needs be if the political climate changes.

Q Why aren't all the schools in the area included?

A All schools in the collaborative were asked if they wanted to be involved but some already had their own partnerships and for others it was not the right time. Friezland is still working with us as the governors want a bit longer to consider their options.

Q Can they join at a later date?

A They can but it will be the decision of the Trust Board to accept them and that will depend on if they share the same vision and values as we do. Being part of this partnership does not stop us working with other schools.

Q Will it be an equal partnership?

A Yes all the schools involved will have two places at the Trust board regardless of size. Any financial contributions are done at a base amount plus pupil numbers. It is helpful to have a secondary school involved as they tend to have more capacity to support the partnership.

Comment I came tonight to support the school in case this was a proposal that they did not want to be part of. So I am pleased to hear the plans and realise that it not what I thought and the school is fully supporting what is being proposed and I can see the benefits this can bring.

Everyone was encouraged to return their questionnaire and to talk to other parents about what they have heard tonight.

## Notes from the Dovestone Learning Partnership Consultation.

Delph Primary School, 4 May 2017, 6.00 pm

### Open Meeting

#### Present

3 parents and a governor  
Trust Facilitator  
Chair of Governors

Julie Bowdidge gave a presentation about the partnership including:

Background Developments  
National Context  
Local Context  
Not for Sale  
Options  
Governing Body involvement  
The proposal and Moving Forward

And then invited questions and comments.

Q What about other schools in the area?

A All schools in the collaborative were asked if they wanted to be involved but some already have their own partnerships and for others it was not the right time. Friezland is still working with us as the governors want a bit longer to consider their options. We hope they will still join.

Q Will becoming a Trust affect the special nature of this school?

A No is the simple answer. All the schools will stay the same they do not join together to become one school. The Governing Body will continue to operate as it does now talking the decisions on the future of the school just as the other Governing Bodies will for their school. It is not a takeover by any one school but just formalising the joint working we do now to enable us to make longer term decisions. We want to retain the school as it is now and we feel this will help us do this.

Q Will it affect admissions to feeder schools? Is there an expectation that we have to go to Saddleworth?

A No not at all - it does not affect this. It is still down to parental choice which school you send your child to.

Q Will there be any changes to staffing?

A No – your child's teacher will not suddenly be expected to go work in another school. The governing body will become the employer of staff and there will be no change to terms and conditions of employment. All personnel will stay the same as they are now.

Q Will the school become an Academy?

A The school will become a foundation school instead of a community school. This is very similar to church aided schools. The change in status has been a worry for the

Governing Body and therefore the options have been discussed in detail. The Governing Body was disinclined to consider Academy status but took the view that Trust status would enable a values and principles approach to improve the school and enable us to plan ahead. It also fits well with where the schools in the partnership are at the moment.

Please do let us know what you think by returning the questionnaire and please talk to other parents and people in the community about what you have heard tonight.

**Notes from the Dovestone Learning Partnership consultation.**

**Delph Primary School,**

**School Council Meeting, 13 June 2017**

The headteacher explained to the School Council about the Dovestone Learning Partnership and how it would work across the schools and the benefits it would bring Delph School.

She explained which schools would be involved: Delph, Diggle, Denshaw, St Mary's, Greenfield, St Agnes, St Thomas' CE Leesfield, Saddleworth and Knowsley. Friezland might also be involved.

She talked about some of the things the schools might do together such as staff training, shared concerts, music, art and explained that the school would still be Delph Primary 'Foundation' School. Most things would stay the same and we would still be thinking about how we can 'Be the Best We Can Be'.

The headteacher asked the pupils what they thought about the proposals:

Overall the reaction was positive

The children described it as a super league gang and asked if there would be better links between the schools.

They suggested a Dovestone Learning Partnership Spelling Bee and linking together for trips.

They thought there could be better links for transition with Saddleworth and that because it was a large school they could help smaller schools.

The only negative they could see was that things may get competitive.

## **Eii: Diggle Primary School – Consultation Meetings**

### **Notes from the Dovestone Learning Partnership Consultation.**

**Diggle Primary School, 9 May 2017, 3.30 pm & 24 May 2017, 9.15 am**

#### **Staff Meetings**

##### **Present**

16 Staff plus Headteacher  
Adele Savage HR services  
ATL union representative  
Unison Representative  
GMB Representative  
Julie Bowdidge, Trust Facilitator

Julie Bowdidge gave a presentation about the partnership including:

Background Developments  
National Context  
Local Context  
Not for Sale  
Options  
Governing Body involvement  
The proposal and Moving Forward

And then invited questions and comments.

Q Will our jobs be safe?

A There is no intention that forming the Trust will create any job losses. We can not guarantee no job losses but this will not be because of forming the Trust it will be because of managing change due to the squeeze on school budgets. We are hoping that we can make financial savings so that this does not happen.

Q Will there be any change to our payslip, pay date if the governing body becomes our employer?

A There will be no change in the first instance as we are signed up for the same provider. This could change over time. We will make sure that if people are doing two roles that this is recognised as we know there have been problems in the past.

Q What about pensions and continuous service?

A There will be no change to this. We have written to the LA for assurances about this. There will be no change and schools will be treated in the same way as other foundation schools in the LA. There is a TUPE process to go through and HR and payroll will not change in the short term.

Q Will any policies be changed?

A There is no intention to change any of the policies at this time but should this become the case then full consultation will take place.

Q Would the Trust ever become the employer?

A Not in a foundation Trust as the Dovestone Learning Partnership will be. They do in a Multi Academy Trust.

- Q What about other schools in the area? Why are they not involved?
- A All the schools in the collaborative were invited to be involved but for different reasons it wasn't right for them. Friezland are still part of the partnership while their governors take some additional time to consider their options.

We really do want to know what you think so please do let us know and return your questionnaires



## Notes from the Dovestone Learning Partnership consultation.

Diggle Primary School, 9 May 2017, 5.00 pm

### Parents/Carers Meeting

10 Parents  
Headteacher  
Trust Facilitator

Julie Bowdidge gave a presentation about the partnership including:

Background Developments  
National Context  
Local Context  
Not for Sale  
Options  
Governing Body involvement  
The proposal and Moving Forward

And then invited questions and comments.

- Q Why have you decided to go down this route? Will you become an academy?  
A It is about small schools working together to keep the uniqueness of what we have as a village school. It is a bit of a safety net for us to work with other schools given the LA is not in a position to offer the support it once did. We have to look at where we can get that support from and for us this is the best option. It could be a stepping stone to other things if needs be if the political climate changes.
- Q Why aren't all the schools in the area included?  
A All schools in the collaborative were asked if they wanted to be involved but some already had their own partnerships and for others it was not the right time. Friezland is still working with us as the governors want a bit longer to consider their options.
- Q Can they join at a later date?  
A They can but it will be the decision of the Trust Board to accept them and that will depend on if they share the same vision and values as we do. Being part of this partnership does not stop us working with other schools.
- Q What do you think about the name?  
A Its good that it represents the area.  
We wanted something that would not be exclusive to Saddleworth and Lees to stop other schools feeling they could be involved.
- Q It sounds like a good idea what are the negatives?  
A A big one is that it has to be worked at – it is not something that will just happen so schools, governing bodies and headteachers will have to put time and effort in to make it work . Another one would be if there was a lot of community objection to it as a proposal

Please do let us know what you think by returning the questionnaire and please talk to other parents about what you have heard tonight.

## Notes from the Dovestone Learning Partnership consultation.

Diggle Primary School, 9 May 2017, 6.00 pm

### Open Meeting

#### Present

3 parents and one grandparent  
Trust Facilitator

Julie Bowdidge gave a presentation about the partnership including:

Background Developments  
National Context  
Local Context  
Not for Sale  
Options  
Governing Body involvement  
The proposal and Moving Forward

And then invited questions and comments.

- Q What do you mean by school improvement? I've been a headteacher and I think it comes down to the individual school.
- A The schools are developing a school improvement strategy. They do not want to be in situation where any of the schools are judged anything other than good or outstanding. If a school needs support they will look to provide it. Schools will share data so they have a good understanding of one another's strengths and weaknesses. They are also developing a peer review system with support from and external adviser. It is being developed so that it will complement the work that the school will be doing. The governing body will still be the accountable body.
- Q Will INSET days be held together?
- A Some days will and some days will be down to the individual school. We will look to see if we can co-ordinate INSET days so hopefully that will help our families.
- Q What about other schools in the area?
- A All schools in the collaborative were asked if they wanted to be involved but some already have their own partnerships and for others it was not the right time. Friezland is still working with us as the governors want a bit longer to consider their options. We hope they will still join.
- Q Does this stop us becoming an academy?
- A No if any school goes into an Ofsted category then they will be given an academy order. We hope the work we do together will mean that this does not happen.

Please do let us know what you think by returning the questionnaire and please talk to other parents and people in the community about what you have heard tonight.

## **Notes from the Dovestone Learning Partnership consultation.**

**Diggle Primary School,**

### **School Council Meeting**

The Headteacher spoke to the children about the plans for becoming a Co-operative Trust and showed them the Co-operative Animation DVD

The children had the following comments and thoughts about the plans:

#### **Thoughts**

It will make us a kinder school  
It will make a better community in Diggle.  
We could have friends in other schools  
We could help each other with work  
Classes could work together

#### **Questions**

Will we have lessons at different times?  
Most of the time there won't be any change to the lessons we have in school but there will be opportunities to work together with other schools and the children that go to those schools.  
There will be times when we work together.

Who are the Co-operators and how can you be one?  
The Co-operators are children who look at setting up projects and events together. We can look at how we can set this up.

### **Eiii: Knowsley Junior School – Consultation Meetings**

#### **Notes from the Dovestone Learning Partnership consultation.**

**Knowsley Junior School, 3 May 2017, 3.30 pm**

#### **Staff Meeting**

##### **Present**

21 Staff plus Headteacher  
Julie Bowdidge, Trust Facilitator

Julie Bowdidge gave a presentation about the partnership including:

Background Developments  
National Context  
Local Context  
Not for Sale  
Options  
Governing Body involvement  
The proposal and Moving Forward

And then invited questions and comments.

Q Will our conditions of employment be the same

A When the school becomes a trust all the existing conditions of employment stay the same so continuity of employment will apply for all staff transferring to the trust, pensions will not be affected. Pay will not be affected. The CoG has written to the LA for assurances on all these issues. Staff would see little difference with what they have now. There is a TUPE process to go through and HR and payroll will not change in the short term.

The governing body as the employer of the staff has to abide by national pay and conditions for teaching staff. Protection is made for support staff and governing bodies have to abide by any local agreements that are made. Governing Bodies also are asked to agree to local agreement over consulting and working with Trade Unions and professional associations.

Q Would staff be expected to move between school sites in the Trust would this also extend to cover for gaps or absences?

A Staff will not be forced to move between school sites. But there could be opportunities for staff to move to extend their experience and add to their skill sets.

Q Will our jobs be safe?

A There is no intention that forming the Trust will create any job losses. We can not guarantee no job losses but this will not be because of forming the Trust it will be because of managing change due to the squeeze on school budgets. We are hoping that we can make financial savings so that this does not happen..

Q What about other schools in the area? Why are they not involved?

A All the schools in the collaborative were invited to be involved but for different reasons it wasn't right for them. Friezland are still part of the partnership while there governors take some additional time to consider their options.

There then followed general discussions and comments about the Trust and the benefits that can come from being part of it.

Staff were asked to return their questionnaires as governors really do want to know what they thought.

## Notes from the Dovestone Learning Partnership consultation.

Knowsley Junior School, 3 May 2017, 5.00 pm

### Parents'/Carers' Meeting

6 Governors including parent governors  
Headteacher  
Trust Facilitator

Julie Bowdidge gave a presentation about the partnership including:

Background Developments  
National Context  
Local Context  
Not for Sale  
Options  
Governing Body involvement  
The proposal and Moving Forward

And then invited questions and comments.

Q Why aren't all the schools in the area included?

A All schools in the collaborative were asked if they wanted to be involved but some already had their own partnerships and for others it was not the right time. Friezland is still working with us as the governors want a bit longer to consider their options. Being part of this partnership does not stop us working with other schools.

Q Can other schools join at a later date?

A They can but it will be the decision of the Trust Board to accept them and that will depend on if they share the same vision and values as we do. The name (Dovestone Learning Partnership) has been chosen so it does not become exclusive to Saddleworth and Lees.

Q Will the school still be responsible for the buildings

A The land and assets are transferred to the Trust Board to be held in Trust. The governors will still have responsibility for the day to day maintenance of the buildings. But the school still has responsibility for ensuring school places and including the schools on their asset management plan.

Q There is not a big turnout from parents do we need to do any further consultation?

A For consultations of this kind it is taken that people are happy with the proposals. There appears to be a great deal of trust in the school from what staff were saying earlier. But please encourage parents to read the information on the website and complete the questionnaires and talk to them at drop off and pick up times so see if there are any issues.

There followed a discussion about the work governors had undertaken on making the decision to consult on the proposal to form a co-operative trust and the benefits it could bring to the school.

**Notes from the Dovestone Learning Partnership consultation.**

**Knowsley Junior School, 9 May 2017, 6.00 pm**

**Open Meeting**

**Present**

Headteacher  
Trust Facilitator

As no one attended the meeting it was closed at 6.15 pm

**Notes from the Dovestone Learning Partnership consultation.**

**Knowsley Junior School,**

**Consultation with Pupils**

The Headteacher spoke to a whole school assembly about the proposal and showed them the Co-operative Animation DVD. She asked the children what they thought of the proposals. All children thought it was a good idea.

They were to speak to their School Council representative with any questions.

There were no further questions or concerns.



## **Eiv: Notes from the Dovestone Learning Partnership Consultation.**

### **Consultation with Unions and Professional Associations**

**18 May 2017, 10.30 am Civic Centre, Oldham**

Julie Bowdidge (JB) , Trust Facilitator was invited to attend the Joint Consultative Committee which is the main body for consultation through the LA with Unison, Unite, GMB, AEP, NUT, NUT (Soulbury), NASUWT, ASCL, ATL and NAHT.

JB was invited by Andy Collinge (AC) to present the proposals for the Dovestone Learning Partnership. Colleagues were then invited to ask questions.

#### **Will the pay and conditions of staff, including continuity of service, remain the same?**

Yes. It will be a TUPE like transfer so everything will remain the same. The governors of the schools become the employer of the staff but have to follow national pay and conditions for teachers and for support staff it has to be the same or it can only be changed for the better. We ask that local agreements are recognised. The Chairs of Governors have written to AC to seek LA assurances on redundancies and pensions. AC confirmed there would be no change to existing arrangements and would be responding saying as such to the CoGs. Schools would be very similar to Church (Aided) schools.

#### **Are any measures planned?**

JB confirmed that there were not any measures planned.

#### **What if something happens to the school, for example the roof collapses?**

The schools are still LA maintained schools and would be treated in the same way they are now.

#### **Union colleagues asked for details of which schools would be part of the Trust**

Delph Primary, Diggle Primary and Knowsley Junior Schools were currently the consulting community schools. St Agnes, St Mary's, Greenfield, St Thomas', CE Leesfield and Christchurch Denshaw would be associate partners. Given they were already foundation schools with the Diocese as their legal entity they could not be a member of two trusts. Saddleworth would also be an associate partner but as a community school once the issues over the new school build were resolved they would consult to become a foundation school. Friezland Primary was still part of the partnership but governors had asked for more time and information in order to make a final decision.

#### **Would there be any changes to Policies?**

Certainly not in the first instance and not those related to staffing. For example the Trust may look at establishing some shared policies around ways of working ie behaviour to support transition arrangements. JB confirmed that the schools would be looking at the Model Recognition Agreement with a view to signing it as the Heads were keen to continue good practice in working with union colleagues.

#### **What about employment of staff in the future?**

Assurances have been given that staff who are currently in post will not be required to move around the schools in the partnership without full agreement from all parties. This may at times be something staff would like to do for their own career development or CPD. However, in the future the partnership may look at employing staff to work across all schools. If this was the case it would be very clear in the job advert that this was the role. So anyone

applying would understand that this was the purpose of the post. An example of this would be a specialist teacher ie languages.

One of the reasons for choosing this option was to have the least amount of change possible for all involved.

Following the end of the consultation TUPE meetings would be set up and colleagues would be invited to attend to meet with their members. Adele Savage would be co-ordinating the meetings.

The deadline date for the consultation is 21 June 2017 which is a full six weeks plus bank holidays and half term. This also included a 4 week statutory notice period. The governing bodies would be meeting on 6 July 2017 to receive a report on the consultation and make the final decision. The proposed implementation date is 1 September 2017.



## National Agreement and Statement of Joint Principles

Schools Co-operative Society, the Co-operative College and the  
Education Unions



## STATEMENT OF JOINT PRINCIPLES BETWEEN THE SCHOOLS CO-OPERATIVE SOCIETY, THE CO-OPERATIVE COLLEGE AND THE TUC

This agreement and statement of joint principles was developed following a series of meetings facilitated by the TUC in 2013 involving the Schools Co-operative Society (SCS), the Co-operative College and the TUC-affiliated education unions. Please note that throughout this document the SCS, Co-operative College and education unions are referred to as “the parties” to the agreement and statement of joint principles (see section 1, page 5).

The **Schools Co-operative Society (SCS)** is the representative body for the network of co-operative schools in the UK. SCS members comprise Foundation Trust Schools, converter academies and sponsor academies; they are autonomous and independent SCS member organisations.

The **Co-operative College** is an educational charity with Co-operatives UK as its corporate trustee. The College has led the development of co-operative models in the education sector and advises institutions through the processes involved in adopting co-operative models and their implementation.

The **TUC** represents almost 6 million workers in 53 trade unions and its overall objectives are to raise the quality of working life and promote equality for all. Its mission is to be a high profile organisation that campaigns successfully for trade union aims and values, assists unions to expand their membership and function effectively, and promotes trade union solidarity.

The trade union movement and the Co-operative movement share many common values and principles. We believe that equality, solidarity, democracy and social responsibility are the principles that should underpin our education system and that schools should serve the best interests of children and young people, parents and carers, the workforce and the wider community.

The parties also recognise the shared history and values of the trade union and co-operative movements and their joint commitment to empowering workers and communities, enhancing workplace democracy and supporting alternative models of economic development.

The parties have a strong common interest in working together to promote good employment and governance practices in schools and in ensuring that education and schools remain democratically-controlled and accountable for the public.

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<sup>1</sup> SCS is an approved academy sponsor and will be the sponsor of one academy from October 2013. It has become a sponsor to provide a mechanism to support co-operative schools that become subject to intervention. Co-operative converter academies may become sponsors of local schools subject to intervention as a means of maintaining local provision through the establishment of co-operative multi academy trusts (MATs) The Co-operative Group is an academy sponsor with sponsor academies in Manchester, Leeds and Stoke on Trent.

good.

Co-operative schools share an ethos based on the co-operative values and principles as defined in the International Co-operative Alliance Statement on the Co-operative Identity (see website reference below) and a governance structure that engages key stakeholders including parents/carers, staff, learners and the local community through membership.

The parties recognise that the co-operative models developed enable these key stakeholder groups to have a central role in the governance of schools, and as such will encourage their members to actively engage in them.

The parties fully support the ethos of co-operative schools which are based on the co-operative values of self-help, self-responsibility, democracy, equality, equity and solidarity and the ethical values of honesty, openness, social responsibility and caring for others.

This document:

- Builds on the *Best Practice Guidance on Public Services, Co-operatives and Mutuals* developed by the TUC and Co-operatives UK (available at: [http://www.uk.coop/sites/storage/public/downloads/tuc\\_co-operatives\\_uk\\_guidance\\_0.pdf](http://www.uk.coop/sites/storage/public/downloads/tuc_co-operatives_uk_guidance_0.pdf))
- Draws on Recommendation 193 of the International Labour Organisation on the *Promotion of Cooperatives* (2002), with particular reference to Paragraph 8 and Section IV covering labour standards and the role of employers, workers and co-operative organisations and the relationships between them (available at: [www.ilo.org/images/empent/static/coop/pdf/english.pdf](http://www.ilo.org/images/empent/static/coop/pdf/english.pdf))
- Recognises that adherence to the seven principles included within the International Co-operative Alliance's *Statement on the Co-operative Identity* is a prerequisite of co-operative entities (available at: <http://ica.coop/en/what-co-op/co-operative-identity-values-principles>).

## NATIONAL AGREEMENT BETWEEN THE SCHOOLS CO-OPERATIVE SOCIETY, THE CO-OPERATIVE COLLEGE AND THE EDUCATION UNIONS<sup>2</sup>

### 1. THE PARTIES

1.1 This agreement is between the following parties:

- The Schools Co-operative Society (SCS)
- The Co-operative College
- ATL, NASUWT and NUT (the unions for teaching staff) and GMB, UNISON and Unite (the unions for school support staff).

1.2 Throughout the rest of this document the above organisations are referred to as "the parties" to this agreement.

1.3 This agreement is established without prejudice to the existing policy positions of the parties with regard to local authority maintained schools and academies and without prejudice to any other existing agreements between any of the parties to this agreement.

### 2. BACKGROUND

2.1 On the basis of the statement of joint principles (see page 3) the parties agree to work together to develop model national policies for adoption and implementation by co-operative schools and to promote the following in these schools:

- good practice in relation to employment and industrial relations;
- trade union recognition and full and appropriate engagement, consultation and negotiation with the education unions;
- facility time arrangements;
- employees' membership of the education unions; and
- employees' membership of their co-operative trusts.

2.2 The Co-operative College is committed to ensuring that education sector unions are consulted when schools are considering adopting co-operative models and will ensure that governing bodies are aware of this agreement and that it is acknowledged in the consultation documents and processes.

2.3 No member of staff employed by a co-operative school should suffer any detriment in relation to their terms and conditions of employment as a result of this agreement or as a result of any subsequent policies agreed by the parties to this agreement.

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<sup>2</sup> The names of the individual education unions party to the agreement are listed in paragraph 1.1.

### 3. NATIONAL JOINT FORUM

3.1 To facilitate joint working the parties agree to establish a National Joint Forum (NJF).

3.2 The NJF will produce model policies for implementation by co-operative schools locally including co-operative awareness raising programmes and training programmes designed to encourage active participation in the life of co-operative trusts by employees.

3.3 The parties will actively promote the implementation of these national policies by co-operative schools. The parties agree that they will work together to seek to secure full implementation of all NJF agreements.

3.4 The SCS will encourage its member schools to establish appropriate local and or regional arrangements for consultation and negotiation involving the school(s) and the education unions and allowing for the involvement where necessary of the SCS and Co-operative College.

### 4. MECHANICS OF THE NATIONAL JOINT FORUM

4.1 The NJF will meet not less than twice a year and will be made up of representatives from each of the parties.

4.2 Both the education unions and the Schools Co-operative Society/Co-operative College will each nominate a person to act as Joint Secretary to the NJF.

4.3 Before national policies are agreed by the NJF they will be subject to formal ratification by the Schools Co-operative Society, Co-operative College and the education unions collectively.

4.4 Once agreed, the national policies will then be sent to all SCS member co-operative schools with a clear recommendation from all parties that they should be implemented, as a minimum, locally.

4.5 National policies may be reviewed at any time by the NJF.

### 5. COVERAGE

5.1 The NJF will have the remit to produce model agreements and policies covering, but not exclusively, the following issues:

- terms and conditions of employment
- pay structures
- pensions
- employment policies and procedures
- matters of health and safety
- staff training and continuing professional development
- professional issues

- equal opportunities matters
- trade union recognition, access and facilities
- good practice in schools improvement

5.2 In regard to these items, the parties agree to recommend that all SCS member co-operative schools employ staff on, as a minimum, nationally and locally negotiated agreements that have the support of the education unions.

#### **6. PROCEDURE FOR DEALING WITH UNRESOLVED ISSUES**

6.1 In the event of the NJF failing to resolve an issue within its defined remit, representatives of the parties can, if they mutually agree, refer the matter for conciliation, arbitration or any other form of assistance.

#### **7. VARIATION**

7.1 Variation to this agreement will be by agreement between the parties.

7.2 The parties may terminate this agreement by giving twelve months notice in writing to the other parties.