

Trust School Proposal – Statutory Proposals

1 Introductory Information

1a School Details

This is a proposal for Calder High School to change category from Community to Foundation and acquire Trust status with those detailed in section 3c.

Calder High School, Brier Hey Ln, Mytholmroyd, Hebden Bridge, West Yorkshire HX7 5QN

Tel; 01422 883213

Email: ocwelch@calderhigh,calderdale.sch.uk

1b Dates

The proposed implementation date is 1st February 2014.

1c Objections or comments

- Within four weeks from the date of publication of these proposals, **by noon on 20th December 2013**, any person may object to or make comments on the proposals by writing to the school (address above).

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 Monday 24th September 2013 to all consultees listed in section 9 of the consultation document and published on the website. The consultation was advertised locally, leaflets were distributed to the community around the school, and information was posted out at the start, and during the consultation. Additional copies of the consultation document were supplied in response to suggestions.
- ii) The results of this extensive consultation exercise were summarised in a report for the Governing Body and this report is attached (copy in [Appendix 2](#)).
- iii) In total approximately 1360 consultation documents were distributed to staff, pupils, councillors and all other stakeholders required by statute.
- iv) There were separate staff and parents/carers meetings at the school and meetings with the unions to discuss the proposed alterations.
- v) Additional copies of the consultation document were available from the website and copies of the consultation document were also available in school for collection. (See Appendix 1).
- vi) Consultation with pupils in the school also took place during school assemblies.
- vii) There were 25 response forms returned, all from parents, 23 of which supported the proposal. (See Appendix 2).
- viii) During the staff meetings there were understandable concerns raised by staff regarding the potential impact that the change of employer would have on their terms, conditions and pension rights. .
- ix) As the information provided in this section demonstrates, all statutory requirements about consulting on these proposals have been met. The Governing Body met to consider the consultation responses on 7th November 2013 and considered the issues raised.

1e Changes made in response to consultation responses

Following careful consideration of the responses to the consultation, the Governing Body of the school decided no alterations were necessary. Authority was delegated

to the Head and Chair to finalise and issue the statutory papers.

1f Alteration Description

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

The governing body of Calder High School intends to make a prescribed alteration to Calder High School, which is a community school, located at Calder High School, Brier Hey Ln, Mytholmroyd, Hebden Bridge, West Yorkshire HX7 5QN

- The proposed alteration 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.

2. Changing Category

a) The Governing Body of the school believes that forming a trust will provide opportunities to improve learning in our community. The trust will enhance this model of lifelong learning and offer additional contacts, ideas, research possibilities, and professional consultancy, to improve educational provision across all ages and within our community.

b) The 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.

d) The trust does not already act as a foundation for any foundation or voluntary school.

3. Acquiring a Trust

a) The name of the Trust that Governors intend to acquire from the 1st February 2014 is "The Calder Learning Trust".

b) The "The Calder Learning Trust" partner organisations plan to work in partnership and collaboration with our school. 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.

c) The Trust will support the Headteacher in continuing to develop an exciting and innovative curriculum, ensure that attainment continues to exceed national expectations for the majority of learners and the school continues to narrow the gap on behalf of vulnerable groups of learners.

It is therefore the key role of the Trust to raise attainment by:

- a) Improving the quality and consistency of teaching.
- b) Increasing aspirations among pupils, parents and all those who work with our pupils.
- c) Harnessing resources efficiently in the interests of learning.
- d) Creating the right conditions for enjoyable effective learning.

Our focus is to increase the enjoyment and achievement of all stakeholders by working

with a variety of innovative educational partners from the community and beyond, in order to improve pupil outcomes.

Our vision is to use the strength of the Trust to build on what we have achieved as a school: to create a learning community which seeks to raise levels of achievement and aspiration for all. This vision is underpinned by a set of values including the principles of equality and inclusion and a commitment to support the well-being of all the young people.

We are a long established, truly comprehensive school, proud of our tradition and commitment to success for all. Our priority now is to ensure rapid and sustained school improvement with a focus on raising aspiration and raising standards with an emphasis on the highest quality teaching and learning.

Becoming a Trust will help us to clarify our vision still further, strengthen existing collaboration and as well as help to speed up our continued improvement in achievement and expectations, it will also help to make them more sustainable. We believe that to meet the needs of our community we need to work together as a community. We know that we can achieve more by working together than we can by working alone. A Trust would help to make that belief a reality.

Key aims for the Trust are to:

- Raise standards of achievement at all levels
- Ensure consistently high expectations in our school: amongst pupils, teachers, parents and carers.
- Enable all pupils to benefit from high quality teaching and learning;
- Work effectively with parents/carers, professionals and the wider community to promote health and well-being, creating the right conditions for students to thrive;
- Make efficient use of all resources available to us and thereby maximise the benefits for pupils;
- Work with external partners to widen the range of opportunities available to our workforce and our young people;
- Make our school improvement strategy more sustainable by raising the profile of education across our community – and in so doing to further raise aspirations by more effectively engaging stakeholders, especially parents, via the Trust's co-operative membership mechanisms:
- Improve social cohesion within our community by strengthening our commitment to co-operative values, including respect, social justice, fairness and democracy

The Trust will encourage stakeholder involvement through adopting a co-operative model – the ethics of the co-operative model are particularly relevant to all of the schools and working in partnership with the co-operative will enable the ethics of co-operation to underpin the work of schools within the Trust. The co-operative organisation also opens networking possibilities and local, national and international level.

c) The proposed members of the trust are:

- The Brooksbank School (1 trustee)
- Calderdale Local Authority (1 trustee)
- The Co-operative Movement initially represented by the Co-operative College (1 Trustee)
- Calder High School (2 Trustees, namely the Head Teacher and Chair of Governors – or the Chair’s nominee)

Calder College was originally proposed to be a partner that would also have appointed a Trustee but has since withdrawn.

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 some of the Trust’s trustees. As the Trust develops the Trust will welcome other schools joining the Trust.

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 Trust will have a Stakeholder Forum composed of members, which will be able to appoint Trustees. The Stakeholder Forum would discuss issues affecting the Trust, make recommendations to the Trustees, and appoint Trustees. As the Trust develops it will welcome other schools joining the Trust.

The first members of the Stakeholder Forum will be appointed by the Trustees. This is because it is very difficult to get the Stakeholder Forum into place until after the Trust is up and running. At the Trust’s first AGM, the Trustee-appointed members of the Stakeholder Forum step down, and are replaced with members elected by the Trust’s members.

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

d) The Trust will appoint a minority of Governors on to the Governing Body at the school as defined in see Appendix 3.

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

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

g) The Trust's charitable objectives will be to advance the education of the pupils in The Calder 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 proposed Trust does not act as a Foundation for any other school at present.

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

j) Membership of the Trust will make a difference to students, staff, the institutions working together and to the local community. It is expected that Trust membership will increase in future years and that the benefits will become available to a larger number of participants.

- By focussing collective attention and resources on enjoyment and achievement. The formation of the Trust will focus the minds and energies of all partners on the task of raising attainment and increasing opportunities for enjoyment and achievement across the Co-operative Learning community.
- By bringing coherence and continuity to life-long learning at a time when the educational landscape is significantly changing, the Trust provides the means of bringing local schools together to serve a common purpose and to provide continuous pathways to enjoyment, learning and achievement from early years to adulthood and beyond.
- By making efficient and effective use of resources, the Trust will provide the school with significant collective bargaining power in our negotiations with suppliers of goods and services. This will enable us to secure best value and prioritise funding for teaching and learning. The Trust will also encourage partners to pool expertise and resources to enable them to maximise the benefits for all. Developing such Trust wide mutual procurement structures will assist our school leadership to focus on further improving Teaching and Learning in the school.
- By providing the motivation of membership, a number of partnerships have demonstrated the value of treating stakeholders as members. The Trust will extend the offer of membership to parents, learners, employees and community groups and individuals. This will have the value not only of identifying specific benefits for each of these groups, but also enlisting their support in achieving the aims of the Trust.

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.

k) The school acquiring the Trust already work with other schools. This work will continue so that the entire Trust area, and not just the school 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 the school will decide whether it wishes to acquire the Trust.

22nd November 2013

Peter Buckley

Signed
Chair of Governors
Calder High School

The Calder Valley Learning Trust

(A mutual schools co-operative membership trust)

Public Consultation: Booklet 1

'Changing from Community School to Foundation School Category and Acquiring a Charitable Trust'

The reason for the consultation

The Governing Body of Calder **High School** proposes to change the category of the school from community to foundation school and at the same time acquire charitable status as a co-operative Trust, to be known as **The Calder Valley Co-operative Learning Trust**.

What we would like you to do

We would like to know what you think of our plans, so we are inviting you to take part in our public consultation. You can do this by:

- a) Reading this booklet (you may also wish to read Booklet 2, which provides answers to a number of commonly asked questions. Copies of this will be available at the school and on our website at **www.calderhigh.org.uk**
- b) Completing the Response Form and returning it to the school.
- c) Attending one of the consultation meetings. These will be held at the school.

Contents of this Booklet	Page
1. Executive Summary	2
2. Visions and Values - 4	3
3. What will the Trust do? - 8	5
4. How will the Trust work?	9
5. Foundation Status (Category) 10	
6. What does Trust and Foundation Status mean for: 11 - 12	
a) Parents and Carers	
b) Students	
c) Employees	
d) The Wider Community	

7. The Consultation Process	13
8. Contact Details	14
9. Appendices	
a) List of Consultees	15
b) Co-operative Values and Principles - 17	16
c) Proposed Trust Structure	18

Section 1 – Executive Summary

The Governing Body of the Calder High School, Mytholmroyd, Hebden Bridge is proposing to change its category from a community to a foundation school and at the same time to acquire a charitable trust to be called The Calder Valley Learning Trust.

- 1.1 The proposed date of implementation (i.e. the date on which any legal change of category would take place and on which the Trust would be created) is **1 February, 2014**
- 1.2 The Trust will work together with partners to improve standards, outcomes and services for the young people and their families within our local school community. We strongly believe that by working together we can achieve significantly more for our school by working in partnership with others than we can by working alone.
- 1.3 As a member of a Trust, our school will continue to be part of the Local Authority family of schools, but the change of category will allow us to be supported additionally by a charitable trust.
- 1.4 As a result of the change, the Governing Body of the school will gain new powers and responsibilities. It will become the legal employer of all staff at the school, although existing pay and conditions will remain unchanged, as the school will remain in the local authority maintained sector and continue to be subject to national pay and conditions.
- 1.5 The Governing Body will also become responsible for pupil admissions, but will work jointly with the Local Authority to administer the provision of pupil places within the requirements of the National Schools Admissions Code.
- 1.6 The Trust will also hold the land and capital assets in trust for the school, although the Governing Body will retain day to day responsibility for managing these assets in the same way as it does now.
- 1.7 You will have the opportunity to comment on these proposals through the consultation, which runs from noon on Tuesday, 24 September to noon on Tuesday, 22 October 2013. We would emphasise that no decision has been made as yet and we would welcome suggestions that might help us to improve our proposals, as well as challenging them.
- 1.8 When the consultation period is over, the Governing Body will then consider the outcome independently and decide on whether or not to proceed to the next stage (i.e. whether to publish Statutory Proposals

on formally changing our school category and acquiring a charitable trust: - or to remain as a community school).

Section 2 – Visions and Values

- 2.1 Our vision is to use the strength of the Trust to build on what we have achieved as a school: to create a learning community, which seeks to raise levels of achievement and aspiration for all. This vision is underpinned by a set of values including the principles of equality and inclusion and a commitment to support the well being of all the young people.

We are a long established, truly comprehensive school, proud of our tradition and commitment to success for all. Our priority now is to ensure rapid and sustained school improvement with a focus on raising aspiration and raising standards with an emphasis on the highest quality teaching and learning.

- 2.2 Becoming a Trust will help us to clarify our vision still further, strengthen existing collaboration and as well as help to speed up our continued improvement in achievement and expectations, it will also help to make them more sustainable. We believe that to meet the needs of our community we need to work together as a community. We know that we can achieve more by working together than we can by working alone. A Trust would help to make that belief a reality.

- 2.4 Key aims for the Trust are to:

- Raise standards of achievement at all levels
- Ensure consistently high expectations in our school: amongst pupils, teachers, parents and carers.
- Enable all pupils to benefit from high quality teaching and learning;
- Work effectively with parents/carers, professionals and the wider community to promote health and well-being, creating the right conditions for students to thrive;
- Make efficient use of all resources available to us and thereby maximise the benefits for pupils;
- Work with external partners to widen the range of opportunities available to our workforce and our young people;
- Make our school improvement strategy more sustainable by raising the profile of education across our community – and in so doing to further raise aspirations by more effectively engaging stakeholders, especially parents, via the Trust's co-operative membership mechanisms:

- Improve social cohesion within our community by strengthening our commitment to co-operative values, including respect, social justice, fairness and democracy.
- 2.5 As a Co-operative Trust, the Trust will adopt the values and principles of the co-operative movement (see Appendix B).
- 2.6 Co-operatives are based on the values of self-help, self-responsibility, democracy, equality, equity and solidarity. In the tradition of their founders, co-operative members believe in the values of honesty, openness, social responsibility and caring for others.
- 2.7 We have chosen to propose that we become a Co-operative Trust because these are the values and principles, which we feel, should underpin our work with each other and with our young people.

Section 3 – What will the Trust do?

3.1 What will be the Trust’s particular focus?

The Trust will support the Headteacher in continuing to build stability of staffing, accelerating on-going improvements in progress and ensuring that attainment exceeds national expectations for the majority of pupils and continues to narrow the gap on behalf of vulnerable groups of pupils.

It is therefore the key role of the Trust to raise attainment by:

- a) Improving the quality and consistency of teaching.
- b) Increasing aspirations among pupils, parents and all those who work with our pupils.
- c) Harnessing resources efficiently in the interests of learning.
- d) Creating the right conditions for enjoyable effective learning.

Our focus is to increase the enjoyment and achievement of all stakeholders by working with a variety of innovative educational partners from the community and beyond, in order to improve pupil outcomes.

- **Improve the Quality and Consistency of Teaching**

As a Trust we will:

- Look to recruit the brightest and the best to work in our school.
- Seek to retain and develop talented professionals within our school.

- Encourage teachers and school leaders to share their expertise for the benefit of all members of our Learning Trust.
- Provide professionals working in our school with the best we can afford in terms of training, facilities, resources and support.

- **Increasing Aspirations**

As a Trust we will work in partnership to:

- Encourage parents and professionals to have high expectations of our young people, and the young people to have high expectations of themselves.
- Enable those who attend our school to acquire the skills and attitudes they need to go through life as life-long students.
- Foster creativity and innovation in our young people through an exciting and challenging curriculum.
- Create amongst students a sense of local pride and possibilities afforded by the wider world.
- Enable the local community to aspire and achieve through undertaking voluntary school work that leads to the acquisition of professional qualifications.

- **Harnessing Partnership Resources and Beyond**

As a Trust we will:

- Work with parents and carers to help them to make their contribution to learning.
- Work with the community organisations to extend what the school can offer.
- Work with external partners to support our work in a variety of ways.

- **Improving Conditions for Learning**

As a Trust we will:

- Provide an enjoyable, stimulating educational environment in which both students and teachers can flourish.
- Work to ensure that pupils arrive at school ready and willing to learn.
- Work to improve attendance, so that all pupils are in a position to learn.
- Work to continue to promote good behaviour through clear and consistent expectations and a curriculum, which encourages pupils to learn.
- Work to ensure good transition arrangements are in place to provide continuity in learning as pupils move from classes or to new schools.
- Work with partners to improve health and well being of pupils.

- Work with other stakeholders to promote life-long learning as a goal throughout our community.

3.2 Who are our partners and what will they bring to the Trust?

- The Brooksbank Academy
- Calderdale College
- Calderdale Local Authority
- The Co-operative Movement (represented in the interim by the Co-operative College)

The Brooksbank Academy

The Brooksbank Academy is a successful local comprehensive which has a proven track record in terms of academic standards and leadership and management. It also has extensive experience of school to school collaboration and has worked closely with Calder High School over the past twelve months to secure the improvements to date. We would seek to strengthen further our partnership work especially in terms of teaching and learning and sharing good practice.

Calderdale Local Authority

As a community school, Calder High has worked closely with the Local Authority for many years and has been supported across a range of services. We believe that an ongoing partnership with the Local Authority will aid continuity as well as providing technical and specialist support.

The Co-operative Movement (represented in the interim by the Co-operative College)

By becoming a co-operative trust we are part of the global co-operative family. We will become members of the Schools Co-operative Society (SCS), the national network of co-operative trusts, and work with the Co-operative College to identify a suitable long-term co-operative partner for the trust from the Co-operative Movement in Yorkshire and Humberside.

The Co-operative College has extensive experience in both the general school sector and the co-operative trust sector. They helped to found and organise the network of co-operative schools, of which the Trust will be part. They will also help bring a global dimension to the schools and assist in establishing national and international links with other co-operative organisations. They will also be able to assist us in developing our Trust and particularly its membership dimension.

Possible Associate Members/Potential Partners

The organisations already listed have indicated their support for our development as a Trust. However, this membership is not exclusive. The Trust could well expand in future, bring in local partners to support certain areas of the schools agenda or welcoming other schools which would wish to be part of a wider school partnership.

3.3 How will the Trust make a difference?

- By focussing collective attention and resources on enjoyment and achievement. The formation of the Trust will focus the minds and energies of all partners on the task of raising attainment and increasing opportunities for enjoyment and achievement across the Co-operative Learning community.
- By bringing coherence and continuity to life-long learning at a time when the educational landscape is significantly changing, the Trust provides the means of bringing local schools together to serve a common purpose and to provide continuous pathways to enjoyment, learning and achievement from early years to adulthood and beyond.
- By making efficient and effective use of resources, the Trust will provide the school with significant collective bargaining power in our negotiations with suppliers of goods and services. This will enable us to secure best value and prioritise funding for teaching and learning. The Trust will also encourage partners to pool expertise and resources to enable them to maximise the benefits for all. Developing such Trust wide mutual procurement structures will assist our school leadership to focus on further improving Teaching and Learning in the school.

3.3.4 by providing the motivation of membership, a number of partnerships have demonstrated the value of treating stakeholders as members. The Trust will extend the offer of membership to parents, students, employees and community groups and individuals. This will have the value not only of identifying specific benefits for each of these groups, but also enlisting their support in achieving the aims of the Trust.

Section 4 – How will the Trust work?

- 4.1 The Trust will be a charitable, not for profit organisation, meeting the legal and other requirements of the Department for Education (DfE). It will carry out its duties in relation to schools as set out by the DfE, specifically by appointing a minority of governors (probably two) to the Governing Body of any supported school and by holding the land and assets in trust for the school community.
- 4.2 The Trust will be legally established and regulated (as with all charities) by the Charities Commission and registered as a company limited by guarantee with Companies House.
- 4.3 Trustees will not be able to derive an income from the Trust, but the Trust may become an employer as it develops its work. Any income generated by the Trust must only be used to support its charitable aims. The Trust will not seek to alter the individual characteristics of the partner schools and it will not seek to change the character (religious or otherwise) of a partner school.
- 4.4 The Trustees will meet a minimum of 3 times a year (co-ordinated with existing school governance arrangements as required).
- 4.5 The Trust will work with other people and organisations, as appropriate, to carry out its work. As the Trust develops, it may be appropriate to consider additional members. There will be a clear process involving existing Trustees to ensure that any future member will comply fully with the vision, values and aims of the Trust.
- 4.6 The Trust will be made up of representatives from the school, partner institutions, including schools and the membership – via a representative Forum that will be established, generally known as the Stakeholder Forum. For details of the proposed structure of the Trust see Appendix C.
- 4.8 The Trust will have an ethos of co-operation and democracy consistent with co-operative values. It will seek to empower students and their community. The Trust will help young people prepare for the challenges facing them as global citizens.

Section 5 – Foundation Category

- 5.1 To facilitate the organisation of the Trust, community schools are required to alter their category to become Foundation schools. In acquiring foundation category, the Governing Body - and not the Trust- will take on new responsibilities including responsibility for the employment of staff and the admission of pupils and students to the school. In addition, the Trust will hold the land and assets in trust for the school. The Governing Body will retain day to day responsibility for managing these assets, as is presently the case.
- 5.2 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 provide for all the rights, powers, duties and liabilities to transfer existing staff from the Local Authority to the Governing Body.
- 5.3 Existing and new staff will continue to work under the terms of the 'School Teachers' Pay and Conditions Document' (STPCD). The school's Governing Body will set out the terms and conditions for new support staff which will be no less favourable than those enjoyed by existing staff. All staff will therefore enjoy as a minimum the same terms and conditions of employment as in any maintained school.
- 5.4 Schools will continue to teach the National Curriculum and be inspected by Ofsted at appropriate times.
- 5.5 The Governing Body will continue to have day to day control of the school's land and assets (which the Trust will hold 'on trust' for the school), as is presently the case.
- 5.6 The Trust will work in collaboration with the Local Authority in ensuring strict adherence to the Schools Admissions Code while reserving the legal right to review admission arrangements if deemed appropriate.

Section 6 – What Trust and Foundation Category will mean for:

- a) Parents and Carers
- b) Students and Employees
- c) The Wider Community

Admissions

- 6.1 The school will remain part of the Local Authority's family of maintained schools. We will continue to have a fair admissions policy and not introduce selection by ability.
- 6.2 Parents apply for places at a Trust school as part of the Local Authority process, and the school will continue to work with the Local Authority to ensure that pupil places are given fairly, in line with the published admissions criteria. However, all Trust school Governing Bodies reserve the right to review admissions arrangements as deemed appropriate.

Composition of Governing Bodies

- 6.3 The Governing body of Calder High School will consist of
- 5 parent governors
 - 5 co-opted governors
 - 1 local authority governor
 - 3 staff governors
 - 3 foundation governors

Membership of the Trust

- 6.4 All parents/carers and pupils attending a Trust school may become members of the Trust. This is also true of all members of staff employed by Trust schools and members of a range of community organisations supporting the work of the Trust – as well as individuals living within the area who identify with what the trust is seeking to achieve.
- 6.5 We are planning to establish a Trust Stakeholder Forum whose members, including parents, staff, students and representatives of community – both organisations and individuals, are elected from the respective membership constituency. The purpose of the Forum will be to hold the Trust to account, to help shape policies and to appoint a minority of trustees (normally two or three.)
- 6.6 In keeping with the co-operative tradition, we will be looking to identify

a range of benefits to members, which would be consistent with the aims of the Trust.

Employee Terms and Conditions

- 6.7 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 their school's Governing Body instead of the Local Authority: beyond this nothing in their pay or conditions should change as a result of this legal change of employer.
- 6.8 Trust schools will continue to recognise the same unions and staff associations. The existing rights of teachers will be fully protected if schools acquire a Trust. Trust schools will continue to be bound by the School Teachers' Pay and Conditions Document.
- 6.9 The Governing Body will set terms and conditions for support staff. However, terms and conditions will be safeguarded as per the prescribed regulations and they will maintain the same employment rights as Local Authority employees.
- 6.10 Employees, elected by their colleagues, will still be represented on the Governing Body, as is currently the case. The Governing Body will also include representatives from parents, the community and Local Authority, together with the additional foundation governors nominated by the Trust.
- 6.11 Under the terms of the Trust, all staff will continue to enjoy, as a minimum entitlement, the same terms and conditions of employment as staff in any maintained school.

Section 7 – The Consultation Process

7.1 We would like to know what you think about the proposals contained in this booklet.

7.2 You can take part in the consultation by

- a) Attending a parent or staff consultation meeting at the school
- b) Attending a public meeting at the school
- c) Completing a Response Form and returning it to school

7.3 The full consultation meetings programme is as follows (all meetings will take place at the Calder High School.)

Date	Time	Audience
Thursday, 3 October	15.30	Staff
Thursday 3 October	17.00	Unions
Thursday, 3 October	18.00	Parents
Thursday, 3 October	19.00	Public

Students will be consulted via the Student Council, assemblies and a range of other internal school mechanisms.

7.4 You can comment on the proposals at any time from noon on Monday 24th September to noon on Tuesday 22nd October 2013.

7.5 After the consultation is closed, all comments, oral and written, will be considered and a report will be prepared for the Governing Body. Individual reports will not be published but will be made available to the Governing Body and will be available for inspection by the public on request. The Governing Body will then hold a meeting to review the report and all the comments made before reaching an informed decision.

7.6 The Governing Body may decide to:

- Issue a Statutory Notice about a change from Community to Foundation Status and the adoption of a Trust;
- Modify the proposal in the light of suggestions made during the consultation and if the changes are significant, consult again on the changes;
- Decide not to proceed and to remain as a Community School.

7.7 If the Governing Body decides to proceed and issues a Statutory Notice, there will be another chance to comment on any formal proposals, which might be made before any final decision is made.

7.8 The proposed implementation date for the Trust is 1st February 2014.

7.9 Copies of all of the consultation documents can be obtained from the

school.

- 7.10 If you have any queries about anything you have read here, please contact the school. (Full details can be found on the back page of this booklet).

Section 8 – Contact details

School consulting on change to Foundation Status		
School name and address	Telephone number & E-mail	Headteacher
Calder High School Brier Hey Lane Mytholmroyd Hebden Bridge HX7 5QN	01422 883213 admin@calderhigh.calderdale.sch.uk	Mr Anthony Guise

Section 9 – Appendices

Appendix A – List of Consultees

- 9.1 We are keen to consult widely about this proposed change to ensure that all interested parties have their say.
- 9.2 As part of this consultation, we are therefore consulting with the following:
- a) Pupils currently at the school applying for a change of status;
 - b) Parents and carers of those pupils;
 - c) Teachers and support staff currently employed at the school;
 - d) Staff, parents and carers at partner and potential partner schools;
 - e) Local teacher associations and trades unions and trades unions representing support staff;
 - f) Kirklees Local Authority, Kirklees Town Council;
 - g) Serving local MP and local councillors;
 - h) Local community and voluntary groups, including nurseries, child care providers, sports and leisure providers;
 - i) Local and neighbouring FE and HE institutions;
 - j) The Primary Care Trust (PCT) and local health care providers;
 - k) Local faith and religious groups;
 - l) Other potential partner organisations
- 9.3 If you feel that there are other stakeholders who should be contacted, please inform the school.

Appendix B – Co-operative Values and Principles

The Values and Principles embraced by today's worldwide co-operative movement have evolved from the ideals of the early co-operators of the 18th and 19th centuries. They are embodied in the Statement of the Co-operative Identity published by the **International Co-operative Alliance**. For more information about the origins of the co-operative movement, please visit the **National Co-operative Archive**.

Co-operative Values

Co-operatives throughout the world share a set of values that give them their distinctive character.

- **Self-help**
In co-operatives, people help each other whilst helping themselves by working together for mutual benefit.
- **Self – responsibility**
Individuals with co-operatives act responsibly and play a full part in the organisation
- **Democracy**
A Co-operative will be structured so that members have controls over the organisation – one member, one vote.
- **Equality**
Members will be treated justly and fairly.
- **Solidarity**
Members will support each other and other co-operatives.
- **Ethical Values**
In the tradition of their founders, co-operative members believe in the ethical values of: Honest, openness, social responsibility and caring for others

Co-operative Principles

The co-operative principles are guidelines by which co-operatives put their values into practice.

1st Principle: Voluntary and Open Membership

Co-operatives are voluntary organisations, open to all persons able to use their services and willing to accept responsibilities of membership, without gender, social, racial, political or religious discrimination.

2nd Principle: Democratic Member Control

Co-operatives are democratic organisations controlled by their members, who actively participate in setting their policies and making decisions. Men and women serving as elected representatives are accountable to the membership. In primary co-operatives members have equal voting rights (one member one vote), and co-operatives at

other levels are also organised in a democratic manner.

3rd Principle: Member Economic Participation

Members contribute equitably to, and democratically control, the capital of their co-operative. At least part of that capital is usually the common property of the co-operative. Members usually receive limited compensation, if any, on capital subscribed as a condition of membership. Members allocate surpluses for any of the following purposes: developing their co-operative, possibly by setting up reserves, part of which at least would be indivisible; benefitting members in proportion to their transactions with the co-operative; and supporting other activities approved by the membership.

4th Principle: Autonomy and Independence

Co-operatives are autonomous, self-help organisations controlled by their members. If they enter into agreements with other organisations, including governments, or raise capital from external sources, they do so on terms that ensure democratic control by their members and maintain their co-operative autonomy.

5th Principle: Education, Training and Information

Co-operatives provide education and training for their members, elected representatives, managers and employees so they can contribute effectively to the development of the co-operatives. They inform the general public – particularly young people and opinion leaders – about the nature and benefits of co-operation.

6th Principle: Co-operation Among Co-operatives

Co-operatives serve their members most effectively and strengthen the Co-operative Movement by working together through local, national, regional and international structures.

7th Principle: Concern for Community

Co-operatives work for the sustainable development of the communities through policies approved by their members.

Appendix C – Proposed Trust Structure

As part of the consultation process, we are keen to develop a Trust structure which will be properly representative of all members and stakeholders, represent external partners appropriately and enable all of our schools to be represented equitably.

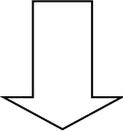
In putting this together we need to build on existing governance arrangements whilst creating a structure, which is realistic. We have no wish to create an unwieldy and bureaucratic structure, which is not fit for purpose.

The diagram below is an early attempt to show the relationship between wider membership, school and proposed external partners. Further work is needed here and this will be a priority in our consultation process.

Trust Membership

Calder High School

- Parents and Carers
- Staff
- Students

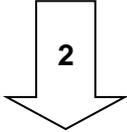
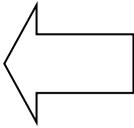


Trust Forum

- Elected representatives from each member constituency
- Meets at least 3 times a year
- Reflects issues across community
- Holds the Trust to account
- Nominates two/three Trustees

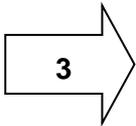
PARTNERS:

The Co-operative Movement
(represented in the interim by the Co-operative College)



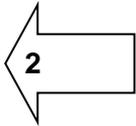
Calder High School

Three Trustees on the board including Head and Chair of Governors and nominee.



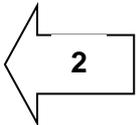
TRUST

Starting with eight trustees meeting 3 times a year



ASSOCIATE MEMBERS:

(sit as an observer; ie doesn't appoint trustee)



1



Calder High School

Public Consultation Questionnaire

Please fill in the consultation questionnaire below. If you need more space, please feel free to attach separate sheet/s.

Please return your response either by post to C Welch, Clerk to the Governing Body or email (cwelch@calderhigh.calderdale.sch.uk) or by hand to the school by no later than noon on Tuesday, 22 October, 2013
Thank you.

It would be helpful if you could provide
Name:
Parent/Staff/Governor/Other:
Address:
.....
Home Telephone:
Mobile Telephone:
Email address:
What schools (if any) do your children (or you) attend?:

1. How do you feel about the school changing category and acquiring (joining) a Partnership Trust?

Please tick	Questions
	I support the proposals
	I am not sure and would like more information (particularly on)
	I do not think the school should change category and acquire a Co-operative Trust because
	I support the change of category, but not acquiring a Co-operative Trust because

--	------

2. How do you feel about the proposed partners in the Trust?

Please tick	Questions
	I am concerned about the school working with The Co-operative Movement / The Brooksbank Academy / Calderdale Local Authority / Calder College because
	I think the school should also think about working with because.....

3. How do you feel about this vision?

Our vision is to use the strength of the Trust to build on what we have achieved as a school: to create a learning community which seeks to raise levels of achievement and aspiration for all. This vision is underpinned by a set of values including the principles of equality and inclusion and a commitment to support the well-being of all our young people.

We are a long established, truly comprehensive school, proud of our tradition and commitment to success for all. Our priority now is to ensure rapid and sustained school improvement with a focus on raising aspiration and raising standards with an emphasis on the highest quality teaching and learning.

The key aims for our Trust are to:

- Raise standards of achievement at all levels
- Ensure consistently high expectations in our school: amongst students, teachers, parents and carers.
- Enable all students to benefit from high quality teaching and learning;
- Work effectively with parents/carers, professionals and the wider community to promote health and well-being, creating the right conditions for students to thrive;
- Make efficient use of all resources available to us and thereby maximise the benefits for students;
- Work with external partners to widen the range of opportunities available to our workforce and our young people;
- Make our school improvement strategy more sustainable by raising the profile of education across our community – and in so doing to further raise aspirations by more effectively engaging stakeholders, especially parents, via the Trust’s co-operative membership mechanisms:
- Improve social cohesion within our community by strengthening our commitment to co-operative values, including respect, social justice, fairness and democracy.

Please tick	Questions

	This is right for the school
	I do not think should be a priority in the vision because ...
	I would like to see ... included in the school's vision

4. Do you have any other comments, concerns or suggestions before we consider publishing formal proposals

Please continue on another sheet if necessary.

Thank you for taking the time to complete this response form. We value your opinion and will take your comments into careful consideration when deciding how to proceed.

***The Calder Learning Trust
Including Calder High School***

***With partners;
The Brooksbank School
Calderdale College
Calderdale Local Authority
The Co-operative Movement***

***Report on the Consultation
Full Governing Body Meeting
Thursday 7th November 2013***

INTRODUCTION

This document summarises the feedback from The Calder Learning Trust consultation.

This consultation report was produced on behalf of the consulting Governing Body by the Co-operative College who also facilitated the consultation. The purpose of the consultation exercise was to allow the Governing Body to seek the views of its school community (and any others with an interest), on its proposals to change the school's category from community to foundation and establish The Calder Learning Trust as its legal foundation.

Copies of consultation documents were published on the consulting school's website and distributed widely to consultees including parents/carers, learners, staff, governors, teacher associations and support staff trade unions, local Headteachers and Governors, Calderdale Council as the Local Authority and elected members in the catchment area of the school.

In addition separate consultation meetings were held at the school for parents/carers, union representatives, staff and any member of the general public with an interest. These meetings were well publicised locally.

The views of learners were sought during a dedicated assembly. There was general support for the proposals from learners.

This document summarises the responses received for the consultation as a whole. Included within this report are a summary of the views and comments received from individuals. All responses will be made available to the Governing Body for examination when they consider this consultation. Individual responses are also available for examination by contacting Calder High School.

CONTENTS

- 1. Executive Overview
- 2. Overview of the Consultation Feedback
- 3. Recommended Action
- Appendix A Summary of response forms
- Appendix B Consultation documents
- Appendix C Notes from meetings
- Appendix D Letters of response
- Appendix E Local Authority Assurance letter
- Appendix F Draft staffing protocols
- Appendix G UNISON/SCS agreement

1. Executive Summary

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

- x) In outline the timescale was as follows:
 - a. At the start of consultation a summary information leaflet was circulated to all required stake-holding consultees providing details of the forthcoming consultation exercise and clearly setting out the process to be followed. An explanatory letter accompanied by the response questionnaire was also distributed to the required stake-holding consultees.

- b. This information leaflet clearly gave details of the detailed consultation document, Booklet One – and how a hard copy could be obtained from the school office as well as being available on the school's website. An additional Question and Answer (Booklet Two) was also made available on the school's website and printed copies made available to anyone who requested a copy (see consultation documentation in Appendix B).
 - c. Meetings for the staff, Union representatives, parents/carers and stakeholders of the school were held at school on Thursday 3rd October 2013.
 - d. Assemblies were held for students the week beginning Monday 30th September 2013.
 - e. Notes of these meetings are contained in Appendix C.
- xii) The school remains committed to the proposed Trust and working within the charitable aims of the proposed Trust to raise standards and promote community cohesion. The Trust and the partners, as well as the mutual co-operative membership dimension, including the proposed Stakeholder Forum are likely to have a positive impact on the school and its wider community and further assist in the raising of standards.
 - xiii) The consultation was promoted widely and approximately 1360 consultation packs were distributed when consultation officially opened on 24th September 2013.
 - xiv) At the end of the consultation periods, a total of 25 response forms had been returned. There were only 2 parents/carers who thought the school should not change its category (see Appendix A).
 - xv) The response rate for completed questionnaires (25 from 1360 issued) is 1.8%.
 - xvi) 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 who 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. As an additional safeguard SCS has now signed a similar agreement with the NASUWT, the first teacher association to do so. Copies of this will be made available for the consideration of the Governing Body if they decide to proceed to the statutory phase.

2. Overview of the Consultation Feedback

It is worth noting that in most consultation exercises, written comments on the response forms tend to be made by those who have strong views or concerns and not necessarily by those who accept and support the proposals being put forward.

The great majority of respondents supported the proposals with only 2 being unsure/wanting more information. (All parents/carers)

Overall it is clear that there is support from the great majority of those consulted. There was positive support for the formation of the Trust, 96% of the respondees said they supported the proposal. There were many positive and enthusiastic comments about the proposals and how it could/would support school improvement.

Generally respondents were supportive although there were concerns about how they could continue to be involved with the School. There was also a comment made about Trust status helping the school

avoid becoming a forced academy in the future.

It will be important to ensure the necessary arrangements are put in place by the Local Authority and Governing Body to protect the rights of employees as outlined in the assurances letter (see Appendix E) and protocol (see Appendix F), plus the UNISON/SCS National Agreement (see Appendix G).

During a consultation exercise there are often questions that are raised and concerns will have already been dealt with by Headteacher at the school concerned.

It is also clear that given the rate of growth of co-operative schools in Yorkshire and Humberside, there is regionally a strong and growing appreciation of the model and its values and ethical principles linked to it.

It should be appreciated that due to the number of responses received, the comments made are attributable to very few individuals. Consequently these should not be taken as being a reflection of the views of a significant number of consultees. As stated previously, a non-response is taken to be that one is content with the proposals.

The Trust will be a mutual co-operative membership trust owned by its members and democratically accountable to them. Its members will consist of pupils, parents, staff, local organisations and others living and working in the school communities. This membership base will strengthen the links with the local community and lead to greater involvement with the local community through the mutual co-operative nature of the trust.

The three statutory requirements the Governing Body should satisfy itself that they have met are:

- To enhance (and definitely not adversely) affect standards
- That the consultation exercise complied with regulations and guidance
- The views and comments from respondents have been properly considered.

As can be seen from the summary above, all the statutory requirements were more than met. It is clear the various school communities welcome this formalising of existing partnership work within a mutual co-operative membership structure.

3. Recommended Action

The level of positive comments seen in the consultation should be encouraged, as it will assist in the mutual co-operative membership development in the future.

It is clear that the additional clarifications and ongoing discussions that have taken place in the consultation period have addressed many of the concerns raised by most staff. No staff returned a questionnaire, which suggests that their questions had already been answered and that they are supportive of the proposal. From the 24 parents/carers there were only 2 who did not think the school should change category. (See Appendix A and B).

The Governing Body should communicate the assurances requested from the Local Authority concerning pension matters and also regarding the application of existing policies around potential redundancy costs and related matters. The positive dialogue that has been established between the schools, staff, Unions and Local Authority should continue to allay the natural concerns of those involved about their future pay and conditions.

The Governing Body is also recommended to formally adopt the recommended GB/TU protocol (see Appendix F), plus the UNISON/SCS National Agreement (see Appendix G). They are also asked to note the signing by SCS of a similar agreement with the NASUWT, the first teacher association to do so.

The responses show many supportive comments about the School and indicate that parents have confidence in their Headteacher and governors. This is a positive sign for the future membership nature

of the trust.

It is recommended that no adjustments be made to the original proposals.

A Statutory Notice is issued with a statutory period from noon on Friday 22nd November until Friday 20th December 2013.

There is no need to hold any further additional consultation.

Appendix A – Summary of response forms

A total of 25 questionnaires were received following over 1360 consultation documents being sent to all parents/carers, staff and governors of the school as well as to a significant number of interested parties. These broke down as follows – 25 from parents; 0 from staff; 0 from ‘others’. In addition there were no written responses. (see appendix D). Copies of these responses are available for governors’ perusal.

In addition all pupils were consulted via an assembly (see Appendix C).

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.

Q1. How do you feel about the school changing their legal status and acquiring a Trust?

	Parents/ Carers	Staff	Governors	Other	Don't Know
I support the proposals	24	0	0	0	0
I am not sure and would like more information ...	2	0	0	0	0
I do not think the school should change category and acquire a Trust because ...	2	0	0	0	0
I support the change of category, but not acquiring a Trust because ...	0	0	0	0	0

Comments received:

I do not think the school should change category and acquire a Co-operative Trust because I see no reason why the school cannot improve, should this be deemed necessary, by maintaining its present status. (Parent)

I am not sure and would like more information on whether the staff will be protected? Your leaflet states that staff will remain on existing pay, but new staff won't necessarily have this protection. Will newly appointed staff keep their previous salary level and have the same conditions? (Parent)

What are the benefits and what are the drawbacks? (Parent)

Why change and what differences will it make? (Parent)

I would like more information on the School assets being held by the Trust. (Parent)

I do not think the school should change category Because there doesn't seem to be a reason to do so apart from talk of using the strength of the Trust to build on what has been achieved. You don't say what you have achieved or how the Trust will build on this. (Parent)

Q2. How do you feel about the proposed partners in the Trust?

	Parents/ Carers	Staff	Governors	Other	Don't Know
Q2. These are the right partners	0	0	0	0	0

I am concerned about the school working with ... because ...	1	0	0	0	0
I think the school should also think about working with ...	1	0	0	0	0

Comments received:

I am concerned about the school workingbecause I think their involvement would be redundant. (Parent)

I think the school should also think about working with, not necessarily as 'partners' but for activities, leading universities and employers to increase aspiration with insight into research and career prospects

Parkinson's Law springs to mind when reading that you will appoint additional governors. (Parent)

Q3. How do you feel about this vision?

	Parents/ Carers	Staff	Governors	Other	Don't Know
Q3. This is right for the school	24	0	0	0	0
I do not think ... should be a priority in the vision because	0	0	0	0	0
I would like to see ...Included in the school's vision.	1	0	0	0	0

Comments received:

I would like to see social cohesion extended to include 'action' e.g. school volunteering and participating in community activity and events as at last year's Mytholmroyd gala. (Parent)

I would like to see less jargon of the kind set out above. (Parent)

I would like to see more concrete evidence that the Trust will improve the School, as it all seems to be management speak. (Parent)

Q4. Are you happy with the Trust appointing a minority of governors?

	Parents/ Carers	Staff	Governors	Other	Don't Know
Q4. Yes – this sounds like a good idea	0	0	0	0	0
Yes, but I am concerned about...	0	0	0	0	0
No, I would prefer the Trust to appoint more Governors because...	0	0	0	0	0
No, I do not like this proposal because...	0	0	0	0	0

Comments received:

I do not think it is right because who decides which governors are appointed and how many (Parent)

Q5. Do you have any other comments, concerns or suggestions that we should think about before we publish formal proposals?

Comments received:

None, I am convinced that this proposal is critical for the sustained improvement in levels of progress for all the pupils of Calder High School (Parent Governor)

I am in favour of the proposed conversion to a Cooperative Learning Trust as I hope that this will help Calder High School avoid becoming being forced to become an Academy in the future (Parent).

I would be opposed to any future changes to the pay and conditions of all staff by the Governing Body. (Parent).

I feel that the prospective partners are suitable partners who hopefully will enhance the work of the school. (Parent)

Will the school still have access to local authority expertise and services (e.g. EPs and EWOs)? (Parent)

If the governing body is going to increase in size, I feel there should be at least 2 representatives from the teaching staff. (Parent)

Is this a permanent trust? Can the school revert to its previous status if it is holding things back rather than improving them? (Parent)

Is there a guarantee that parents will be democratically represented?

Why do trusts offer a better education and why proof is there?

If private companies and other organisations control the School how can I, as a parent, have a real say in the actions they take?

If the Trust has its own admissions policy then how can you guarantee you won't be selective to boost success levels?

All above by the same Parent.

Appendix B – Consultation documents

The Information Leaflets and Booklets One and Two plus the accompanying questionnaire are only available on request due to the high volume of documentation.

Appendix C – Notes from meetings

All held on Thursday 3rd October 2013

Staff Consultation Meeting

20 staff attended

Q: Is the National Curriculum tied in?

A: No difference to present.

Q: How do we get a rebuild?

A: Changing to Trust status will make no difference to the situation as it is now: there is no money available for a rebuild. The LA retains its responsibility to protect education via the building. The LA will also be a partner. Meeting to set up 12 month commitment of LA already arranged.

Q: Co-operation between schools, how could you untie the legal process if there is an imbalance or we are not gaining enough from co-operation?

A: Work co-operation is dependent on the headteacher; it's up to the people involved. It will not be detrimental to the school. The legal process can be broken, but generally is not.

Parents/Carers Trust Meeting

6 people attended

Q: Why those particular partners?

A: Background to Brooksbank, Calderdale College explained by Jeanne. "Start small but want to grow"

Q: Diner sponsored by McDonalds fear?

A: No plans to include commercial partners.

Q: Please explain the need for Foundation Status.

A: Foundation = Charitable Trust
Trust = Partnerships

Q: From legislation goals posts could move. An ideological set of governors could change the ethos of the school, e.g. the admissions policy: every child has the right to go to a local school.

A: Elaine: The Cooperative Trust will make sure the Trust follows its values.

Jeanne: The reasons are the right ones. We are laying out our ethos and giving a strong statement to stay with the Local Authority, it is protection re structure. A group of people who trust one other set up and work for the children of the community.

Q: Are there more people involved in transparency?

A: Jeanne: Scrutiny and accountability increase via stakeholder forum. We will build on the work already undertaken with stakeholders. There will be a formal mechanism to take stakeholder views to the governing body.

Q: Unclear of the relationship between the Trust and the Governing Body.

A: You can have more Trust people on the GB, but in this case more GB than Trust. It is the model the Cooperative College recommends.

Q: What are the risks, e.g. the building?

A: LA has the same liability as before and is tied into the existing levels of commitment. There will be no negative impact on the children and the School will continue to improve because of collaboration.

Q: People want certainty and stability?

A: The Trust will enhance what the school already has.

Q: Why Brooksbank and Calderdale College as partners?

A: Now tied in; to give support to teaching and learning and CPD development. Networks improve through collaboration.

Q: What do Brooksbank get out of it?

A: (i) Because it is the right thing to do, (ii) Professional development for the school, (iii) Equal sharing – this is a two-way process.

Consultation with pupils re Co-operative Trust

A dedicated assembly was held on Thursday 3rd October and there was a general consensus that the proposal was a good idea.

Trade Union Consultation

7 Union reps attended

Q. Can the Trust partners de-register or break the Trust?

A: If a Partner wishes to leave a consultation process will follow, likewise if other schools, e.g. primaries, wish to join – go to consultation.

Q: Why Brooksbank Academy as a Partner?

A: The position regarding the support Brooksbank has given re school improvement was explained. Therefore, there is a need to lock-in Brooksbank to formalise partnership.

Q: Does TUPE apply?

A: TUPE-like process. Staff protected.

Q: Do new staff have protection?

A: Yes, and will continue to do so. All local and national agreements apply.

Q: If the school becomes a Trust and receives funding for non-union facilities time, will the school choose to buy into this?

A: Monies may not be available, as currently there is no arrangement in place for Trusts to buy into pooled funds.

Q: What precisely is different by becoming a Trust?

A: Formalising the collaboration. Support continues whether the school is going up or down. The school's vulnerability because of its insularity is reduced. DfE and Ofsted like the idea. The governing body wholeheartedly supports the decision to become a Cooperative Learning Trust school. CPD development is enhanced.

All Union representatives present said their Unions would support and welcome Trust status, and that the unions are there to help.

Public Consultation Meeting

No one attended this meeting.

Appendix D – Letters of Response

None received

Appendix E – Local Authority assurances letter

Dear David Whalley,

Assurances from the Local Authority regarding pension arrangements, costs of early retirement and redundancies and related matters.

I write on behalf of the Chair of the Governing Body of the Calder High School. You will be aware that we are currently consulting on changing our school's category from community to foundation and at the same time acquiring a charitable trust. The proposed change will mean that the governing body becomes the employing body on implementation day [1st February 2014].

This process is not TUPE, but somewhat similar and taking place under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007) which provides 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. The Governing Body 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 associate (support) staff. However, terms and conditions will be safeguarded as per the prescribed regulations for existing staff and our associate (support staff) will maintain the same employment rights as Local Authority employees.

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 the school, 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 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 associate (support) staff.

Associate (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 associate (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 associate (support staff) through the local authority and the LGPS. We are now formally seeking written assurances that

- i) the local authority will agree the statutory resolution specifying that associate (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) the local authority will also agree to associate (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 associate (support) staff joining the school in the future.

Yours sincerely,

Elaine Shoesmith
Regional Manager, The Co-operative College
On behalf of Chair of Governors of Calder High School

Appendix F – Draft staffing protocol

A Protocol on Employees' Terms and Conditions and Union Relations

1. The school will continue to adhere to the national and local conditions of service currently in place for its existing employees and will continue to employ new staff on these terms. All employees' continuity of service will continue, and contracts will only change in that the employer will become the Governing Body. Other contractual details will remain the same.
2. Recognition of the same trade unions and professional associations will continue, and the school will engage with the Unions in the same way in the future, in line with existing local agreements.
3. The School believes that trade unions help ensure good employee relations, will encourage employees to become union members and will inform new appointees accordingly. The School will, on request, provide the trade unions with names and work locations of new appointees.
4. The relevant unions are the teacher unions (ASCL, ATL, NAHT, NASUWT, NUT and VOICE) and the unions representing support and other professional school staff (GMB, UNISON and Unite).
5. Consultation on internal procedural matters and working and organisational arrangements will be dealt with in the first instance by discussions with union representatives within the school, who may ask for support from their local or regional officers if they think this is necessary.
6. If the school in the future considers varying existing terms and conditions, or not adopting variations agreed through the mechanism for negotiating between the Local Authority and its employees, it will notify the local authority representatives of the recognised unions, and will negotiate with them, through a forum consisting of representatives of the school and internal and/or external representatives of each of the recognised unions. In the unlikely event that there is a breakdown in negotiations on terms and conditions, the matter may be referred to the Advisory Conciliation and Arbitration Service (ACAS) in order to seek resolution of the issue. Either party may determine that a matter is referred to ACAS for conciliation. Both parties may subsequently agree, where necessary, that a matter is referred to ACAS for arbitration. Whilst these procedures are being followed the School will honour the status quo ante.
7. The school will write to all employees at the date of transfer to inform them that their new employer is now the Governing Body and that their conditions of employment will not change.

Appendix G – UNISON/SCS National Agreement (**available on request**)