



## **The Sir Thomas Boughey Co-operative Learning Trust**

### **Including**

## **The Richard Heathcote Community Primary School**

### **Public Consultation: Booklet One - Changing to Foundation School Category and Acquiring a Charitable Trust – A Rationale**

#### **What to do next**

Read this document entitled **Booklet One** *Changing to Foundation School Category and Acquiring a Charitable Trust – A Rationale*, which provides an overview of the proposal being put forward, the implications of these proposals and details of the timeline for consultation and what happens next.

You may also want to read **Booklet Two** *Questions and Answers*, which provides a series of commonly asked questions together with answers which have been collated from the Department of Children, Schools and Families (DCSF)\* sources. You may wish to attend one of the consultation meetings and/or return the **Response Form** to comment on this consultation.

Copies of the booklets and the response form can be obtained from the school.

*\*As you may be aware, the Department for Children Schools and Families (DCSF) has changed its name to the Department for Education (DfE).*



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## 1. Executive Summary

- 1.1 The Governing Body of The Richard Heathcote Community Primary School are proposing a change of school category from a community school to a foundation school. The school are proposing to join (legally known as acquiring) an existing charitable trust – The Sir Thomas Boughy Co-operative Learning Trust. The proposed date of implementation is 31 October 2011. At the time of writing we also understand that the Governing Body of Wood Lane Primary school is currently in consultation with a view to joining the Trust in September 2011. It is also anticipated that St Chad's C of E Primary School will become associate partners in the Trust and play a full part in it: (because it is a voluntary school the governing body there is not proposing a change of school category.)
- 1.2 Our school supported by the Trust will work to improve attainment and develop services to improve standards, outcomes and services for children, young people and their families in our local communities.
- 1.3 Our school will continue to be part of the local authority, but we will have the opportunity to be supported by a charitable trust set up to help the drive for improved standards in our school and across our wider community. Our Governing Body through joining the Trust, hopes that it will assist the development of a long term and sustainable partnership that aims to bring together our school ( plus the two other local schools referred to earlier), with The Sir Thomas Boughy Co-operative Learning Trust. The existing members of the trust are The Co-operative Group, Staffordshire University, Newcastle-Under- Lyme College and Sir Thomas Boughy High School. You will find more information about these partners in section 3.2.
- 1.4 The Governing Body of The Richard Heathcote Community Primary School will gain new powers and responsibilities if it becomes a foundation school. It will become the legal employer of all staff, although existing pay and condition arrangements will be unchanged as the school will remain in the Staffordshire Local Authority maintained sector and be subject to national pay and condition agreements. 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, and will adhere to the prevailing Local Authority admissions arrangements, although reserving the right to review these if deemed appropriate. The Trust will hold the land and capital assets in trust for the school and the Governing Body will retain day to day responsibility for managing these assets in the same way it does now.
- 1.6 The full consultation document is contained in two booklets:



**Booklet One** *Changing School Category and Acquiring a Charitable Trust – A Rationale* is the document you are now reading and provides an overview of the issues faced by the schools, the proposal being put forward, the implications of these proposals, and details of the timeline for consultation and what happens next.

**Booklet Two** *Questions and Answers* provides a series of commonly asked questions together with answers and can be obtained from the school or from the school website shown on the front cover.

- 1.7 Stakeholders have the opportunity to comment on these proposals during the **consultation period, which runs from noon on Wednesday 14<sup>th</sup> September 2011 to noon on Wednesday 12<sup>th</sup> October 2011.**
- 1.8 The Governing Body will then consider the outcome of the consultation independently and decide on whether to publish Statutory Proposals for the school or to remain a community school.
- 1.9 In order to make the change the Governing Body of The Richard Heathcote Community Primary School is legally proposing to change category from a Community School to become a Foundation School, and at the same time, formally acquire a Trust –The Sir Thomas Boughey Co-operative Learning Trust. We have tried to put forward the proposals in a clear manner and there are opportunities to attend meetings and ask questions about the proposals. We are open to alternative suggestions and nothing in this consultation document or process pre-determines the outcome of the consultation.

## **2. Vision and Values**

- 2.1 Vision: The Sir Thomas Boughey Co-operative Learning Trust serves a very traditional working 'class' community. It has developed a style that places a high emphasis on good values and attitude based upon the Co-operative values of self-help, self responsibility, democracy, equality, equity, solidarity, openness, social responsibility and caring for others. A central aim of the trust is to 'lock' this ethos into future generations as part of its succession planning. As schools that serve their communities the trust should aim to work closely with the community to help raise aspirations and contribute fully to the life of the community. Trust status should further help the school to raise attainment, knowledge and skills for the young people in its care.

By acquiring a Trust, supported by a range of partners and stakeholders who are united behind these vision statements, the schools hope to not only transform the life chances of every student that passes through the schools, but to have lasting positive impact on the wider community as well. We aim to provide the best education for all students in our area by working together to provide a personalized education for all, as well as promoting community cohesion.



- 2.2. As a Co-operative Trust, The Sir Thomas Boughy Co-operative Learning Trust has adopted the values and principles of the Co-operative Movement (see Appendix A).
- 2.3. 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 ethical values of honesty, openness, social responsibility, and caring for others.
- 2.4. Co-operatives are based on the principles of Voluntary and open membership; Democratic member control; Member economic participation; Autonomy and independence; Education, training and information; Co-operation among co-operatives; Concern for community.
- 2.5. We have chosen to join an existing local Co-operative Trust because these are values and principles which we already share. They will underpin our work and we believe this will strengthen the work of our schools even further.

### **3. What does the Trust do?**

- 3.1 By developing an ethos of co-operation and local democracy, the existing Trust is inclusive, community focused and centred on working together to raise levels of achievement and aspirations for children, young people and their families. Through a broadly based governance and membership model where learners, parents and community representatives are empowered in contributing to shaping the work of the trust, we foster values of self-help and self responsibility. Our trust cultivates humanity in an ethical, co-operative and socially responsible way.

#### **3.2 What is the Trust's particular focus?**

- Working collaboratively together to raise standards.
- Working inclusively with representation of partners from education and training, employment and regeneration.
- Open and honest relationships with partners, helping each other reach common goals.
- Raising aspiration through embedding a 'life long learning' ethos in the extended community.
- A global perspective rooted in the co-operative values of self help, self responsibility, democracy, equality, equity and solidarity.
- Provision The ethical values of honesty, openness, social responsibility and caring for others.
- Learning and earning opportunities through regeneration programmes to help build active citizenship.
- Membership is open to parents/carers, members of the community, partners, learners, their extended families and staff.

#### **3.2 What does each Partner bring to the existing Trust?**

- **The Co-operative Group** – Has extensive experience (sponsoring Business and Enterprise Specialist Schools) in supporting educational



establishments to develop and embed a co-operative “values driven ethos” across the school and across the curriculum. It will also help bring a global dimension to school and community perceptions, through national and international links with other co-operative educational institutions and organizations.

- **Staffordshire University** – Community aspirations and attitudes towards lifelong learning, and the place HE provides on this pathway, must continue to be actively challenged, and new attitudes grown and nurtured. As a former coal mining area and one that served traditional industries such as Pottery and Iron the school seeks to raise aspirations and address issues involving gender and HE. The school already has a highly developed and respected Aim Higher programme, which will need further development and strengthening to have greater impact.
- **Newcastle Under Lyme College** – We have extensive links with Newcastle College. These cover many aspects including post 16 provision, adult education, Diploma development and more recently a partner in the Enterprise Learning Partnership (the school is the co-ordinating school).

### 3.3 How does the Trust makes a difference?

The Learning Partnership is already making make a difference by:

- Being a trust that is a 'Community Development and Co-operative Model.' This model enables those who are directly involved in the school, parents/carers, staff and learners, to become engaged in its long-term strategic direction through membership of the Trust. This has particular relevance in our local community where traditional values and support are highly valued.
- It also allows those more indirectly involved such as other members of learners' families, to become involved. We believe that engaging members alongside the organisational partners detailed is essential if we are to achieve our vision of transforming educational opportunities for all in the community we serve.
- Sir Thomas Boughey is an ambitious school, - and wishes to further accelerate the pace of improvement, and wishes to form social partnerships with organisations with values akin to ours, with appropriate expertise to engage our students and our community more actively in social change, and to help us value and reward achievement in a wider range of formal and informal settings. As a primary school with very strong links to Sir Thomas Boughey, we share that ambition and wish to play a full part in achieving it.
- We also support Sir Thomas Boughey's drive to continue to develop a distinctive and compelling local “brand”. Within our area our 11-16 school has to position itself against two successful 11-18 comprehensives (one of which is faith-based) and a number of new Academies. It is vital therefore that the school positions itself to move forward within this new educational domain, so that it remains a credible and positive choice for local parents.



## 4. How does the Trust work?

- 4.1 The Trust is a charitable, not for profit trust, meeting the legal and other requirements as set out by the DfE. It carries out its duties in relation to the school as set out by the DfE, specifically by appointing a minority of the members to the Governing Body of any supported school and by holding the land and assets on trust. The Trust will appoint a minority of governors (normally two), to our governing body. (see Appendix C).
- 4.2 The Trust is 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 objectives in providing services and/or commissioning services. 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 a partner school and it will not seek to change the character (religious or otherwise) of a partner school.
- 4.4 The Trust will meet a minimum of three times per year (co-ordinated with school governance as required).
- 4.5 The Trust will work with other people and organizations, as appropriate, in order to carry out its work. As the Trust develops its work in the future, it may be appropriate to consider additional partners. There will be a process involving existing Trustees to ensure that any future partner will comply fully with the vision, values and aims of the Trust.
- 4.6. The Trust is made up of the schools, partners and members, as shown in Appendix B.
- 4.7 The Trust will appoint a minority of governors at any school for which it acts (see Appendix C).
- 4.8. The Trust has an ethos of co-operation and democracy consistent with Co-operative values. It will seek to empower learners and their community. The Trust will help young people prepare for these challenges and their future as global citizens.

## 5. Foundation Category

- 5.1 To join the Trust, community schools are required to alter their current category to become Foundation Schools. In acquiring Foundation category, the Governing Body, and not the Trust, will assume new responsibilities, including responsibility for the employment of staff and the admission of



students to the school. In addition, the Trust will hold the land and assets in trust for the school. Our Governing Body will retain day to day responsibility for managing the assets, as is the case in the present situation.

- 5.2 The Richard Heathcote Primary School will be required to change category to become a foundation school.
- 5.3 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 teaching staff will continue to work under the terms of the 'School Teachers' Pay and Conditions Document' (STPCD). Our Governing Body will set out the terms and conditions for new support staff which will be no less favourable than those applying to existing staff. All staff will, therefore, always enjoy as a minimum the same terms and conditions of employment as in any maintained state school.
- 5.5 The school will continue to teach the National Curriculum and will be inspected by Ofsted at appropriate times.
- 5.6 The Governing Body will continue to have day to day control of the school's land and assets as is the case at present. These will be held 'on trust' – by the Trust - for the school. As the trust is a co-operative membership trust this gives the trust a strong mutual aspect.
- 5.7 We will work in collaboration with the Local Authority in ensuring strict adherence to the Schools' Admissions Code whilst reserving the legal right to review admission arrangements if deemed appropriate.

## **6. What does this mean for parents, carers and pupils?**

- 6.1 The school will remain part of the Local Authority's family of schools. We will continue to have a fair admissions policy and not introduce selection by ability. Parents will apply for places at a Trust school as part of the Local Authority process. The school will continue to work in partnership with the Local Authority to ensure that pupil places are given fairly in line with the published admissions criteria which conform to the School Admissions Code. However a Trust School Governing Body has the right to review admissions arrangements as deemed appropriate.
- 6.2 The current situation of appointing Community, Local Authority and Staff Governors will be maintained. However the Governing Body will now have in addition a minority of governors appointed by the Trust (see Appendix C).
- 6.3 All parents, carers and pupils currently attending a trust school may become full members of the trust (as may all staff and members of a range of





defined supporting community organizations and individuals). The Trust is currently establishing a Stakeholder Forum with elected members including parents, staff, learners (including students) and community organizations/individuals. Its purpose will be to hold the Trust to account, to help shape policies and to elect a minority of trustees.

- 6.4 Schools in the Trust will continue to be distinctive and autonomous, led by their Headteachers and Governing Bodies. Their responsibilities for standards, including objectives relating to behaviour and performance, will be unchanged. The Trust will build on the unique qualities of each school and therefore, through collaboration, significantly improve the educational opportunities for every young person and their family. We believe that these stronger partnership arrangements between schools and extended services professionals, will contribute significantly to a further improvement in each school's performance and a better educational experience and enhanced outcomes for every young person and their family.

## **7. What Does this Mean for Employees?**

- 7.1 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 and we will continue to recognise the same unions. The existing rights of teachers will be fully protected if the school acquires a Trust. We will still be bound by the School Teachers' Pay and Conditions Document.
- 7.2 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 they will maintain the same employment rights as Local Authority employees.
- 7.3 Employees will still be represented on the Governing Body, as elected by their colleagues, as well as there being representatives from parents, the community and the Local Authority as is the case now, plus the additional foundation governors nominated by the Partnership.

## **8. The Consultation Process**

- 8.1 Please let us know what you think about the proposal by one or more of the following:
- a) Complete and return the Consultation Questionnaire.
  - b) Send in your comments to the school.
  - c) If you are a parent/carers, member of staff, or member of the public come to the appropriate meeting to discuss the proposal.

**Consultation meetings will all be held at The Richard Heathcote Primary School on Wednesday 5<sup>th</sup> October 2011 as follows.**



**Staff: 3.30pm**  
**Public: 5.00pm**  
**Parents: 6.00pm**

Pupils at the school will be consulted through a separate meeting of the Student Council. They will also be kept informed about this consultation process – and input views and comments - through assemblies and other internal school mechanisms.

**8.2 You can comment at any time from noon on Wednesday 14<sup>th</sup> September 2011 to noon on Wednesday 12<sup>th</sup> October 2011**

8.3 After the consultation is closed, all comments will be considered and a report will be prepared for the Governing Body. This report will be made available on the school's Learning Platform. Individual responses and petitions will not be published on the Learning Platform but will be presented 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 before reaching an informed decision.

8.4 The Governing Body may decide to:

- a) Issue a Statutory Notice about any required change to Foundation Category and the adoption of a Trust.
- b) Modify the proposal in the light of suggestions made during consultation and, if the changes are significant, re-consult on the changes.
- c) Decide to remain as a community school without any changes.

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

8.6 The proposed implementation date is January 1<sup>st</sup> 2012.

8.8 Copies of all the consultation documents can be obtained from the school website (see cover) or from the school office. Alternative formats can be provided in line with school policy.

8.9 If you have any queries about anything you have read here and would like further clarification, please email or write to Trust Consultation at any of the school (contact details on the contents page of this document).

## **9. List of Consultees**

As part of the consultation process, the schools are consulting with the following:

- Pupils currently at the school.



- Parents/carers of pupils currently at the school.
- Staff currently employed at the school, both teaching and support.
- All schools which our pupils transfer to – principally Sir Thomas Boughy.
- Staffordshire Local Authority and neighbouring Local Authorities.
- Local MPs and serving local Councillors.
- The local Teacher Associations and Trade Unions representing our support staff.
- Other neighbouring schools which may be affected by the proposals.
- Local Community Groups, including nurseries, child care providers, sports and leisure providers.
- Children and Adolescents Mental Health Service (CAMHS).
- The Primary Care Trust and Local GP surgeries.
- The Church of England and Roman Catholic Dioceses for the area.

A complete list will be published on the school Learning Platform. If you feel that there are other stakeholders who should be consulted, please contact us.

## **Appendix A: Statement on the Co-operative Identity**

### **Statement on the Co-operative Identity as approved at the ICA Congress, Manchester, September 1995**

#### **Definition**

A co-operative is an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly-owned and democratically controlled enterprise.

#### **Values**

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 ethical values of honesty, openness, social responsibility and caring for others.

#### **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; benefiting 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 their co-operatives. They inform the general public – particularly young people and opinion leaders – about the nature and benefits of co-operation.

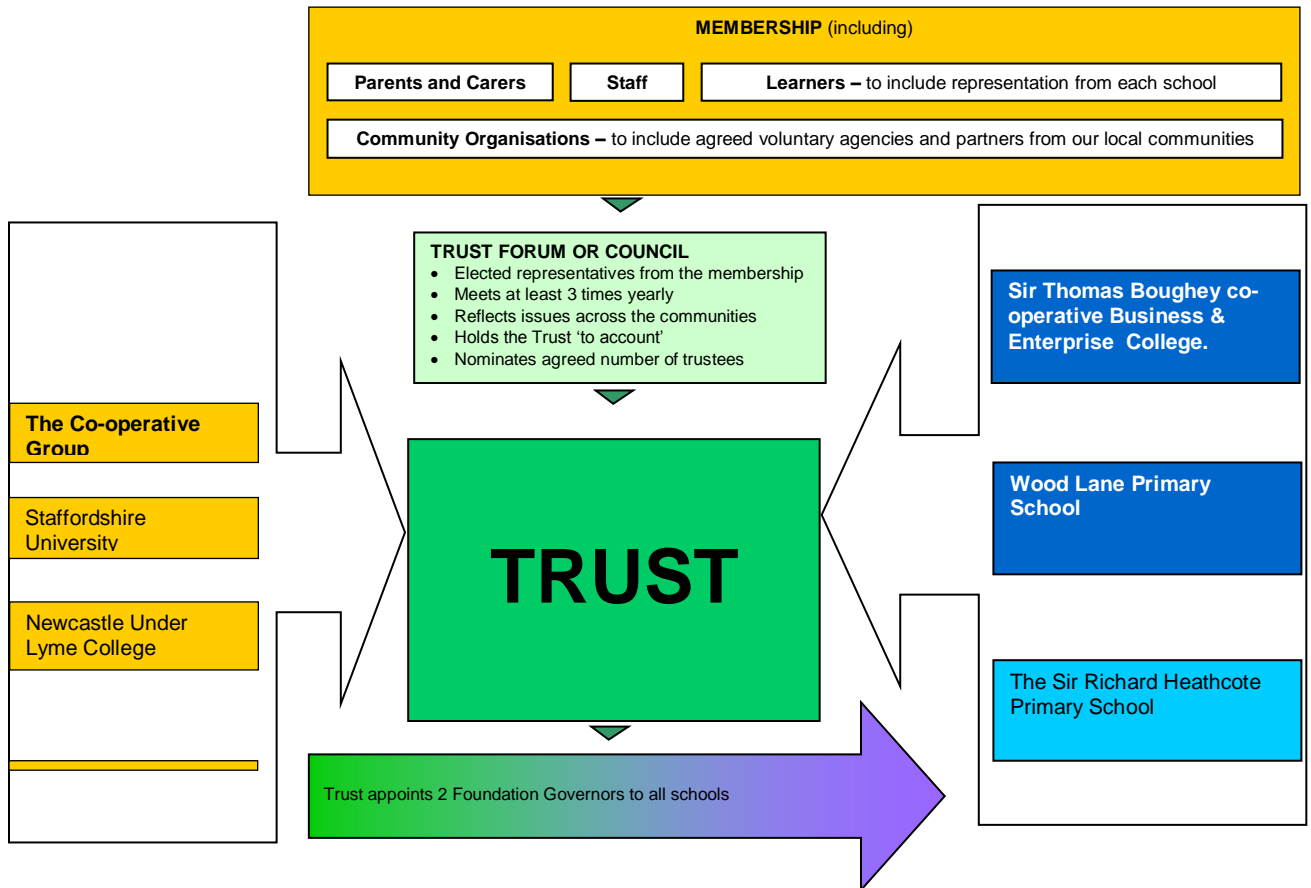
**6th Principle: Co-operation Among Co-operatives**

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 their communities through policies approved by their members.

## Appendix B: Existing - and Proposed (*in italic*) - Trust Structure



**NB.** It is anticipated that St Chad's CE Primary School will become an associate partner in the Trust.

**The Existing and Proposed (in italic) Partners are:**

<b>Member</b>	<b>Trustees</b>	<b>Proposed contribution to Trust</b>
<b>The Co-operative Group</b>	1	Has extensive experience (sponsoring Business and Enterprise Specialist Schools) in supporting educational establishments to develop and embed a co-operative “values driven ethos” across the school and across the curriculum. It will also help bring a global dimension to school and community perceptions, through national and international links with other co-operative educational institutions and organisations.
<b>Staffordshire University</b>	1	Community aspirations and attitudes towards lifelong learning, and the place HE provides on this pathway, must continue to be actively challenged, and new attitudes grown and nurtured. As a former coal mining area and one that served traditional industries such as Pottery and Iron the school seeks to raise aspirations and address issues involving gender and HE. The school already has a highly developed and respected Aim Higher programme, which will need further development and strengthening to have greater impact.
<b>Newcastle Under Lyme College</b>	1	We have extensive links with Newcastle College. These cover many aspects including post 16 provision ,adult education, Diploma development and more recently a partner in the Enterprise Learning Partnership (the school is the co-ordinating school)
<b>The Member Schools</b> 2 trustees from each full member school (being normally the Headteacher and Chair of Governors.)	6	<b>Sir Thomas Boughey High School</b>  <b>Wood Lane Primary School</b>  <b>The Richard Heathcote Community Primary School</b>
<b>Trust Forum or Council</b>	Minimum of 2	This will provide a mechanism for active engagement of key stakeholder groups and provides a sounding board for our local communities. It will ensure that our plans and implementation are in line with community aspirations and will seek to engage the community in dialogue with the Trust.
<b>Associate Member.</b>		<i>St Chad's CE Primary School</i>

## **Appendix C: Governing Body Structure**

- C.1 The current situation of appointing Community, Local Authority and Staff Governors will be maintained. However, the Governing Body will now have in addition a minority of governors appointed by the Trust.
- C.2 Local Authority nominated governors must number at least one and be no more than one fifth. Parent governors must be at least one third of the Governing Body. Staff governors must be at least two, but not more than one third. If there are three or more staff governors then one must be a non-teacher. Community governors must be at least one tenth.
- C.4 There must be a minimum of two Foundation governors (Trust appointees) and a maximum of 45% of the Governing Body.
- C.5 The Governing Body will undergo minimum changes in order to comply with the appropriate legislation. The proposed structures are outlined below alongside the existing structures to allow a comparison.
- C.6 It is proposed to appoint two Trust nominated governors into the existing Governing Body of The Richard Heathcote Community Primary School