

Middlesbrough Co-operative Learning Trust

(A mutual schools co-operative membership trust)



Middlesbrough Schools

comprising initially:

**Abingdon Primary
Acklam Whin Primary
Archibald Primary
Berwick Hills Primary
Breckon Hill Primary
Newport Primary
Thorntree Primary**

in partnership with:

**Middlesbrough Schools' Teaching Alliance
Middlesbrough Local Authority**

Public Consultation 2014

BOOKLET ONE

Changing to a Foundation School Category and Acquiring a Charitable Trust

Rationale

The reason for the consultation

The Governing Bodies of the following local primary schools:

Abingdon Primary, Acklam Whin Primary, Archibald Primary, Berwick Hills Primary, Breckon Hill Primary, Newport Primary and Thorntree Primary are each proposing to change their legal category from community to foundation school; and at the same time to acquire a charitable trust, to be known as the [Middlesbrough Co-operative Learning Trust](#). This trust, which shall be a co-operative membership trust, will hold each consulting school's land and assets in trust, in this case with a strong mutual element.

What we would like you to do

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

- reading this booklet plus the [Middlesbrough Co-operative Learning Trust](#) information leaflet
 - *You may also wish to read Booklet Two, which provides answers to a number of commonly asked questions*
- completing and returning to your school the Public Consultation Response Form which you should have already received
- attending one of the consultation meetings being held over the consultation period – see section 8.1 for details and times and venues of the various meetings

Copies of the Booklets and additional copies of the information leaflet and the Public Consultation Response Form can be obtained from any of the consulting schools as well as on their websites. (See details in Section 8.1 inside).

Information is also available on each school's website

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1. Executive Summary

1.1 Proposal

The Governing Bodies and Head Teachers of the named consulting schools are proposing a change of school category - from community to foundation - and, at the same time, to acquire a charitable trust to be called **Middlesbrough Co-operative Learning Trust**.

The proposed date of implementation is 1st September 2014. The Trust will be a mutual Co-operative Membership Trust.

1.2 What is a Trust School?

This is a type of school that, while still being part of the local authority family of schools, has the opportunity to be supported by a Charitable Trust set up to help the drive for improved standards in school, in particular through engaging with the wider community. The Trust will act as the legal foundation for the consulting schools if all or some decide to become foundation schools. The Trust will not act as the legal foundation for any of its partner learning providers, although they will become founding partners of the Trust and play a full part in it.

1.3 What is a Co-operative Trust School?

The Co-operative School Trust model enables schools to set themselves up as co-operatives, following co-operative values and principles. (See Appendix B). 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. It will also allow those less directly involved such as other members of learners' families and wider school communities to become involved.

1.4 Why are we considering it?

We believe the proposed changes will improve the life chances of our children and young people across Middlesbrough, by:

- Ensuring consistently high expectations across all our schools, among pupils, parents, carers and staff
- Ensuring robust, local accountability through mutual challenge and support
- Enabling all pupils to access high quality teaching and learning experiences by sharing 'best practice', resources and staff within the partnership and developing creative approaches to help us raise standards more consistently across all our schools
- Working more effectively with parents, carers and the wider community to promote health and well-being, developing a more aspirational culture, based on more integrated approaches with other partners working with our children and families such as health, social care, sport and leisure
- Working with a range of external partners to further develop our creativity in providing wider cultural opportunities for pupils, families and community learning
- Strengthening our commitment to a global perspective based on the principles of co-operative values:- respect, social justice and democracy
- Fostering productive relationships with other agencies to ensure we meet every child's needs in preparation for primary school, during their time with us and on their outward journey to secondary school.

The values and ethical principles of the Co-operative Movement, especially the ideals of self help and social responsibility, as well as active membership, will underpin the work of the schools and the Trust.

1.5 Trust Partnerships

The Governing Bodies of the consulting schools are jointly proposing to establish, through a Trust, a long-term partnership that aims to bring together the Co-operative Movement, and other partners. In addition to the Co-operative Movement, we are in partnership discussion with:-

- Middlesbrough Local Authority
- Middlesbrough Schools Teaching Alliance

We expect to include further partners as the Trust develops; we believe that collaborating more closely with partner schools, further and higher education institutions, building on the good relationships developed to date, will further improve the quality of the learning journey for our young people.

1.6 New Powers and Responsibilities

The Governing Body of each consulting school will gain new powers and responsibilities. It will become the employer of all staff, although existing pay and condition arrangements will be unchanged as the school will remain in the maintained sector and still be subject to national and local pay and condition agreements.

Each consulting Governing Body will also share responsibility for pupil admissions with the Local Authority's Admissions Team to continue to administer the provision of pupil places within the requirements of the National Schools Admissions Code and other relevant SEN guidance and policy.

The Trust will hold the land and capital assets in Trust for each consulting school although each Governing Body will retain day-to-day responsibility for managing these assets in the same way that it does now.

1.7 Consultation Process

You will have the opportunity to comment on these proposals during the consultation period which runs from noon **Wednesday 19th March 2014 to noon Friday 2nd May 2014**. We would emphasise that no decision has been made yet and we would welcome suggestions that might improve our proposals, as well as challenging them.

Each consulting Governing Body will consider the outcome of the consultation and then decide on whether to publish Statutory Proposals on changing category and acquiring a charitable trust or to remain a Community School.

1.8 In order to make the change each consulting Governing Body is legally proposing to change category from a Community School to become a Foundation School, and at the same time, formally establishing a Trust :- **Middlesbrough Co-operative Learning Trust**.

2. Vision and Values of Middlesbrough Co-operative Learning Trust

2.1 Our Values

The **Middlesbrough Co-operative Learning Trust** will strive to ensure a high quality learning experience for children and young people within Middlesbrough.

The Trust will seek to build on and strengthen our existing ways of working together by formalising and further developing our established partnerships

The Trust will work closely with all relevant communities to further raise aspiration and create opportunities and contribute fully to the life of these communities.

The creation of the Trust will provide a strong and well-tested legal entity through which to collaborate with our partners for the benefit of our learners.

2.2 Our Vision for the Middlesbrough Co-operative Learning Trust

“Aspiring to Excellence”

Our vision is to use the strength of the Trust to create a community which seeks to enhance enjoyment, raise achievement and aspirations for all, and ensure children and families are supported through their learning journey and school life in pursuit of excellence. The values of the Trust are underpinned by the principles of equality, inclusion and commitment to support the well-being of every child and their family in our schools.

All Learners will:

- Have equity of choice and opportunity within their home and school communities
- Be empowered to dream and aspire to a lifelong love of learning
- Be successful contributors to society

As Education Providers, we will:

- Ensure that each and every learner has inspirational and aspirational high quality learning opportunities at all times
- Consistently facilitate, promote and expect to work collaboratively, cohesively and effectively with all partners, accepting joint responsibility and accountability for meeting the holistic needs of each and every learner

As an Educational Trust we will :

- Organise ourselves to make these things happen
- Provide opportunities to develop knowledge and understanding, skills, attitudes and attributes throughout the learning journey
- Make the quality of teaching and learning our top priority
- Operate a support structure which ensures learners can achieve their full potential, both by ensuring a safe and happy environment and by knowing each learner as an individual
- Ensure that pupil-centred, personalised approaches are always at the forefront of our ethos and practice, with each and every child and young person within our trust
- Seek to make every pupil feel a part of the community by increasing their ownership and participation

- Celebrate achievement and creativity
- Engage parents and carers in an equal partnership to support their child
- Invest in our staff to increase our skills and experience
- Celebrate and support innovation and research in teaching and learning by our colleagues

2.3 Co-operative Values and Principles

The ethos of the schools aligns very well with co-operative values and the principles of the Co-operative movement (see Appendix B).

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

The principles of the Co-operative Movement are: 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.

These values and principles will underpin the work of the Trust and we believe will contribute to strengthening the schools and their links with their communities.

3. What will the Trust do?

What will be the Trust's priorities?

The Trust will work to encourage and support our learners to ensure that every young person has the best chance of success.

We believe the proposed changes will improve the life chances of the children in our schools by:-

- Accelerating attainment and progress through improving the quality of teaching
- Providing mutual support and challenge using each other's joint expertise and joining together to provide cost effective CPD
- Ensuring sustainability through mutual support to share leadership and career development
- Becoming an 'expert group' developing expertise in teaching, leadership and governance
- Developing expertise in assessment for learning; developing effective monitoring and analysis
- Developing parental involvement as partners in their children's learning; reducing inter-school mobility which is detrimental to children's learning and progress
- Sharing school improvement planning to reduce bureaucracy and increase efficiency
- Encouraging a spirit of innovation (eg. in ICT and Creative Arts)
- Providing support so all schools in the Trust are in a position to be judged 'Good' or better against Ofsted criteria
- Recognising that we ***all*** teach Middlesbrough's children
- Working with secondary colleagues to enhance children's eventual outcomes through effective transition

What difference would it make to be a Co-operative School? What benefits would it bring?

We are drawn to the co-operative model, because the values (again see Appendix B), are closely aligned to our own.

By working together we will achieve more than we can as individual schools working alone, both in terms of quality of teaching and learning and in value for money.

How would each school benefit from other schools within the Trust?

Our partnerships have been secured to ensure the values that underpin the essence of our work will be embedded for the long term.

All the Trust schools are committed to the:

- Academic
- Artistic and creative
- Social and emotional
- Physical safety and well-being of every child

We have a duty to ensure all the children and young people in our community receive the highest possible quality of education. We all (adults and children) achieve more when we have a strong sense of belonging to, and being valued by, our community. Our community partnerships reflect that.

Young people develop best when there are clear and co-ordinated learning pathways for them. These pathways should exist for all our children and young people, whatever their needs. Our partnerships will provide strong foundations for these pathways.

What about our relationships with schools outside the Trust?

We will continue to work with a range of schools within and beyond Middlesbrough, including or existing collaborative arrangements. One of our proposed partners is MSTA (Middlesbrough Schools' Teaching Alliance). This is an alliance representing all primaries and most secondary schools in Middlesbrough.

It is envisaged that, over time, other schools may wish to consult to join the Trust through the agreed protocol. Other schools not in a position to join as full members may be invited to join as Partner Schools.

What will each Partner bring to the trust?

The Co-operative Movement - has extensive experience in supporting educational establishments to develop and embed a co-operative, values-driven ethos, both within and across schools, and across the whole curriculum. It also helps to bring a global dimension to school and community perceptions, through national and international links with other co-operative educational institutions and organisations.

Initially, it will be represented by The Co-operative College, which is the education arm of the 5,000 strong Co-operative Movement in this country; we will work with the College to identify a suitable long term co-operative partner for the trust from the Co-operative Movement in the North East.

Being co-operative trust schools will also allow us to become members of the Schools Co-operative Society (SCS). SCS is the fastest growing network of schools across England and is itself a co-operative of co-operative schools. Being part of a national co-

operative schools organisation will be of great assistance as we try to navigate our schools through the rapidly changing educational landscape facing all mainstream schools. We will also be able to participate in a strong international network of co-operative schools.

Partner Middlesbrough Local Authority – Statement from Mike Robinson

'Middlesbrough Council supports the move towards a more autonomous, self-improving school system through open partnership built on equality, integrity, respect and ambition. The Trust Partnership will provide a framework to support autonomy whilst retaining responsibilities and accountabilities to the local community.'

'The commitment of the Trust to accelerate children's attainment and progress, support member schools so that each of them can be judged by Ofsted as 'Good' or better, and provide effective transition to secondary school will be fundamental in ensuring that pupils get a strong start in life through their primary education.'

The Governing Body of each consulting school - will also itself be represented on the Trust with two nominated trustees, being the Head Teacher and Chair of Governors (or nominee). Each partner organisation shall appoint one trustee including any school which may join in the future as a partner.

Other local schools and indeed partners may join the Trust as it grows. Working with future partners will build on and embed established relationships; bringing added skills and expertise to support the education of the pupils at the schools within the trust. We are keen to explore links with other partners from the public, voluntary and commercial sectors that can help to further its aims. Charitable status and existing partnerships will help significantly in identifying suitable partners.

4. How will the Trust work?

4.1 The Trust will be a charitable, not-for-profit company, limited by guarantee, and meeting the legal and other requirements as set out by the Department for Education (DfE). It will carry out its duties in relation to the school as set out by the DfE, and by holding the land and assets in trust.

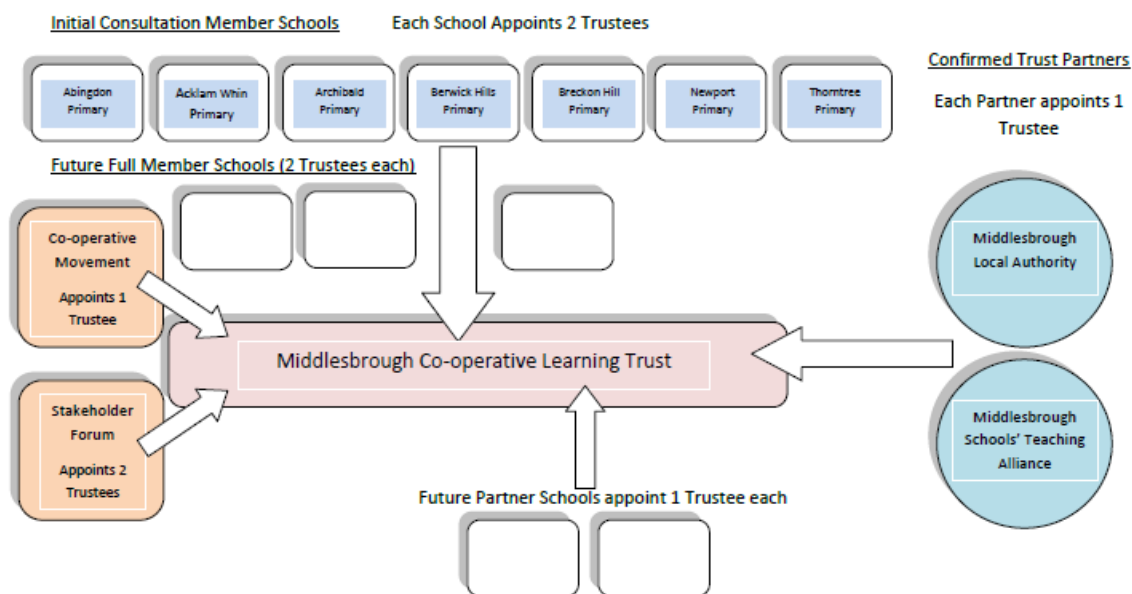
4.2 The Trust will be legally established and regulated (as with all charities) by the Charities Commission and registered as a company limited by guarantee with Companies House.

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 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 the school and it will not seek to change the character of the school.

4.4 The Trust will meet a minimum of three times per year (co-ordinated with the governance of each partner school as required).

4.5 The Trust will work with other people and organisations, as appropriate, in order to carry out its work. As the Trust develops its work in the future, it may well become 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 will be made up of the school, partners, and members as shown in the diagram on page 10.



4.7 The Trust will have an ethos of co-operation and democracy consistent with co-operative values. It will seek to empower learners and their communities. The Trust will help young people prepare for these challenges and their future as global citizens.

5. Foundation Category

5.1 To set up the Trust, each consulting school is required to change its current category and become a Foundation School. In acquiring Foundation category, each Governing Body, and not the Trust, will assume new responsibilities, including responsibility for the employment of staff and admission of pupils to its school. Each Governing Body will retain day to day responsibility for managing the assets, as is the case at present.

5.2 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 provide full rights, powers, duties and liabilities to transfer existing staff from the Local Authority to the Governing Bodies.

5.3 Existing and new teaching staff will continue to work under the terms of the 'School Teachers Pay and Conditions Document' (STPCD). Each school's 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.

5.4 Each school will continue to teach the National Curriculum and will be inspected by Ofsted at appropriate times.

5.5 Each Governing Body will continue to have day-to-day control of its school's land and assets (which the Trust will hold 'in trust' for the school) as is the case at present.

5.6 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 learners?

Admissions

6.1 The schools will remain part of the Local Authority's family of schools. We will continue to have a fair admissions policy. 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 that conform to the School Admissions Code. However a Trust school Governing Body reserves the right to review admissions arrangements as deemed appropriate.

Composition of Governing Bodies

6.2 From September 1st 2012 the Government changed the arrangements for appointing Parent, Community, Local Authority and Staff Governors. Community governors now become known as 'co-opted' governors. We are proposing (see Appendix B), that changes should be as minimal as possible when compared with the current composition of our governing body. However the Governing Body will now have a minority of governors (probably the legal minimum of two), appointed by the Trust

Membership of the Trust

6.3 All parents, carers and learners currently attending a school within the proposed Trust may become full members of the Trust (as may all pupils, staff and members of a range of defined supporting community organisations as well as individuals living and/or working within our school communities). We are planning to establish a Stakeholder Forum with elected members including parents/carers, staff, pupils and community representatives, both individually and from organisations. Its purpose will be to hold the Trust to account, to help shape policies and to elect a minority of trustees.

6.4 Each school's ethos, including objectives relating to behaviour and performance and the school's vision and values will be strengthened by working within the framework of co-operative values. It is envisaged that the new partnership arrangements will contribute significantly to a further improvement in each school's performance and a better educational experience and outcome 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 2013 provide for all rights, powers, duties and liabilities to transfer existing staff from the Local Authority to the Governing Body of the school. Employees will be employed by the school's Governing Body instead of the Local Authority and 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 Bodies will set terms and conditions for their 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. Employees will 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 Public Consultation Response Form
- b) Send in your comments to your school
- c) If you are a parent/carer, member of staff or a member of the public, come to the appropriate meeting to discuss the proposal

NB. The views of learners will be gathered by a variety of appropriate methods including formal consultation meetings with our School Councils as well as via assemblies and newsletters.

Consultation meeting details are listed below for each school. You are welcome to attend any consultation meeting convenient to yourself. Each school will conduct their own separate consultations with pupils.

TARGET GROUP	VENUE	DATE	TIME
Staff of all the Consulting Schools	MTLC, Cargo Fleet Lane, Middlesbrough TS3 8PE	Wednesday 2nd April	4:00-5:00pm <i>(Please note that there will also be a pre-meeting from 2:30-3:30pm with staff unions)</i>
Public Consultation	MTLC, Cargo Fleet Lane, Middlesbrough TS3 8PE	Wednesday 2nd April	5:30-6:30pm
Parent/Carers Separate meetings for parents and carers of learners at each consulting school will take place as follows:	Archibald Primary School TS5 4DY	Tuesday 22 nd April	3:00pm
	Newport Hub TS1 5NQ Other language support Czech, Arabic, Polish, Urdu French, Romanian	Wednesday 23 rd April	2:00pm
	Breckon Hill Primary School TS4 2DS	Wednesday 23 rd April	2:15pm
	Abingdon Primary School TS1 3JR	Thursday 24 th April	2:00pm
	Berwick Hills Primary School TS3 7QH	Thursday 24 th April	3:20pm
	Thorntree Primary School TS3 9NH	Thursday 24 th April	4:30pm
	Acklam Whin Primary School TS5 8SQ	Thursday 24 th April	6:00pm
	Newport Primary School TS1 5NQ	Wednesday 30 th April	3:15pm

8.2 You can comment at any time from noon on Wednesday 19th March 2014 to noon on Friday 2nd May 2014. There will be further opportunity to submit your views during the statutory period should the governing body of your school choose to proceed following the consultation.

8.3 The Governing Bodies may decide to:

- a) Issue Statutory Notices about a 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/s without changes

8.4 If the respective Governing Bodies decide to proceed and issue Statutory Notices there will be another chance to comment on any proposals which might be made before a final decision is taken by each school's Governing Body.

8.5 The proposed implementation date is 1st September 2014.

8.6 Copies of all the consultation documents can be obtained from the respective school websites (shown previously) or direct from each school.

8.7 If you have any queries about anything you have read here and would like further clarification, please contact your school.

9. Appendices

Appendix A: List of Consultees

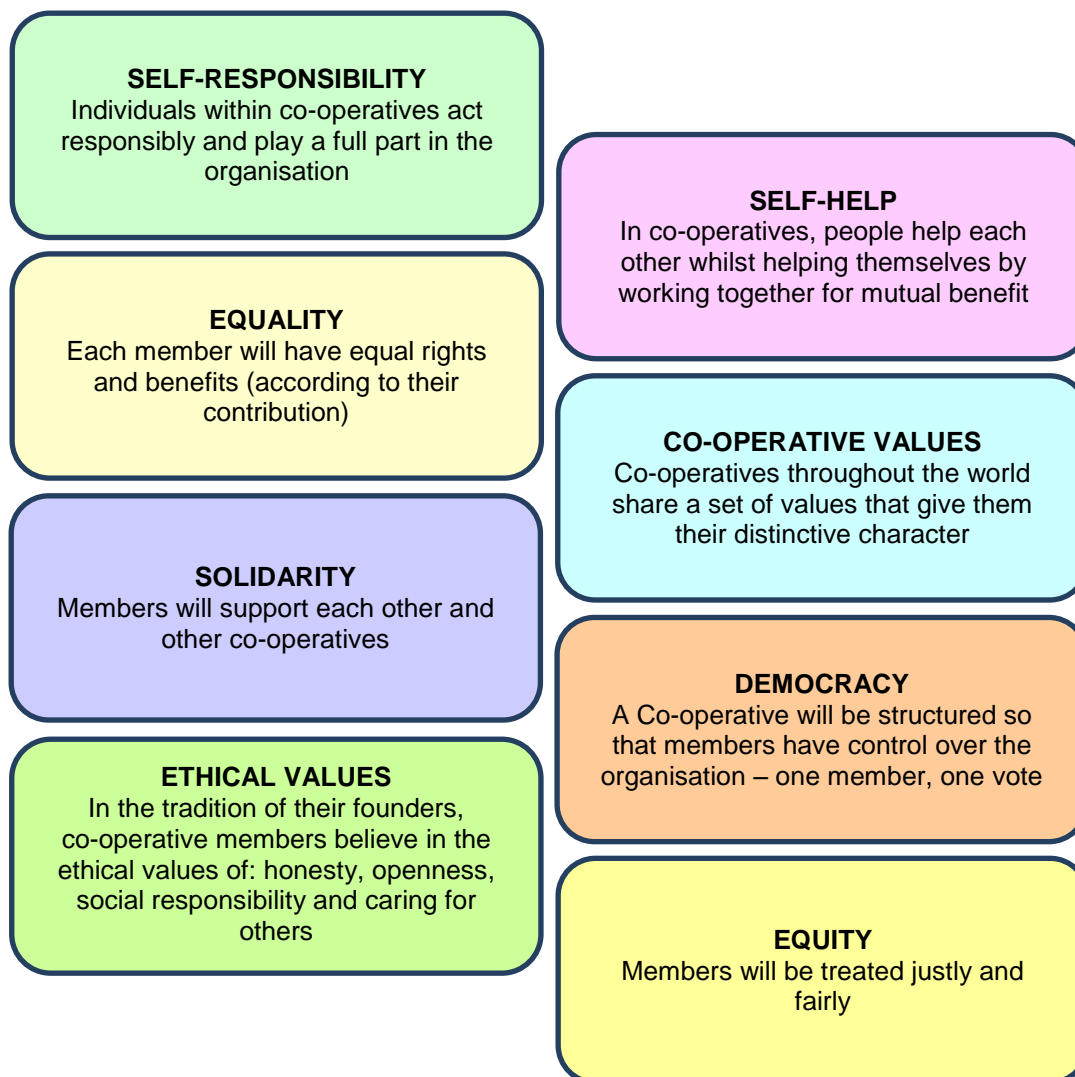
As part of the consultation process, the following will all be consulted:

- Learners currently at each consulting school
- Their parents/carers
- Staff currently employed at each consulting school, both teaching and support staff
- The Local Authority
- Schools and Colleges within Middlesbrough via MSTA
- The local Teacher Associations and Trade Unions representing our support staff

If you feel that there are other stakeholders who should be consulted, please do not hesitate to contact your school.

Appendix B – Co-operative Values and Principles

The Values and Principles embraced by today's worldwide Co-operative Movement have evolved from the ideas of the early co-operators of the 18th and 19 centuries. They are embodied in the statement of Co-operative Identity published by the International Co-operative Alliance (<http://www.ica.coop/al-ica>)



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

<p>1st Principle: Voluntary and Open Membership</p>	<p>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.</p>
<p>2nd Principle: Democratic Member Control</p>	<p>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.</p>
<p>3rd Principle: Member Economic Participation</p>	<p>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.</p>
<p>4th Principle: Autonomy and Independence</p>	<p>Co-operatives are autonomous, self-help organisation 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.</p>
<p>5th Principle: Education, Training and Information</p>	<p>Co-operatives provide education and training for their members, elected representatives, managers and employees so they can contribute effectively and strengthen the Co-operative Movement by working together through local, national, region and international structures.</p>
<p>6th Principle: Co-operation among Co-operatives</p>	<p>Co-operatives serve their members most effectively and strengthen the Co-operative Movement by working together through local, national and international structures.</p>
<p>7th Principle: Concern for Community</p>	<p>Co-operatives work for the sustainable development of their communities through policies approved by their members.</p>

Appendix C: Proposed Reconstituted Governing Body Composition.

From August 31st 2014 the governing body of a foundation school with a 'minority' Trust as its foundation, which is what we are proposing, has to be composed as follows;

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

In our case we are proposing that changes should be minimal when compared with the current composition of our governing body.

Appendix D: Website addresses

School website addresses

abingdon.primarysite.net

www.take2theweb.com/pub/middlesbrough/acklamwhin

www.schoolsweb.org.uk/archibald

www.sbcschools.org.uk/berwickhills

www.schoolswire.org/public/breckon314.html

www.schoolsweb.org.uk/newport

schoolswire.org/public/thorntree997.html

Cooperative College

www.co-op.ac.uk

LA website address

www.middlesbrough.gov.uk/schools