

Consulting Schools comprising:
Appledore Community Primary
Pynes Infant and Nursery
Woolsery Primary
Hartland Primary

In association with their partner schools:
St George's Church of England VA Infant and Nursery
St Margaret's Church of England VA Junior
St Mary's Church of England VC Primary



Changing to a Foundation School Category and Acquiring a Charitable Trust

Public Consultation 2013

BOOKLET ONE



The reason for the consultation

The governing bodies of the Bideford-area schools (listed as consulting schools) are proposing to change their legal category from community to foundation school; and at the same time acquire (establish), a charitable trust, to be known as the Atlantic Coast Co-operative Trust. This partnership, which shall be a co-operative membership trust, will hold each of the 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 the trust information leaflet and this booklet (you may also wish to read Booklet Two, which provides answers to a number of commonly asked questions)
- completing the Public Consultation Response Form and returning it to the appropriate school
- **attending one of the consultation meetings being held at the following times:**
 - Wednesday 23 January 2013 at Bideford College 4pm meeting for Trade Union and Professional Association Representatives; 4.45 staff meeting for all staff from all schools
 - Wednesday 23 January 2013 at Pynes Infant School and Nursery 6.30pm meeting for parents
 - Wednesday 23 January 2013 at Pynes Infant and Nursery 7.30pm meeting for the public
 - Thursday 24 January 2013 at Hartland Primary School 6.00pm meeting for parents
 - Thursday 24 January 2013 at St Mary's C of E Primary School 6.30pm meeting for parents
 - Friday 25 January 2013 at Woolsery Primary School 6.00pm meeting for parents
 - Friday 25 January 2013 at Appledore Primary School 6.30pm meeting for parents
 - Monday 28 January 2013 at St Margaret's C of E Junior School 6.00pm meeting for parents of St Margaret's and St George's children
 - Wednesday 30 January 2013 School Council afternoon at Appledore Primary School

Copies of the Booklets and the Public Consultation Response Forms can be obtained from the schools or downloaded from any of the consulting school websites (as well as those of our partner schools). See below:

www.appledore-primary.devon.sch.uk
www.stmarysco.co.uk
www.st-margarets-junior.devon.sch.uk
www.st-georges-infants.devon.sch.uk
www.hartland.devon.sch.uk
www.woolsery.devon.sch.uk
www.bideford-pynes-infants.devon.sch.uk

admin@appledore-primary.devon.sch.uk
admin@stmarysco.co.uk
admin@st-margarets-junior.devon.sch.uk
admin@st-georges-infants.devon.sch.uk
admin@hartland.devon.sch.uk
admin@woolsery.devon.sch.uk
admin@bideford-pynes-infants.devon.sch.uk

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1: Executive Summary

1.1 Proposal

The governing bodies of the named consulting schools are proposing a change of school category - from community to foundation - and simultaneously to acquire a charitable trust to be called the Atlantic Coast Co-operative Trust. The proposed date of implementation is 3rd June 2013. The Trust will be a mutual co-operative membership trust.

1.2 What is a Trust School?

This is a type of school that, whilst 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 our schools, 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 St George's Church of England VA Infant and Nursery School, St Margaret's Church of England VA Junior School or St Mary's Church of England VC Primary school, as their Church Trust already acts as their legal foundation. However, these three schools wish to become founding partners in the proposed co-operative trust.

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. This model enables those who are directly involved in the schools; parents, carers, children and staff; to become engaged in its long term strategic direction through membership of the Trust. It will also allow those more indirectly involved such as other members of children's families - and indeed the wider local community - to become involved too.

1.4 Why are we considering it?

Education has undergone some major changes over the last few years and one of the really positive things to have come out of this is the Bideford Learning Community (BLC). With government funding, schools within the BLC have developed strong links and work closely to support each other providing rich and varied learning experiences and opportunities for all the children in the area. Music and sport are just two examples of this and staff have benefitted from shared training and expertise. The BLC has also provided activities to support the most vulnerable learners, providing access to groups such as South West Family Support.

As government funding for local learning communities will soon fundamentally change, it is clear that our schools need to find a way of making sure that all the benefits of working together can continue. Having spent time looking at the possibilities, it was agreed that establishing a co-operative trust to link our schools, will not only offer a way to preserve many existing initiatives, but will enable us to continue to work together to meet the needs of the families in our own communities. It will also ensure that this tried and tested way of working is sustainable into the future.

By choosing a co-operative model for our Trust, we are strongly embedding the roots of our schools in our local community, working together but also ensuring each school retains its own unique identity.

We all know that 2 heads are better than 1; so how much stronger will 7 schools be working together rather than going it alone?

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 the early stages, in addition to the Co-operative Movement, our partners would be Devon County Council, The University College of St Mark and St John and The Diocese of Exeter. We expect to include further partners as the Trust develops. We believe that collaborating with other local schools building on the good relationships developed to date within the Bideford Learning Community, will further improve the quality of the learning journey for our children.

1.6 New Powers and Responsibilities

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

Each consulting governing body will also become responsible for child admissions but will work jointly with the local authority to administer the provision of places within the requirements of the National Schools Admissions Code.

The Trust will hold the land and capital assets of the consulting schools mutually in trust although each school's governing body will retain day to day responsibility for managing those assets in the same way it does now.

1.7 Consultation Process

You will have the opportunity to comment on these proposals during the consultation period that runs from noon on Monday 14th January 2013 until noon on Monday 11th February 2013. We would emphasise that no decision has yet been made 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.

Additionally, partner schools will seek the views of their stakeholders.

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 acquire (establish) a Trust - the Atlantic Coast Co-operative Trust.

2. Vision and Values

2.1 Our Values

*Working together to inspire and empower
our children to achieve their very best*

As a Trust, we collectively value excellence of achievement, a happy working atmosphere and a close relationship with our parents and our local communities.

We strive to provide support to children and their families to give them the best possible chance of success. This includes engaging with outside agencies and drawing on our collective expertise to make learning and development accessible to all.

Through our work, we aim to develop a lifelong love of learning in all members of our schools.

We believe in providing a stimulating learning environment through a creative, challenging curriculum.

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 all our children.

2.2 Our Vision for the Trust

The Atlantic Coast Co-operative Trust will be focused on securing the best possible outcomes for all our children through:

- Shared use of resources, opportunities and expertise
- Collective brokering of services and opportunities for children and staff development
- Strong local accountability, with priorities responsive to our local situation and diverse collection of schools



We will:

- make the quality of teaching and learning our highest priority
- develop a support structure which ensures children can achieve their potential, both by ensuring a safe and happy environment and by knowing each child as an individual
- seek to make every child feel a part of the community by increasing their ownership and participation
- celebrate achievement and creativity
- engage parents in an equal partnership to support their child
- invest in our staff to increase our skills and experience
- celebrate and support innovation and research in teaching and learning by our colleagues
- work closely with our community to raise aspiration and create opportunities and contribute fully to the life of the community

- collaborate with our partners for the benefit of our children and staff.

2.3 Co-operative Values and Principles

The partnership will play a key part in the next phase of development of education in our local area.

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

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.

Co-operative principles will underpin the work of the partnership and we believe will contribute significantly to strengthening our schools – and our links with the local community.

3. What will the Atlantic Coast Co-operative Trust do?

3.1 What will be the partnership's particular priorities?

To secure the future of existing good practice already operating within the Bideford Learning Community so that it is sustainable for the future.

To work alongside our partners to bring new learning and development opportunities to our children and our communities.

To ensure our local focus remains sharp and responsive to the developing national educational landscape so that our schools have the capacity to achieve excellence.

Through the Trust's charitable status, attract funding and investment opportunities for the benefit of our children and schools.

3.2 What difference would it make to be Co-operative Schools? What benefits would it bring?

Quite simply, membership of this Co-operative Trust will enable our group of schools to work co-operatively in line with the traditional values and principles of the co-operative movement outlined above and in more detail in Appendix C. These fit perfectly with the ethos of our schools.

The co-operative trust model enables those who are directly involved with the school, be they children, parents, carers, staff, governors or the wider community to become engaged in its long term direction through membership of the Trust. In a very real sense, schools will be owned mutually by their parents, children and staff and members of the wider school community.

All schools within our Trust will have equal representation on the Trust Board.

Through the Trust's charitable status, we will be able to secure a better level of funding for a wide range of activities and resources which can be shared across our community of schools.

Our Co-operative Trust will be called the Atlantic Coast Cooperative Trust with individual school names remaining as they are.

3.2 How would we benefit from Trust Partners?

We have selected our partners to provide us with the capacity to develop our schools further. Our partners will provide a good balance between the development of academic aspects of school life and organisation and the wider curriculum which is a powerful driver for the development of lifelong learning.



Our partnerships have been secured to ensure that our values will be embedded for the long term and written into the fabric of our schools.

We are committed to the

- academic
- artistic and creative
- social and emotional
- physical development of every young person in our locality.

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

3.3 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' 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. Initially, it will be represented by The Co-operative College.

Being a co-operative trust school will also allow us to become a member 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 and colleges. Equally important the South West is proving to be one of the fastest growing areas for co-operative schools, initially in Cornwall and now in Devon. It

is likely that SCS will develop a very strong South West region, as well as a distinct Devon sub region.

- **The University College of St Mark and St John** - University College Plymouth St Mark & St John is a long established Higher Education Institution which has a strong Christian foundation and whose values align with the principles and values of the Co-operative Movement. It is an Ofsted rated 'outstanding' provider for primary Initial Teacher Education and has established partnerships with schools across Devon and Cornwall, along with both the Dioceses of Truro and Exeter. The University College is also the national lead for the Teaching and Learning Academy and along with expertise in Initial Teacher Education would bring experience of supporting schools with school improvement and CPD. It also has strong links with other institutions both locally and nationally and would also bring experience of working with other co-operative trusts.
- **Devon County Council** - will allow us to stay firmly within our local family of maintained schools and benefit from a wide range of school improvement and support services.
- **The Diocese of Exeter** - will help us to further emphasise the importance of social justice, equality and community engagement as well as supporting the teaching of RE and developing spiritual and moral elements of the curriculum.
- **The Governing Body of each consulting school** will also itself be represented on the Trust with two nominated trustees, including the Headteacher and Chair of Governors (or nominee). Each partner school will also be represented on the Trust with two nominated trustees, including the Headteacher and Chair of Governors (or nominee) whilst partner organisations shall appoint one trustee.

4. How will the Trust work?

4.1 The trust will be a charitable, not for profit trust, 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 schools as set out by the DfE, and by holding the land and assets on 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.

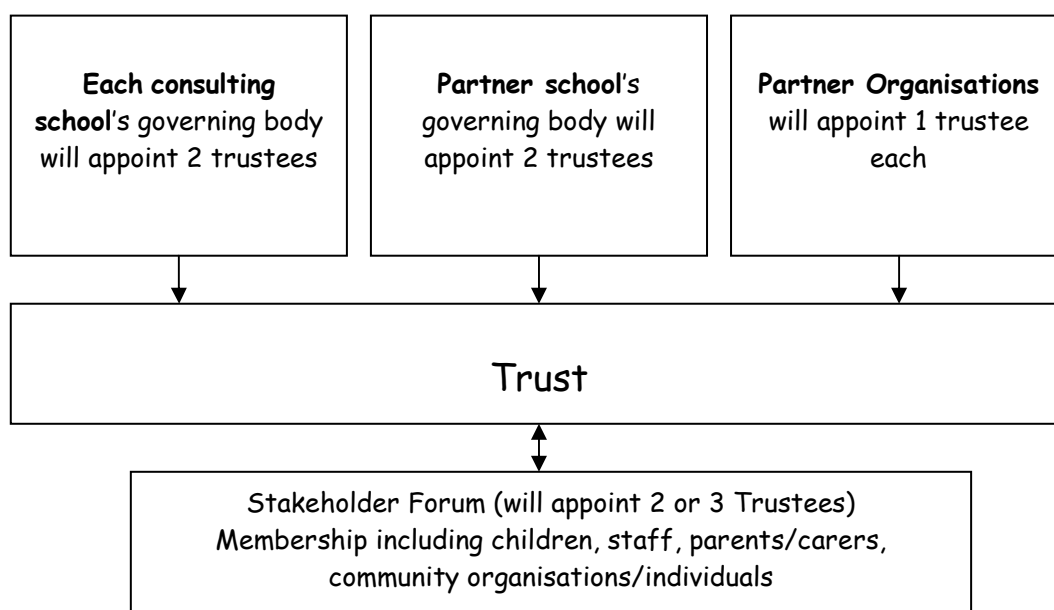
4.3 Trustees will not be able to derive an income from the trust, but the trust may become an employer as it develops in providing services and/or commissioning services. Any income generated by the trust must only be used to support its charitable aims. The trust will not seek to alter the individual characteristics of the schools and it will not seek to change the character (religious or otherwise) of the schools.

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 organisations, 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 will be made up of the schools, partners and members as shown in the diagram below.

4.7 The trust will have an ethos of co-operation and democracy consistent with co-operative values. It will seek to empower children and their community. The trust will help children prepare for these challenges and their future as global citizens.



5. Foundation Category

5.1 To set up the trust, the consulting schools are required to change their current category and become foundation schools. In acquiring foundation category, the governing bodies and not the Trust, will assume new responsibilities, including responsibility for the employment of staff and admission of pupils to the schools. The governing bodies will retain day to day responsibility for managing the assets, as is the case in the present situation.

5.2 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 provide full 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). Each 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 The schools will continue to teach the National Curriculum and will be inspected by Ofsted at appropriate times.

5.5 The governing bodies will continue, as is the case at present, to have day-to-day control of their school's land and assets (although the Trust will hold them mutually 'on trust' for each school for which it acts as the legal foundation).

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 children?

6.1 Admissions

The schools 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 any trust school as part of the local authority process. Schools 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.

6.2 Composition of Governing Bodies

The current situation of electing parent and staff governors will be maintained, as will the appointing of local authority governors, and the co-opting of co-opted (formally community) governors. However the governing body will now have a minority of governors appointed by the Trust, (foundation governors).

As the date that this trust would legally be formed is after 1 September 2012, the new regulations - the School Governance (Constitution) (England) Regulations 2012 will need to be adhered to. These regulations state that the governing body of every maintained school must be constituted in accordance with this regulation.

The governing body will undergo some changes in order to comply with the appropriate legislation (see Appendix B).

6.3 Membership of the Partnership

All parents, carers and children currently attending a school within the proposed partnership may become full members of the partnership (as may all pupils, staff and members of a range of defined supporting community organisations). We are planning to establish a stakeholder forum with elected members including parents/carers, staff, children 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 (usually two or three) trustees.

6.4 Ethos and principles

The schools' ethos, including objectives relating to behaviour and performance and the schools' 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 schools' performance and a better educational experience and outcome for every child 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 each consulting 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 schools acquire a trust. We will still be bound by the School Teachers' Pay and Conditions Document.

7.2 Each 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. Employees will continue to 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 doing one or more of the following:

- a) Complete and return the Public Consultation Response Form
- b) Send in your comments to the appropriate 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.

8.2 Consultation meetings will all be held at the following times:

Wednesday 23 January 2013	Consultation meetings at Bideford College : <ul style="list-style-type: none">• 4.00 – 4.30pm Trade Union and Professional Association Reps Meeting• 4.45 – 5.45pm Staff meeting (all schools)
Wednesday 23 January 2013	Parents' consultation meeting at Pynes at 6.30pm
Wednesday 23 January 2013	Public consultation meeting at Pynes at 7.30pm
Thursday 24 January 2013	Parents' consultation meeting at Hartland at 6pm

Thursday 24 January 2013	Parents' consultation meeting at St Mary's at 6.30pm
Friday 25 January 2013	Parents' consultation meeting at Woolsery at 6pm
Friday 25 January 2013	Parents' consultation meeting at Appledore at 6.30pm
Monday 28 January 2013	Parents' consultation meeting at St Margaret's at 6pm for parents of children from St George's too
Wednesday 30 January 2013	School Council from each school meeting at Appledore

You can comment at any time from noon on Monday 14 January 2013 to noon on Monday 11th February 2013.

8.3 After the consultation is closed all comments will be considered and a report will be prepared for the governing bodies. These reports will be made available on school websites. Individual responses will not be published on the website but will be presented to the governing bodies and will be available for inspection by the public on request. The governing bodies will then hold a meeting to review the report and all the comments before reaching an informed decision.

8.4 Each consulting school's governing body 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 without changes.

8.5 If the governing body decides to proceed and issues Statutory Notices there will be another chance to comment on any proposals which might be made before a final decision is taken by the school's governing body.

8.6 The proposed implementation date is 3rd June 2013.

8.7 Copies of all the consultation documents can be obtained from all school websites or from schools.

8.8 If you have any queries about anything you have read here and would like further clarification, please contact schools (email contacts are at the front of this booklet).

9. Appendices

Appendix A: List of Consultees

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

- Children currently at the schools
- Parents/carers of children currently at the schools
- Staff currently employed at the schools, both teaching and support staff
- Local Teacher Associations and Trade Unions representing our support staff
- Devon Local Authority
- South West Family Support
- Diocese of Exeter
- The Town Council, local MPs and serving local Councillors
- Parish Councils
- Other neighbouring schools which may be affected by the proposals
- Local Community Groups including nurseries and preschools, child care providers, sports and leisure providers
- Local and neighbouring colleges and higher education institutes
- Children and Adolescents Mental Health Service (CAMHS)
- The Primary Care Trust (PCT) and local GP surgeries

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

Appendix B Governing body structure for Consulting Schools:

B.1 The current situation of electing parent and staff governors will be maintained, as will the appointing of local authority governors, and the co-opting of co-opted (formally community) governors. However the governing body will now have a minority of governors appointed by the Trust, (foundation governors).

B.2 As the date that this trust would legally be formed is after 1 September 2012, the new regulations - the School Governance (Constitution) (England) Regulations 2012 will need to be adhered to. These regulations state that the governing body of every maintained school must be constituted in accordance with this regulation.

B.3 The total membership of the governing body of a maintained school must be no fewer than seven governors. The governing body of a maintained school must include the following:

- a) at least two parent governors
- b) the headteacher unless they resign the office of governor
- c) one staff governor; and
- d) one local authority governor

The governing body may in addition appoint such number of co-opted governors as they consider necessary provided that the requirements in regulation 14 are met in respect of governing bodies of foundation and voluntary schools. This states that: the governing body of a foundation school which is not a qualifying foundation school must also include at least 2 (but no more than 45% of the total) foundation governors.

The total number of co-opted governors who are also eligible to be elected as staff governors under Schedule 2, when counted with the staff governor and the headteacher, must not exceed one third of the total membership of the governing body.

B.4 The Governing Body will undergo some changes in order to comply with the appropriate legislation.

Appendix C – 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 19th 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.

1 st 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.
2 nd 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.
3 rd 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.
4 th Principle: Autonomy and Independence	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.
5 th Principle: Education, Training and Information	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.
6 th 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 and international structures.
7 th Principle: Concern for Community	Co-operatives work for the sustainable development of their communities through policies approved by their members.