

**Copplestone Primary School, Filleigh Community Primary School  
and Spreyton Primary School part of Devon Moors Federation**

**In association with Chittlehampton C of E Primary School  
and the United Schools Learning Partnership**

**STATUTORY DETERMINATION REPORT  
to  
The Governors of Devon Moors Federation  
For the FGB meeting on Thursday 7 December 2017**

**Overview**

This document summarises the feedback from the statutory representations period conducted by the Governing Board of Devon Moors Federation in relation to the proposed change of category of Copplestone, Filleigh and Spreyton primary schools to foundation status and acquiring a charitable trust known as United Schools' Learning Partnership. The consultation was supported by Julie Stuchbery-Ullah from the Co-operative College who has produced this report and, in writing it, has sought to ensure that it conforms fully with the following regulations and accompanying statutory guidance.

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

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

**Executive Summary**

The Governing Board of Devon Moors Federation is the decision maker for these proposals. All the representations that had been received at the time of writing, i.e. after the four week statutory representations period (formal consultation) had finished at noon on Friday 1 December 2017, are included here. They include 19 questionnaire forms and 4 written comments.

It now falls to the Governing Board to make a decision about whether or not to implement the proposals. The statutory guidance defines the criteria to be considered by the decision maker and these are summarised in the documents as follows:

The requirements of the Trust statutory guidance are:

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

Each of these points is addressed below.

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

The proposal was published on the schools' websites, in two local newspapers and at every entrance of the school in accordance with the 2013 Regulations.

Representations were accepted for a period of more than four weeks between 31 October 2017 and 1 December 2017. (The statutory period started on 2 November 2017). See appendices B and C for more details.

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

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

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

The rationale for the change to foundation status of Coplestone, Filleigh and Spreyton primary schools, and the acquiring of a Trust, is that it will allow the establishment of a formal partnership between the United Schools' Federation, Kingsteignton School, a Free School, which was set up by United Schools' Federation in 2016 and the Devon Moors Federation. Kingsteignton School and the church schools within USF already have foundation status and so are partner schools in the co-operative trust – this will also be the case for Chittlehampton C of E Primary School.

Forming a Trust between all the schools will allow for greater co-operation, sharing of expertise and resources, continued cross-school improvement work and will allow other schools, who are willing to uphold the cooperative principles, to join. The trust, known as United Schools Learning Partnership will be supported by a partnership with the co-operative movement and other formal partners in future.

The vision is to use the strength of the Trust to build on, and strengthen, what the federations and informal partnership working has already achieved. To create a learning community which seeks further to improve teaching and learning, to raise enjoyment, achievement and aspirations for all and to ensure children and their families are supported. 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. A variety of school structures have been considered, including academies, but governors feel that this model best meets their context, needs and values.

Creating a shared Trust will help to clarify vision and aims, continue to raise expectations and standards across our area, and make existing collaboration and associated school improvement strategies more sustainable. Governors believe that to meet the needs of their communities they need to work together as a community. They know that more can be achieved by working together than by working alone. A shared Trust would help to make that belief a reality.

The key aims for the Trust are to:

- Further improve outcomes for all our learners in all our schools with a strengthened focus on school-to-school self-improvement;
- Support each school to become - and then remain - 'Outstanding';
- Strengthen our ability to work collaboratively and co-operatively to enable our schools to grow, develop and improve together;
- Formalise and further develop arrangements already in place for joint working;
- Develop further the skills and expertise of staff across the schools;
- Further share resources and skills across the schools;
- Further increase levels of aspiration across our school communities thereby impacting positively upon standards.

By becoming part of a co-operative school trust, the Devon Moors Federation will become part of the global co-operative family. Coplestone, Filleigh and Spreyton primary schools will become members of the Schools Co-operative Society (SCS), the national network of co-operative trusts.

There are a range of curriculum materials available to the schools and the membership element of the Trust will encourage participation and promote the ethos and culture of each school and the United Schools' Learning Partnership to address national and local agendas through local, national and international engagement with the co-operative movement. The Local Authority will continue to challenge and support the school and take an active part in helping the school and the Trust address national agendas.

## ii) **demand**

Should this proposal go ahead, it is possible that opportunities for pupils and staff will be

enhanced, thus encouraging local parents to select the school in future.

**iii) school size**

See above comment

**iv) proposed admission arrangements;**

Copplestone, Filleigh and Spreyton primary schools will work in collaboration with the local authority in ensuring strict adherence to the Schools' Admission Code whilst reserving the legal right to review admission arrangements if deemed appropriate. These primary schools will continue to have a fair admissions policy and will not introduce selection by ability. The DMF governing board will continue to work with the Admissions team at DCC, as the federation does now, regarding the PAN for these primary schools. The LA continues to have the responsibility to ensure there are school places for children.

**v) the National Curriculum;**

Like all maintained schools, Copplestone, Filleigh and Spreyton primary schools will teach the National Curriculum and still be inspected by Ofsted. Through working in partnership with other schools, these primary schools expect to enhance their curriculum and offer further enrichment activities collectively for children.

**vi) equal opportunities issues;**

The schools' legal obligation will continue to be met.

**vii) community cohesion;**

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

**viii) travel and accessibility; and**

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

**ix) capital.**

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

If Copplestone, Filleigh and Spreyton primary schools become part of the Trust, their land and buildings will transfer to the United Schools' Learning Partnership. The assets are held on trust for the duration of its relationship with the schools. The Trust does not have to pay for the land and assets. A Trust has the legal title to the land but holds it 'on trust' for the purpose and benefit of the schools.

The responsibility of the Trust to hold the land for the benefit of the school are set out in its

Articles of Association. The actions of the Trust will be determined by these and by the requirements of company and charity law. Beyond checking that the school is adequately insuring and maintaining them, the Trust does not have responsibility for the upkeep of the land or the buildings on it or for contracts for goods or services which the governing board enters into.

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

### **Other issues**

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

### **Recommended Action**

It can be seen from the above that the necessary statutory considerations have been well met; and as the Proposals have not been referred to the Schools Adjudicator, the Governing Board of Devon Moors Federation is the decision maker for these proposals.

### **IT IS RECOMMENDED:**

- a) that the Governing Board of Devon Moors Federation approves the Proposals as set out with the proposed Implementation Date of 1 February 2018. The Governing Board should also authorise the associated changes to its Instrument of Government as set out in Appendix E.
- b) that the Governing Board delegates any other urgent matters pertinent to the enactment of these proposals to the Chair of Governors of the Federation, in consultation with the Executive Headteacher, the Business Manager and Clerk to the Governing Board.

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

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

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

### **Consultation and Representations.**

A full, open and wide-ranging consultation has taken place on the proposals, with sufficient information and allowance of adequate time for comment. Consultation meetings were held for interested parties including staff, parents/carers, trade union representatives and the public.

A Statutory Notice was published in the North Devon Journal on Thursday 2 November 2017 and in the Crediton Courier on Friday 3 November 2017 giving notice of a 4 week statutory representation period running until noon on Friday 1 December 2017. The statutory proposals were also issued on Thursday 2 November 2017.

Details of questionnaires and written responses are summarised in Appendices B and C. Copies of these responses are available for governors' perusal at the meeting on 7 December 2017.

## **APPENDIX B. Representations Received.**

A total of 19 response questionnaires were received following over 367 sets of documents being sent to all parents/carers, staff and governors of the school as well as to a significant number of interested parties. These broke down as follows – 14 from parents, 3 from staff, 1 from governors and 1 from 'don't know'. Written comments have been received from the LA,

Lady Arron and the Diocese of Exeter which are included in appendix C. Copies of these are available for governors' perusal.

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

The totals may not always tally with one another, as it was possible for respondents to indicate multiple answers to questions and some respondents also left some questions blank.

### 1. How do you feel about Copplestone Primary School, Filleigh Community Primary School and Spreyton Primary School changing category and joining a charitable trust, known as United Schools' Learning Partnership?

	Parents/ Carers	Staff	Governors	Other	Don't Know
I support the proposals	10	3	1	0	1
I am not sure and would like more information, particularly on .....	2	0	0	0	0
I do not think the school should change category and acquire a co-operative Trust because ...	0	0	0	0	0
I support the change of category, but not acquiring a co-operative Trust because ...	2	0	0	0	0

#### Comments received:

- We would like more information on what it entails and implications for Copplestone School (Parent)

A: Q&A document from all consultation meetings was made available on the websites on Thursday 23 November 2017.

- I support the change of category, but not acquiring a co-operative trust because we feel that we should be partnering with local schools as a co-operative trust or an academy (Parent)

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

	Parents/ Carers	Staff	Governors	Other	Don't Know
These are the right partners	10	3	1	0	1
I am concerned about the school working with ... because ...	2	0	0	0	0
I think the school should also think about working with ... because	2	0	0	0	0

#### Comments received:

Q: Is there a possibility of more partners in the future? (Parent)

A: Yes, there will be additional partners other than schools over time to support the work of the partnership. If other schools wish to join the co-operative trust, the trustees will consider this on a case-by-case basis.

- We are concerned about the schools working with the schools proposed because they are far away – how will expertise be shared effectively? (Parent)

A: Staff are able to communicate via email, Skype etc and do not need to meet face-to-face all the time. School improvement activities will be planned across the schools well in advance and will be negotiated with staff who need to work at different sites when necessary.

- I am happy with the proposed partners but I am concerned about the school working with so many schools at such a distance from Filleigh because it makes it harder for some resources to be shared. (Parent)
- I think the schools should also think about working with other local schools – we feel that this hasn't been explored fully. (Parent)

A: At the consultation meetings I attended, the Executive Headteacher and Chair of Governors explained that they have participated in extensive discussions with other schools in both the Crediton and South Molton areas.

- **3. How do you feel about this vision?**

	Parents/ Carers	Staff	Governors	Other	Don't Know
This is right for the school	12	3	1	0	1
I do not think ... should be a priority in the vision because	0	0	0	0	0
I would like to see ...included in the school's vision.	0	0	0	0	0

**Comments received:** None.

**4. We propose that the Trust would appoint the legal minimum of 2 governors to DMF's Governing Board.**

	Parents/ Carers	Staff	Governors	Other	Don't Know
Yes – this sounds like a good idea	9	3	1	0	1
Yes, but I am concerned about... and I will want more information about this to be sure about the proposals	0	0	0	0	0
No, I would prefer the Trust to appoint more Governors because...	2	0	0	0	0
No, I do not like this proposal because...	0	0	0	0	0



### **Comments received:**

- Is this 2 from each school in the federation? (Parent)

A: The Devon Moors Federation will have 2 foundation governors on their one Governing Board. The Governing Board will have 2 trustees on the United Schools Learning Partnership board of Trustees.

- We are unsure about the reasons why there will be the minimum of 2 governors for the Trust. There needs to be more parent governors who are familiar with the views of the children/parents of the school. (Coplestone) (Parents)

A: The United Schools Learning Partnership will appoint 2 governors to the Devon Moors Federation governing board to represent and uphold the co-operative values and principles. Other governors ie parents, staff, LA, Diocese and co-opted will continue to represent other views on the DMF governing board. The federation regulations determine that there are 2 parent governors elected from schools within a federation and it was noted at a consultation meeting on 13 November 2017 that there is currently a parent vacancy on the DMF governing board.

### **Q5. Do you have any other comments, concerns or suggestions?**

#### **Comments received:**

- Following the consultation meeting my concerns have been discussed. I found the official paperwork was unclear and had little background information on either co-operative trust or academy formation. (Parent)
- I feel that this is the right decision for now and pro-active rather than re-active or forced. It also leaves us with options further into the future. I am in full support of this move. (Parent Governor)
- I can't attend the evening talks but would appreciate any literature of copy of 'slides' please. (Parent)

A: Q&A document from all consultation meetings was made available on the websites on Thursday 23 November 2017

- The School/Federation should be forming partnerships with local schools. If schools have to form a MAT after we have partnered with the trust we don't feel that we should do this under Kingsteignton School, this should be with QE Academy's Trust. (Parent)
- After attending the meeting at school on 13.11.17 and listening to all the information given by all parties, I feel this would be a good step forward for our school (Coplestone). I was concerned that we would be going down the Academy route, but this seems to be a much better proposal. I understand that these changes or similar changes have to take place and out of all the options this one seems to have the most benefits for our school, staff and pupils. I hope this will be a positive move forward and provide benefits for all involved. During the 14 years I have been involved or worked at this school (12 years) I have seen many changes, some good and some not so good, but after listening to all the

people involved in the meeting yesterday, I do actually think this could be a good step forward and hopefully not change too much personally for us directly. Thank you. (Staff)

### **APPENDIX C: Correspondence.**

In response to the letter of exploration sent to **Dawn Stabb, Head of Education and Learning at DCC** on 17 July 2017, a reply was received dated **25 July 2017**. The letter included the following paragraphs:

“I am aware that you have worked together in the past and that this arrangement has the potential to strengthen the federation and enable it to draw on the proven school improvement expertise available from within the United Schools Partnership.

I am pleased that you are choosing to continue to remain as maintained schools, strengthened by the Trust partnership and the Co-operative values therein.

I look forward to hearing how the new relationship develops and I wish you every success.”

A copy of the consultation documents was sent to Dawn Stabb on 30 October 2017 too.

Julie Stuchbery-Ullah sent an email to Dawn Stabb on 13 October 2017 and again on 14 November 2017 regarding Spreyton Primary School. On **21 November 2017, the following response was received:**

“ After having liaised with colleagues I am able to confirm the below with regard to the points you raised:

*1 Confirmation that Spreyton Primary School is a community school – to DCC’s knowledge Spreyton Primary School is a community school and is shown as such on Edubase*

*2 Confirmation that there is no existing trust that acts as a foundation for Spreyton Primary School – As far as DCC are aware there are no existing trusts that act as Foundation Trusts for Spreyton Primary School. For your information, there was a letter of intent in 2013 from Martin Harding considering this for Spreyton, Copplestone and Filleigh but as far as DCC are aware this did not progress*

*3 Confirmation that the LA doesn’t know of any reason why Spreyton Primary School should not become a foundation school and join the United Schools Learning Partnership (a co-operative trust) – This is true to the best of my knowledge and assuming that the school have followed relevant DfE guidance.”*

An email was received from **Lady Arran on 17 October 2017**: “I am sorry you do not have enough information to know who lives here and send us an email giving such short notice for a matter of importance. We are not able to meet you on Friday and may I ask you to come back to us once your consultation is finished. It will require the Office to search out the deeds which probably go back a very long way and will take time.” Consultation documents were sent to Lady Arran too.

**Christina Mabin, from the Diocese of Exeter** replied by email on **6 November 2017**: “I am writing on behalf of the Exeter Diocesan Board of Education to approve of this exciting and positive partnership. Please let us know if there is anything we can do to help. On a personal note, I need to declare an interest as I am a director of Kingsteignton Free School.”

In response to the letter sent by Jayne Hooper to Dawn Stabb on 2 November 2017 regarding assurances from the LA regarding pension arrangements, costs of early retirement and redundancies and related matters, a reply was received dated 8 November 2017. Copies will be available at the meeting on 7 December 2017.

## **APPENDIX E: Summary of Meetings held on Monday 13 November 2017**

### **Meeting with Trade Union Representatives between 1.30pm and 2.10pm**

**Present:** Andy Corry (NAS/UWT) Trevor Cope (ATL), Julie Stuchbery-Ullah (Co-operative College Associate), Jayne Hooper (Chair of Governors Devon Moors Federation), Stef Hastie (Business Manager Devon Moors Federation) and Steve Mellor (Executive Headteacher Devon Moors Federation)

JSU welcomed everyone to the meeting. Trevor reminded the meeting that ATL and NUT will become one union in January 2019 and so he is able to represent the views of both unions. TC will be staying for the staff meeting at 4.30pm.

SM outlined the reasons for the consultation regarding the proposal for Devon Moors Federation to join the United Schools Learning Partnership – a co-operative trust. Chittlehampton school, being a church school will be a partner school and will be included in all co-operative activities. The focus of the proposal is school improvement – raising standards, providing greater CPD links for staff whilst remaining part of the local authority and protecting staff in terms of no change to contracts and the opportunity to work across a larger number of schools. Governors acknowledge that DMF need to work with larger schools in order to develop capacity within the system. Within the USLP there are large schools and also schools of a similar size to aid planning and moderation activities. AC asked about staff moving from school to school. SM said that this would be negotiated with individual staff to take advantage of professional development opportunities or to avoid any redundancies if possible. This already happens across the federation. When posts become vacant, it would be possible for staff from across the co-operative trust to apply and this would enable us to interview and select potential candidates already working with our schools as well as considering external candidates. This may be a benefit as recruitment is becoming increasingly difficult.

TC requested that the USLP look at setting up a consultative committee for redundancies and possible redeployment. The 10 schools could meet rather than using Devon dates. Financial Intervention Panel for Schools (FIPS) and HR would continue to be involved. JSU clarified that this is not required as part of this consultation process but that such arrangements can be discussed at a later date.

JSU explained to the meeting that Jayne Hooper had sent the LA assurances letter to the LA on 2 November 2017 and had received a reply from Dawn Stabb dated 8 November 2017. This letter will be made available to staff and governors. JSU stated that the DMF governing board needs to continue to seek advice regarding any employment matters. They will continue to use FIPS processes if, and when required. It was noted that support staff who

do not want to be part of the Local Government Pension Scheme (LGPS) will need to opt out as they will automatically become members of the scheme when the schools become members of USLP. TC said that staff will have 10 days to opt out of the system.

TC asked if P45s will be issued – JSU said she believed this is not the case as the schools continue to be LA maintained schools although the governing board will become the employer of staff at Filleigh, Copplestone and Spreyton as they already are for staff at Chittlehampton.

HR advice was sought from Kevin Hughes (HR1) on 9 November 2017 and he confirmed that there will be a TUPE-like process if the governing board decide to proceed on 7 December 2017.

JSU referred the meeting to the National Agreement and Statement of Joint Principles agreed by all teaching and support staff unions, the Co-operative College and The Schools Co-operative Society. JSU to email this document to Stef so that it can be made available to staff.

JSU presented a draft staffing protocol on employees' terms and conditions and union relations for consideration by the governing board. If the FGB decide to proceed at the meeting on 7 December 2017, this document will be adopted at that meeting.

TC stated that the above documents are standard and he doesn't have any concerns as there are no proposed changes to employment conditions. He asked for reassurance that a commitment to the LA services is in place regarding union rep training – JH and SM confirmed this will be the case.

TC would encourage all staff to become union members.

AC asked if any staff have Childcare Vouchers will they be honoured. SH confirmed that currently there aren't any staff in this position, but if there were the scheme would continue as we will continue to be DCC schools. This will be the same for other schemes such as the Cycle to Work scheme.

AC asked about admission arrangements and what impact the changes might have. SM confirmed that the schools will continue to work within the same legal framework as all other LA maintained schools and in accordance with the School Admission Code. The FGB would be responsible for any appeals, but they already have experience of this at Chittlehampton as a VA church school. This will not be a time-consuming process for governors. All schools work in partnership with the LA to ensure there are enough school places.

TC stated that there is very little change for staff when becoming part of a co-operative trust and that staff need to be clear that they are not becoming part of a MAT.

AC said that he was positive about the proposal and couldn't see any concerns and that the proposal gives opportunities for staff development and future capacity for improvements for children.

Clarification was given that each governing board retains accountability for their schools/federations, but the trust will extend mutually beneficial relationships with a larger number of schools.

TC stated that small schools are supported in this model and therefore may be more sustainable.

JH and SM stressed that there isn't any 'top-slicing' necessary in this model.

TC and AC confirmed that the unions are supportive of this proposal.

### **Meeting with Parents/Carers between 2.15pm and 3.25pm**

**Present:** Trevor Cope (ATL), Julie Stuchbery-Ullah (Co-operative College Associate), Jayne Hooper (Chair of Governors Devon Moors Federation), Stef Hastie (Business Manager Devon Moors Federation) and Steve Mellor (Executive Headteacher Devon Moors Federation) and 7 parents.

JSU welcomed everyone to the meeting and people introduced themselves. JSU declared interest as Chair of Trustees at Kingsteignton School which is a partner school in the United Schools Learning Partnership, but is working as a Co-operative College Associate today.

JSU explained the importance of the co-operative values, that the United Schools Learning Partnership is an individual co-operative (not part of a larger organisation) and that there will be a membership made up of children, parents, staff and community organisations.

JSU explained that this is not a proposal for schools within the DMF to become part of an academy and that the schools will continue to be Local Authority maintained schools as they are now.

SM gave an overview as to why the governors at DMF are consulting on this proposal. The focus of the proposal is school improvement – raising standards, providing greater CPD links for staff whilst remaining part of the local authority and protecting staff in terms of no change to contracts and the opportunity to work across a larger number of schools. Governors acknowledge that DMF need to work with larger schools in order to develop capacity within the system. Within the USLP there are large schools and also schools of a similar size to aid planning and moderation activities. The schools within the USLP are good and outstanding schools and their leadership team have a lot of expertise re making rapid improvements when necessary. The Executive Headteacher is a National Leader of Education who is able to support and challenge our leaders.

#### **Q: Why did you not join with local schools?**

SM said that the governors have spent a lot of time researching possible partnerships with other Crediton and South Molton schools. Research with the Crediton schools showed that it was not financially sensible to join a group of small schools. Even working with the secondary school, once money was top-sliced to pay for CEO and back-office services, financial savings were not guaranteed.

#### **Q: Is this proposal based on saving money/financial issues?**

SM replied that the proposal is based on building school improvement capacity and the ability for governors to keep 'control' and accountability for what happens within our federation. The ten schools involved in USLP will carry out school reviews, share resources and expertise and focus on spending as much money as possible on teaching and learning in classrooms.

#### **Q: The USLP only started in September 2017 so it's very new – does this mean it's a risk?**

SM replied that it is new, but that the United Schools Federation has worked with Copplestone and Spreyton before and collaborative work across the two federations and Kingsteignton School will provide a mutually beneficial relationship for staff and children. The DMF governing board remains accountable for the day to day running of Copplestone, Filleigh, Spreyton and Chittlehampton as they are now. The Trust offers the possibility of

working with other schools and organisations for the benefit of the children – offering skills and resources we might not access to at the moment.

**Q: How is it different to the Cridton Learning Community? Why is that not a sensible way to work?**

SM said that the Cridton Learning Community no longer exists.

JSU explained that the Learning Communities had been funded by the LA, but as more schools joined academies, many schools had feedback to LA consultations that they would prefer that money to be delegated to individual school budgets rather than LLCs.

Parent commented that this doesn't make sense. The meeting agreed, and JSU said that the government agenda has changed the educational landscape with some schools wanting to remain with the LA and others choosing to become part of MATs.

**Q: Are academies better?**

JSU commented that to some extent the structure is not important, it is like-minded colleagues working together for the benefit of improving outcomes for children. Federations, Co-operative Trusts and MATs can be successful or not, depending on the leadership of the organisations. There are likely to be more schools in MATs inspected (they didn't have to be inspected for the first 3 years) so evidence will become available about their collaborative work. A number of inspectors have commented favourably about the work of federations and co-operative trusts in Devon recently.

In this model, the governing board for DMF remains accountable for your four schools, but expertise can be brought in from the other schools and you will share your best practice with other schools in return. For example, Kingsteignton is developing work with robots and is a dementia friendly school – your schools might wish to be involved in this work, but would have the choice to do so or not. Joint working where staff can plan, moderate and train together enables greater debate and professional dialogue. Your governing board and school leaders will decide what is beneficial for each school within the federation. School to School support will enable school staff to visit schools of similar and different sizes, see what 'good' and 'outstanding' looks like and work with others who are working in similar, but isolated, circumstances.

**Q: Where does this stop?**

SM explained that currently the governing board felt there are no opportunities locally and that this proposal is the preferred option. The Regional Schools Commissioner has said that there will be a small number (4/5) MATs across Devon which means there won't be any new ones so we would have to join an existing MAT.

JSU explained that the government policy for all schools to be in a MATs by 2020 was moved to 2022 and that now there isn't the requirement to join a MAT unless a school becomes inadequate in an Ofsted inspection. Should it be necessary for all schools to join a MAT in the future, this group of 10 schools would negotiate joining as a group and will, by then, have evidence of school to school improvement outcomes. The governing board is focusing on school improvement, having explored many different possible partnerships, and agreed that this proposal is the best option at this time.

**Q: Please explain the governing board set-up**

JSU explained that there will be two co-operative foundation governors on the DMF governing board to give a 'co-operative voice' just as parent governors give a parent view, staff governors give staff perspectives and church foundation governors give the Christian distinctiveness perspective. Your new governing board will remain almost the same as it is now, but two people will become co-operative foundation governors. It will have 2 parents elected across the 4 schools, 1 LA governor, 1 staff governor elected across the 4 schools, the Executive HT, 4 foundation governors appointed by Exeter Diocese because

Chittlehampton is a church school, 2 foundation governors appointed by USLP and 1 co-opted governor.

**Q: Where do the Trustees come in?**

JSU explained that the trustees are volunteers (the same as governors) who will develop an action plan to help improve standards and teaching and learning opportunities. It is likely that the Trustees from DMF will be the Executive Headteacher and the Chair of Governors. Kingsteignton School has 2 trustees and United Schools Federation has 4 trustees – this is how the original Articles of Association were set up as the trust may not have expanded for some time. DMF could have requested more than 2 trustees, but governors felt that capacity is an issue – there are several vacancies on the governing board at present and people are already devoting a lot of time to governance. There has to be a co-operative movement partner and this is to be discussed at the next USLP meeting in January. There is a directory of local co-operatives and the trust needs to approach an organisation who will support the school improvement/curriculum/membership work in some way. The trust is currently meeting with an Education Officer at Farms for City Children to see if they would be a suitable partner to support environmental/outside education curriculum development – they aren't a co-operative but might be a very good partner for all the schools to work with. Any partner organisations have 1 trustee on the board.

TC commented that all schools remain part of Devon County Council so nothing changes in respect of staff terms and conditions. The LA have been contacted as part of this consultation and are supportive of the proposal. The governing board will become the employers of staff as it is already for Chittlehampton as a VA church school, so governors already have this experience.

TC commented that the governing board will become the admissions authority for Coplestone, Filleigh and Spreyton as it is already for Chittlehampton as a VA school. Schools will not become selective and the governing board will work in partnership with the LA.

SM confirmed that this will add a small amount of work for the governing board, but it will not be significant.

**Q: What disadvantages are there with a co-operative trust model?**

Department for Education prefers the academy model and may, in the future, renew the policy that all schools should be part of a MAT. The governing board would then have to make further decisions about this. This is part of a journey, there is no end point in the current climate.

If a school becomes inadequate during an inspection, there may not be any protection from being forced into an academy, however, the school improvement work at the centre of this proposal should prevent this scenario.

As each governing board is responsible and accountable for their school/federation, there is the possibility that a school doesn't participate fully. The model is successful as the people driving it – there is total commitment from USF, Kingsteignton School and your governors to make this partnership a success for all the children.

SM gave the example of there being a commitment to share resources – each school receives PE funding which if 'pooled' could be used effectively for everyone. USF have 5 minibuses that are not used all the time so we might be able to use them to access events not available currently. Funding could be used to buy a trailer, bikes, instructor time to be used across the schools. Children would not be moving around schools regularly, resources will move and children will have access to a wider range of activities.

**Q: The questionnaire sent out with the letter and leaflet doesn't give us the opportunity to say no to the proposal.**

JSU explained that the questionnaire is one way of responding to the consultation and that question 5 asks for any comments or concerns. If people want to use question 5 only to feedback comments and suggestions and ask questions that is fine. JSU will be collating all the comments and answering all questions to present to the governing board in December. If you feel you want to tick the 'no' boxes without an explanation, you can do so, but it makes it very difficult for the governing board to understand why you are against the proposal. If people would prefer to send in a letter that will also be fine. The important thing is that feedback is given to help the governing board make its decision to proceed with the proposal or not.

A parent commented that the meeting had been very helpful and it was agreed that a Q&A sheet would be produced following the meetings this week to be on the website before the end of the consultation to help parents understand the proposal.

**Q: Are there any staff concerns?**

SM explained that there is a staff meeting today at 4.30pm for staff to come to raise any concerns and questions. Informal conversations so far have been positive.

TC said that the unions are supportive of the proposal and have an agreement with co-operative schools so that nothing changes re terms and conditions.

**Q: Is there any direct injection of money going into the trust?**

SM explained there is no extra funding – each school will receive its budget from the LA as it does now based on pupil numbers. The schools within the trust will look to use some funding differently (eg PE funding) so that savings in one area can be reinvested in another area. No school is able to subsidise another. We are proposing this model so that there is not an expensive CEO/back office cost to schools.

**Q: Is there a limit to the size of the trust/number of schools?**

JSU confirmed there isn't a limit to the number of schools within a co-operative trust, and any other approaches will be considered by the trust board. When the trust board considered DMF's request in October the discussion included debate about the pace of expansion and it was decided that additional schools joining would be considered on a case by case basis.

**Q: If the proposal goes ahead, what's the timescale?**

JSU confirmed that the consultation and statutory period end on Friday 1 December 2017. The Determination Report will be circulated to governors the following week before they meet on 7 December 2017. If they decide to proceed, DMF will join USLP on 1 February 2018.

JH stressed that the governing board have done lots of research into academies and believe this is in the best interest of our children and schools. She urged people to send in feedback for the governors to use. Forms or letters need to be sent into your school by 1 December 2017 at the latest.

JSU said booklet 1 and booklet 2 are available on the website and at school offices – TC confirmed he'd got booklets from the school website. Booklet 1 contains the proposal in detail and Booklet 2 is a Q&A document produced by the Co-operative College.

**Q: How does Chittlehampton fit in?**



JH explained that Chittlehampton is a church school and so already has a foundation and is a foundation school. It therefore cannot become a co-operative foundation school. However, Chittlehampton will become a partner school in the trust and remains a member of the federation. Staff and children will be included fully in future school to school improvement activities.

**Q: Is it a charitable Trust?**

JSU explained that the schools are not charities. The governors of each school/federation are a "body corporate" but as a maintained school effectively the school is a subsidiary organisation of the local authority, which allows the LA VAT reclamation rules to be applied. The Trust is what is known as an "exempt charity" for which the Secretary of State for Education is the principal regulator. This means the Trust is not registered with the Charities Commission but can prove it has charitable status by using the Trust's HMRC registration number.

JSU urged people to encourage other parents to attend the meetings at Spreyton and Filleigh this week, or to attend the meeting this evening at Copplestone. She asked parents to ask others to complete the questionnaires or write comments to the FGB so that they have views to consider in December.

**Meeting with staff between 4.30pm and 5.20pm**

**Present:** Trevor Cope (ATL), Julie Stuchbery-Ullah (Co-operative College Associate), Jayne Hooper (Chair of Governors Devon Moors Federation), Stef Hastie (Business Manager Devon Moors Federation), Steve Mellor (Executive Headteacher Devon Moors Federation) and Martin Harding (Executive Headteacher United Schools Federation) and 10 members of staff.

SM welcomed everyone to the meeting and people introduced themselves. JSU declared interest as Chair of Trustees at Kingsteignton School which is a partner school in the Untied Schools Learning Partnership, but is working as a Co-operative College Associate today. SM gave an overview as to why the governors at DMF are consulting on this proposal. The focus of the proposal is school improvement – raising standards, providing greater CPD links for staff whilst remaining part of the local authority and protecting staff in terms of no change to contracts and the opportunity to work across a larger number of schools. Governors acknowledge that DMF need to work with larger schools in order to develop capacity within the system. Within the USLP there are large schools and also schools of a similar size to aid planning and moderation activities. The schools within the USLP are good and outstanding schools and their leadership team have a lot of expertise re making rapid improvements when necessary. The Executive Headteacher is a National Leader of Education who is able to support and challenge our leaders.

JSU asked if everyone understood the model and was asked for a summary: the governing body for DMF remains accountable for the schools within the federation. The FGB for USF and the trustees for Kingsteignton School remain accountable for their schools. The trust provided 'added-value' to what the schools are aiming to enhance together. Each FGB is represented on the Trust board. A number of partner organisations will be invited to have one trustee on the board, one has to be a co-operative, and will be identified to support the work of the schools. Currently the Trust are in discussions with Farms for City Children re environment/healthy living aspects of the curriculum. There is a co-op directory which lists all the co-operatives locally and in due course, a co-operative will be invited to join. The Co-operative College is the interim partner. The USLP is a co-operative in its own right and will develop a membership of children, staff, parents, community members over time. If Copplestone, Filleigh and Spreyton become co-operative foundation schools, the DMF governing board will become the employer of staff – this is already the case for staff at

Chittlehampton because it is a VA church school. Governors already have experience of this role. The FGB will also be the admissions authority for the three schools – again it already is the admission authority for Chittlehampton. All the schools will continue to be LA maintained schools.

SM said that there will be no change to terms and conditions.

**Q: Will this mean more work for the governors?**

SM/JH said not significantly, possibly if an appeals process is ever needed.

TC said that the schools will remain part of DCC. Terms and conditions will remain the same, long service and pension schemes will continue. He informed support staff who do not want to be part of the Local Government Pension Scheme (LGPS) that they will need to opt out as they will automatically become members of the scheme when the schools become members of USLP. He said that staff will have 10 days to opt out of the system.

JSU explained that Jayne Hooper had sent the LA assurances letter to the LA on 2 November 2017 and had received a reply from Dawn Stabb dated 8 November 2017. This letter is available for staff to read. JSU stated that the DMF governing board needs to continue to seek advice regarding any employment matters. They will continue to use FIPS processes if, and when required. Under the school organisation regulations, there will be a TUPE-like process if the governing board decide to proceed on 7 December 2017. JSU referred the meeting to the National Agreement and Statement of Joint Principles agreed by all teaching and support staff unions, the Co-operative College and The Schools Co-operative Society. JSU to email this document to SH so that it can be made available to staff.

JSU referred to the draft staffing protocol on employees' terms and conditions and union relations. If the FGB decide to proceed at the meeting on 7 December 2017, this document will be adopted at that meeting.

TC stated that the above documents are standard and he doesn't have any concerns as there are no proposed changes to employment conditions.

**Q: Will this protect us from becoming an academy in future?**

MH said co-operative trust may help you find the right sponsor as the Trust has to give consent for a school to leave the Trust, so there is some protection. The process takes time and so with school to school support in place, improvements might be made rapidly. The idea of the 10 schools working together is to ensure that all the schools are making improvements and therefore have good inspection outcomes and will not be in the position to need to become an academy.

**Q: Will staff work across the schools?**

SM explained that just as staff cannot be 'made' to work in another school within the federation, they will have a choice to work with other schools. Opportunities for professional development will be negotiated. Many staff see this as career development. Should it be necessary, there may be opportunities for redeployment across the Trust.

**Q: We have worked with USF before, but what is that federation doing now?**

MH gave an overview of the work of the USF – 5 schools all now 'Good' or 'Outstanding' having been in RI previously. We have experience of 13 inspections and so each time we use this experience to improve all the schools within the federation. Expertise and capacity for school to school support is developed and integral to the improvements made across the federation. FGB do not wish to expand the federation at this time, but there is a need to work with a range of different and similar schools and so a co-operative trust is a way of

working in a formal partnership, but not increasing the accountability of the FGB for additional schools. The USF set up the Kingsteignton School which is a free school/academy. It's been important for a new, small school to work in partnership with the federation so that the one HT, one teacher and one TA were not working in isolation. The trustees of KS and the governors at USF wanted a model that would enable an academy to work with maintained schools in a partnership focused on school improvement and joint working – the co-operative model has provided this.

Kingsteignton School is set up as a MAT, so the federation could join that MAT is government policy requires all schools to become part of a MAT.

**Q; Will staff at all levels get to visit other schools?**

MH explained that across the USF and KS, there are staff teams who meet regularly or participate in 'Go To' on-line meetings and Face Time all the time. There is no reason why these groups could not be extended across the co-operative Trust. Evaluation visits take place regularly with senior staff visiting each other's schools – this work has already been discussed with SM.

SM commented that DMF need to work with bigger schools who are like-minded and that we can make the co-operative trust what we want it to be to meet the needs of different schools. We need to be able to move quickly and make more rapid progress on school improvement. Resources may be pooled eg use of minibuses, purchasing of trailers/bikes etc that can be used by all the schools but would not be affordable by individual schools or the DMF. He feels that the partnership can create opportunities when the budgets are squeezed.

**Q: Why have you had 13 inspections?**

MH explained that some schools have had two inspections and they have also been involved in partnerships with other schools who have not joined USF. As a National Leader of Education and Support School we also work with other schools requiring support and these too have been inspected.

TC and JSU urged staff to complete the questionnaires and return them to the FGB so that they have a staff view to consider in December.

**Public meeting between 6pm and 7.25pm**

**Present:** Julie Stuchbery-Ullah (Co-operative College Associate), Jayne Hooper (Chair of Governors Devon Moors Federation), Stef Hastie (Business Manager Devon Moors Federation), Steve Mellor (Executive Headteacher Devon Moors Federation) and Martin Harding (Executive Headteacher United Schools Federation) and 9 parents.

SM welcomed everyone to the meeting and people introduced themselves. JSU declared interest as Chair of Trustees at Kingsteignton School which is a partner school in the United Schools Learning Partnership, but is working as a Co-operative College Associate today. Martin Harding declared he is a trustee for both Kingsteignton School and the United Schools Learning Partnership (co-operative trust).

SM gave an overview as to why the governors at DMF are consulting on this proposal. The focus of the proposal is school improvement – raising standards, providing greater CPD links for staff whilst remaining part of the local authority and protecting staff in terms of no change to contracts and the opportunity to work across a larger number of schools. Governors acknowledge that DMF need to work with larger schools in order to develop capacity within the system. Within the USLP there are large schools and also schools of a similar size to aid planning and moderation activities. The schools within the USLP are good and outstanding schools and their leadership team have a lot of expertise re making rapid

improvements when necessary. Martin Harding is a National Leader of Education who is able to support and challenge our leaders.

**Q: Should we be concerned that the Trust is very new and so doesn't have a track record?**

MH agreed that the co-operative trust is very new as it started on 1 September 2017, but that it is the governing boards who remains responsible, and accountable for the schools in each federation. United Schools Federation (USF) has proven track record of school improvement – all schools were RI and are now Good or Outstanding and with St Michael's being a National Support School we also have regular experience of supporting other schools.

JSU gave an overview of the model: the governing body for DMF remains accountable for the schools within the federation. The FGB for USF and the trustees for Kingsteignton School remain accountable for their schools. The trust provided 'added-value' to what the schools are aiming to enhance together. Each FGB is represented on the Trust board. A number of partner organisations will be invited to have one trustee on the board, one has to be a co-operative, and will be identified to support the work of the schools. Currently the Trust are in discussions with Farms for City Children re environment/healthy living aspects of the curriculum. There is a co-op directory which lists all the co-operatives locally and in due course, a co-operative will be invited to join. The Co-operative College is the interim partner. The USLP is a co-operative in its own right and will develop a membership of children, staff, parents, community members over time.

If Copplestone, Filleigh and Spreyton become co-operative foundation schools, the DMF governing board will become the employer of staff – this is already the case for staff at Chittlehampton because it is a VA church school. Governors already have experience of this role. The FGB will also be the admissions authority for the three schools – again it already is the admission authority for Chittlehampton. All the schools will continue to be LA maintained schools.

**Q: What does a membership involve?**

JSU explained that children, parents/carers, staff, local organisations and individuals of the schools in USLP will be invited to become members. Over time, a Trust Forum will be formed and eventually this forum will have one or two trustees on the board. This work has not yet started as the USLP has only had one meeting to date. This model encourages people to support the work of the schools within the Trust. As with other co-operatives, there may be benefits to members linked to the educational aims of the Trust eg discounts at local theatres and sporting facilities have been negotiated in some areas.

**Q: What does the school get from its members?**

JSU said that the groups mentioned above are used to consult with, asked for ideas and opinions about how the Trust might improve a variety of aspects of school life. Individual members may have specific expertise that would support a particular project or aim of the Trust. Partner members eg Farms for City Children will work with schools to support curriculum activities. There is no payment for trustees, partners or members.

**Q: What is the driver for this? Is it financial?**

SM explained that there is no financial gain, but that the focus is on school improvement and sharing best practice and joint working.

**Q: Will it cost more?**

SM said it would not cost more than other school improvement activities and that costs could be shared across a larger number of schools.

**Q: How is it funded if there is no fee?**

SM explained that the Trust board is made up of volunteers and that existing school budgets will, as they do now, cover the costs of school improvement work. Partners may contribute support to curriculum activities, whilst they are able to test out their resources for use with schools for example.

**Q: Are there any running costs?**

SM replied that the Trustees would be the Executive Headteacher and the Chair of Governors from DMF and there wouldn't be payment for attending the meetings. JSU said that normally schools invoice one another for staff time when they participate in school improvement work or lend minibuses etc or they exchange staff and make activities cost neutral.

**Q: What happens if the schools don't agree about costs?**

SM/MH said this was unlikely as a collaborative approach will be adopted and we are all aiming to improve outcomes for children. Governors and senior staff currently decide which services to buy using the school budgets and this will remain the same. JSU suggested that schools will 'pick and mix' as not all schools will participate in all activities – schools will continue to prioritise and budget accordingly. Initially the Trust will not have its own funding, nor employ anyone.

**Q: Can we do this locally instead?**

SM explained that most of the local schools are small schools and do not bring the necessary capacity that the proposed partnership offers. There is also a competitive element with local schools which makes honest and open support more difficult.

**Q: We've federated twice and I don't see that it has move things forward.**

SM said that all schools are on a journey and that we need to keep developing partnerships to help us keep up with educational changes and tight budgets. The federation has enabled the small schools to remain open, there has been improvements made to classrooms and new build projects – there is a lot going on.

**Q: Will this be it? What else can happen?**

SM said that governors had developed the federation to make the schools sustainable, but that government policy now wants schools to work in much larger groups (eg 4 secondary schools and 16 primary schools are forming a MAT in Devon). We wish to work with like-minded colleagues who can help us increase our capacity and keep our focus on children. The goalposts keep moving eg standards to be 'Good' at inspection and we need to be flexible to make changes rapidly.

**Q: Why are we financially vulnerable?**

SM explained that budgets are tight and dependent on the number of pupils in a school. This can lead to loss of staff and resources so we need to look at ways of sharing what we have available to be as efficient as possible and keep as many resources as possible available for all our children.

**Q: Are we being forced to do something?**

SM replied that we need to work with staff from other schools to support improvements in teaching and learning. It's the FGB proposal and decision to join the USLP.

**Q: So we could stay as we are?**

SM replied that we could.

**Q: Will we be forced to become an academy?**

SM replied that at the moment that isn't the case unless a school becomes inadequate in an inspection or the government insists that all schools become academies in the future.

**Q: Are we jumping before we are pushed?**

JSU explained that the governors wish the schools to remain as LA maintained schools which they will if they become part of the USLP. They are proposing to partner with like-minded schools for the benefit of their children and staff. If, in the future, all schools had to become academies, then the group of schools, with a proven record of school improvement, would try to move into an academy as cluster of schools.

**Q: Can we be forced to become an academy?**

MH explained that this could happen if a school became inadequate, but that the proposal for DMF to join the USLP is so that school to school support will offer all the schools a higher level of protection – they shouldn't become inadequate and if they did, the Trust would need to give consent for an individual school to leave to join an academy.

**Q: How many co-operative schools are there?**

JSU replied that in Devon there is currently a group of 11 secondary co-operative schools (including 1 in Cornwall and 1 in Plymouth) who work together on school improvement activities. There are currently approximately 50 primary schools within primary school groupings or mixed-phase co-ops. Some of these schools are currently considering joining MATs. There are co-operative schools all over the country – some as trusts and some as part of co-operative MATs. There is not a co-operative MAT in Devon.

**Q: Are these all in different co-ops?**

JSU replied that they are – each one eg the Avocet Learning Trust in Exmouth is it's own co-operative.

MH explained that education is changing all the time and that governors are trying to be proactive and focus on what's best for children in a very complex environment. The Ofsted regime and the criteria they use has changed dramatically in recent years. Schools need to be outward-looking so that they know what to expect. We would all like less change and a straight-forward system, but that is not where we are now.

**Q: What changes will there be re staff and buildings?**

SM explained that unions are positive about the proposal – there was a meeting with two union reps today and one attended the staff meeting. Staff have been encouraged to fill in the questionnaires so that the FGB is aware of staff views before making its decision to proceed with the proposal or not. Terms and conditions will not change and staff are continuing to work in LA maintained schools, but the DMF governing board will become the employer of the staff.

JSU explained that Copplestone, Spreyton and Filleigh schools would become foundation schools if the proposal goes forward. This would mean that the land and buildings for these schools would be transferred to the Trust to hold 'on trust' for the benefit of the schools. The DMF governing board will continue to have the day to day control over the premises as they do now. They will continue to manage their buildings and services using the budget delegated by the LA.

SH said that the governing board has contacted Lady Arran re land at Filleigh.

**Q: Do staff have to be TUPE'd?**

JSU explained that a TUPE-like process would take place following the FGB decision in December. It is not a full TUPE as the School Organisation regulations allow existing arrangements to transfer from the LA to the governing boards.

**Q: What costs are there to set up the Trust?**

JSU listed: Statutory Notice in both the North Devon Journal and the Crediton Courier, cost to the Co-operative College for use of templates and JSU time to produce all documentation and attend meetings, solicitor fees to check legal documents (not including articles of association as these are already in place). If the proposal goes ahead, there will be costs to transfer the land.

**Q: Will you still use Babcock, Insurance companies etc?**

SM replied that each FGB will continue to make these decisions as they do now. MH added that there may be times when the 10 schools might share procurement.

**Q: What changes are there to admissions?**

JSU explained that the schools remain part of the LA maintained schools and will continue to work with the LA regarding admissions. Catchment areas will not be changed due to the schools joining a co-operative trust.

**Q: Will other schools join the Trust?**

MH said that other schools can approach the USLP if they wish to join – this would be taken to the Trustees and discussed on an individual basis. Schools would need to support work underpinned by co-operative values.

SM said that the DMF schools will continue to work with Crediton schools for music and sporting events when they take place, but that the funding Local Learning Community activities is not now a 'central pot'.

**Q: Is the consultation to get views – has a decision been made?**

SM/JH/JSU stressed that a decision has not yet been made and that it is important that people give their views for the FGB to consider. It is then the governing board who will make the decision on 7 December to proceed or not.

JSU directed parents to Booklet 1 and 2 for further information – both available on websites and in school offices on request.

**Q: Who represents Copplestone on the governing board?**

JH/JSU explained that there isn't specifically a Copplestone governor – there are 2 parent governors elected across the federation in line with regulations. The parent governor role is to give the view/perspective of a parent, not to represent parents.

SH informed the meeting that there are vacancies for a parent governor and that no one had come forward the last time election details were sent out.

A parent commented that they didn't want to be a governor for the other schools. JSU said that the governing board for a federation is to fulfil the role for all the schools – as a governor we want all the children in all our schools to be as successful as possible.

**Q: Are we doing this so that we don't have to be an academy?**

SM/JH explained that all options have been explored – many meetings have been attended and the other options with Crediton and South Molton schools had not seemed to meet our needs. The USF are like-minded and are already working in a federation and in the way we wish to work – other stand alone schools are not always familiar with collaborative working. We need the capacity larger schools can offer to allow us to work in different ways.

**Q: Can we share resources?**

Yes, we can look at ways of combining resources to work differently.

MH said that he cannot see educational benefits to becoming an academy, but that as Kingsteignton is an academy (a free school) with MAT articles, we could join that MAT together if government policy changes.

JH said that the governing board have looked at everything and needed to bring their proposal to parents to gather views and suggestions.

**Q: What businesses are we expecting to join?**

SM said that Trustees would look to see what partners would support school improvement work best.

MH said there are lots of options for the Trust to consider to bring benefits to children.

**Q: How big is the co-operative nationally?**

JSU said that until recently there had been approximately 700 co-operative schools, but that some had now joined MATs. A local MAT which has a number of co-operative schools involved are not forming a Co-operative MAT, but are structuring a 'normal' MAT based on co-operative values and principles.

**Q: How many schools are there nationally?**

JSU said approximately 22,000 including all phases, so co-operative schools form a small percentage nationally.

**Q: What is the government's attitude?**

JSU said that the governments preferred option is that a large group of schools has one board accountable for all the schools ie a MAT model. Federations also have one governing board accountable for the schools within the federation. Currently, it isn't the case that all schools have to be academies by 2022. School to school support is part of the national agenda and the co-operative model allows for this to work successfully.

**Q: Is there evidence of success?**

JSU said that she has looked at inspector comments during inspections at co-operative schools during 2017 and was happy to email comments gathered to SH to share with parents. There are examples where Ofsted acknowledge positive impact of work across co-operative trust schools.

**Q: What are you looking forward to and what's worrying you?**

SM said that he's looking forward to shared working and that this has already started and is positive. He said anything new is a worry, but that there is very little risk with this model. The challenge is to keep people on board and involve the parents in conversations like we're having tonight as we all want the best for all our children.

JH said that she supports the school to school support model and sees it as a very positive experience for staff and governors.

MH said that working with other schools improves practice and is rewarding. Sharing expertise and looking outwards reduces the danger of being left behind. It enables staff to reflect on practice and how things might be done differently or not. He has no concerns about expanding the co-operative trust with DMF. All staff benefit from being members of teams and challenging and rigorous reviews focusing on school improvement mean that the children get the best opportunities possible.

**Q: Who are the trustees and what control do parents have?**

JSU outlined the make-up of the trust board in accordance with the USLP articles of association:



4 trustees from USF – Executive HT, Chair of Governors, two governors  
2 trustees from KS – currently Headteacher and other to be decided – will be a KS trustee  
1 trustee from a co-operative – currently the Co-operative College  
2 trustees from DMF – probably would be the Executive TH and Chair of Governors

When the USLP was set up in September, it was not expected to expand immediately and it was felt that 7 trustees were needed to initiate the work of the Trust. It was agreed that future schools would be offered 2 trustee places and that if other federations wanted to join the number of trustees would be discussed. DMF were offered more than two trustees, but they felt that they didn't have the capacity to fill more than two places as there are several vacancies on their FGB at present.

As the Trust develops, each partner organisation will have one trustee on the board (a corporate trustee rather than a named person) and the member's forum discussed earlier will have one or two trustee places.

**Q: Can parents have a vote if they don't agree with the partners chosen?**

JSU replied that any partner organisation has to adhere to the co-operative values and principles and will work with schools to improve aims of the trust ie raising attainment and increasing opportunities across the school communities. Parents would always be encouraged to contact the Trust with their views and this would be taken into account by the Trust Board. Once a membership is established, this would be the channel for parent views.

**Q: Are the Trustees directors?**

They are the same people and are unpaid. They offer their time and skills to support the work of the schools just as governors do.

SM thanked everyone for attending the meeting and urged them to complete and return the questionnaires.

**Q: Do we legally have to have partners?**

Yes we do.

**Q: What is the Co-operative College?**

JSU explained that it is located in Manchester and focuses on developing co-operative initiatives and policies globally. There are archives about the history of the co-operative movement and it organises training and conferences.

There is also the Society of Co-operative Schools (SCS) which is a co-operative of co-operative schools nationally. JSU currently represents Devon at an operational, not board level. Schools pay a subscription of £100 a year per school to join this organisation.

**Q: Is Chittlehampton still going to be part of the federation?**

SM explained that Chittlehampton will remain within the federation and will be a partner school in the USLP. They will be fully involved in all school improvement activities. As they are already a church foundation school they are not a 'consulting' school, but parents have been fully involved in this consultation process.

**Q: Who chooses the partners – members or trustees?**

JSU said that it will be the Trustees who select the initial partners who are appropriate to supporting the work of the schools and have the commitment and capacity to do so.

**Q: Are the teachers happy with the proposal?**

SM said that staff see the advantages of working within a larger group of schools and that as their terms and conditions don't change, feedback so far is positive.

JH said that staff are also being encouraged to complete and return the questionnaires so that governors have a staff view to consider in December.

MH reported that his staff are happy working with staff from DMF.

SM thanked everyone for attending and closed the meeting.

**Notes from the Public Meeting held at Spreyton Primary School on Tuesday 14<sup>th</sup> November 2017 6.00pm**

**Present:** 3 people attended plus Steve Mellor, Martin Marriott (Head of School), Liz Orme (Vice-Chair of Govs) and Stef Hastie as note taker.

SM gave an overview as to why the governors at DMF are consulting on this proposal. The focus of the proposal is school improvement – raising standards, providing greater CPD links for staff whilst remaining part of the local authority and protecting staff in terms of no change to contracts and the opportunity to work across a larger number of schools. Governors acknowledge that DMF need to work with larger schools in order to develop capacity within the system. Within the USLP there are large schools and also schools of a similar size to aid planning and moderation activities. The schools within the USLP are good and outstanding schools and their leadership team have a lot of expertise re making rapid improvements when necessary. Martin Harding is a National Leader of Education who is able to support and challenge our leaders.

**1. Where is the money from?**

Still funded as a Local Authority school as we currently are. The Governors are happy to work with the LA and want to remain a 'maintained' school.

**2. If we have a 'trust' status can we apply for charity grants and what does it cost to join the trust?**

In theory yes the trust can apply for grants as it has a charitable status, but the trust will not be a financially operating trust for the time being. The trust does not bring a financial gain to the schools budgets but neither is it a drain. It will enable group purchasing so savings can be made (these will be reinvested into the schools budget), gives school improvement opportunities and access to a large range of resources and support materials.

**3. Who is responsible for the maintenance/upkeep of the buildings if the land and assets are transferred to the trust?**

Our budget is still exactly the same and each school will still be responsible for the upkeep and maintenance of their buildings and grounds.

**4. How does Chittlehampton fit in? Will it be leaving the federation?**

Chittlehampton will remain an integral part of the federation as it currently is. As it already is a foundation school it will join as a partner.

#### **5. Does the running of the federation change operationally?**

No, it is a legal transfer to a foundation rather than community school.

SM and LO talked about the further benefits of joining the Co-operative Trust:

Governors feel that this gives the federation the best of both worlds because we still have the ability to leave the trust if it does not work out for any reason yet gain the security and protection of joining a bigger set up. No doors are being shut and can convert to an academy if required to do so.

If a school is inspected by Ofsted and goes into special measures, the Trustees have the final say on who the supporting school will be so DCC cannot force that school to go with an academy of their choosing. The school to school support that is currently running will also support schools in raising standards.

Academies are also 'swapping' schools with each other if they are not seen to be improving with one academy. The governors want to have ownership of the destiny of the pupils and staff in the federation.

As explained in the introduction, The United Schools Learning Partnership Trust also includes a free school. This was set up as a MAT so if the government do decide that all schools must convert to an academy by a certain date then the current co-op trust could join this MAT. No new MATs will be approved in Devon at the present time.

#### **6. What is in this for the United Schools Federation?**

Professional development for staff, helps with retention of staff who are ready to move to the next level. Helps with succession planning and is always better to 'grow' your staff from within rather than recruit externally and this gives opportunities for staff to work in other schools if a suitable vacancy does come up.

It gives a new dialogue and the opportunity to expand good practice across a wider range of schools and also gives security for their federation by becoming part of a larger group of schools that are working together.

#### **7. Creating a board of Trustees creates an extra layer of management so what are the costs involved and who will pay for them?**

The trust is run by volunteers and as it is not a financially operating trust there is no cost. DMV will have 2 people on the board of trustees –SM and one other governor.

#### **8. Does the 'umbrella' top slice from schools' budgets as they do in an academy?**

No. It is a group of volunteers that meet to discuss the strategic overview of school improvement and ensures that the co-operative values and ethos are being followed and embedded.

#### **9. Who are the potential commercial partners and will they bring a financial commitment/income?**

There are no commercial partners at present as the trust only formed in September 2017. Partners are decided by the trustees and can be permanent, temporary, or asked to leave if they no longer offer any value to the schools in the trust.

There are many options for partners and only one has to be a co-operative. One group being investigated at present is the Farms for City Children organisation. They have 'down' time on their farms and are looking to work with local schools to improve their education resources whilst giving the children a place to visit.

#### **10. Do staff remain as DCC employees and do their terms and conditions change?**

No staff become employed by the Governing Body of the Devon Moors Federation – as Chittlehampton School staff currently are. The staff go through a TUPE Like process but all terms and conditions remain unchanged, their length of service is not affected and nor are the pensions. The unions support this move.

#### **11. How does being our own admissions authority work? Can we change catchment areas?**

We will not be able to change catchment areas. We will still use DCC to administer admissions and follow the same criteria, but if there is an appeal then Governors and not DCC will handle it. This already happens at Chittlehampton.

One parent felt this was a positive move and was a way of ensuring that small schools are sustainable. He was delighted to have a small local school when he moved to the area.

#### **12. What happens to the federation? Will staff still work together?**

The federation will continue as before with the same governing body. Staff will continue to have joint moderation, Senior Leadership Team meetings, joint planning and policies as they currently do. It just gives another opportunity for staff development as they can interact with a wider range of like-minded professionals to share and expand good practice.

#### **13. What size are the USF Schools**

They are bigger than ours. We will find the exact numbers (approximately 1100 across 5 schools). As larger schools have more capacity their subject leads, literacy and numeracy, will have additional release time so will be able to work with our staff as well.

Neither of the federations have the finances to be able to expand at the present time. However, by forming a trust, over time we could look at employing full time non-teaching SENDCos across the trust or specialist staff if resources are combined.

MM stated that staff feel it gives them more security and is a major opportunity to work closely with other staff in a larger group whilst keeping our own distinctiveness and identity. We can also tap into larger resources and expertise whilst retaining our autonomy.

LO stated that the governors have spent a long time investigating the best way forward for the federation as it is not an option to stand still in the current educational climate. Standing still makes us vulnerable as a small group of schools.

Finances are tighter than ever and governors have looked long and hard at our future options. This gives the opportunity to keep our local accountability and identity and is not entering into anything that cannot be undone.

#### **14. Are we looking to bring other schools into the Federation?**

At the present time there is no plan to do this but being in the co-operative trust will not prohibit this if it becomes an option in the future.

#### **15. What are other local schools doing, like South Tawton, and why did we not join with them?**

We do not know what all local schools are doing but South Tawton are in talks to join the new Okehampton based MAT that is setting up. We did not consult to join this set up as after investigation it was felt that this was too new and too much of a risk.

SM encouraged attendees to fill in the questionnaires and ask other parents to do the same. The meeting closed at 7.00pm.

#### **Notes from the Public Meeting held at Filleigh Primary School Wednesday 15<sup>th</sup> November 2017 6.00pm**

**Present:** 7 parents attended (2 of whom are also governors) plus Steve Mellor, Jayne Hooper, Mike Wright (Head of School), Alvin Scott (Clerk to Goves), Rev'd Dave (governor) and Stef Hastie as note taker.

SM gave an overview as to why the governors at DMF are consulting on this proposal. The focus of the proposal is school improvement – raising standards, providing greater CPD links for staff whilst remaining part of the local authority and protecting staff in terms of no change to contracts and the opportunity to work across a larger number of schools. Governors acknowledge that DMF need to work with larger schools in order to develop capacity within the system. Within the USLP there are large schools and also schools of a similar size to aid planning and moderation activities. The schools within the USLP are good and outstanding schools and their leadership team have a lot of expertise re making rapid improvements when necessary. Martin Harding is a National Leader of Education who is able to support and challenge our leaders.

#### **1. Where is the money from, do we still get DCC funding?**

Still funded as a Local Authority school as we currently are. The Governors are happy to work with the LA and want to remain a 'maintained' school.

#### **2. Does each school hold its own land?**

Yes. The land is held in trust for education purposes. It cannot be sold off.

#### **3. Isn't Filleigh already held in a trust?**

Yes. Filleigh land is held in trust for education purposes by the Fortescue Estate. Discussions will take place with Lord and Lady Aaron when the consultation ends and the Governors have made their decision.

#### **4. Is there a change of employer for the staff?**

Yes they will be employed by the Governing Body instead of DCC and undergo a TUPE-like process. All terms and conditions remain unchanged, length of service is not affected and pensions are protected.

**5. What are the benefits to schools who choose to go to academies?**

JH said we cannot answer for other schools but would think they would feel protected, that they are making a decision before they're forced to and they do not get an Ofsted inspection for three years as effectively they become a new school.

**6. Are academies run more like businesses and why would schools think this is a good idea?**

Yes they are very much business models. The large academies have brand and schools are expected to be 80% brand and 20% individuality.

Again, we cannot answer why other schools choose to make this decision but probably because they have not been involved in partnership working previously and don't know what to expect.

Some are forced to convert if they go into requires improvement and academies do give the opportunities for sharing resources, expertise and skill sets.

**7. Does everyone have to be an academy and if so by what date?**

Government guidelines were that every school had to be an academy by 2020 but that has changed. We don't know if this will be enforced or by what date.

There used to be a financial carrot to convert but this has been taken away and running costs are much higher. There is also no proven track record for large MATs in terms of school improvement. The only MAT to have a whole membership Ofsted is the Catholic MAT and that did not come out well with many schools going into Requires Improvement.

**8. Will all schools be in the trust as Chittlehampton is not in the consultation?**

Yes we will convert as a federation and continue to run as we are. Chittlehampton School will become a partner school as they already have foundation status with the Church.

**9. Which other schools will be included?**

The five schools in the United Schools Federation and Kingsteignton Primary school which is a free school academy. Kingsteignton and Chittlehampton will be partner schools as both already have a foundation.

**10. If Kingsteignton is free school and some of these are shutting down now is there a risk that it could go out of business and how would that effect the other schools?**

No. It is a free school but was set up out of need so there is little risk of it shutting down. If it did ever close the other schools in the trust would not be affected because each school operates with its own budget.

**11. Will becoming a Co-operative Trust satisfy the current government agenda?**

Not at the present time as Co-op schools are not academies. If we are forced to become an academy under some future government agenda, then the free school is already a MAT so the co-operative trust could join that as a whole group. No new MATs are allowed to be set up.

**12. Will we have the same curriculum?**

Yes. We will remain as a federation with the same staff in place, follow the national curriculum and continue as we have been. In addition we will have opportunities for teachers to work with a wider group of professional peers for support and share good practice.

**13. What are other schools doing locally?**

We are not sure. We know North Molton are in talks with Newport Academy to join their MAT and other schools have investigated a local MAT but nothing has come about.

**14. Could other local primary schools join?**

Yes if they were interested and brought value to the trust.

**15. Do we get to choose any possible new schools?**

Yes. The trust cannot be forced to take on any schools.

**16. Is the trust a business? Are there any financial returns?**

There are no financial returns but it does add value in terms of resources. The trust is not yet set up as a financial concern as all trustees are volunteers.

**17. Do staff remain as DCC employees and do their terms and conditions change?**

No staff become employed by the Governing Body of the Devon Moors Federation – as Chittlehampton School staff currently are. The staff go through a TUPE-like process but all terms and conditions remain unchanged, their length of service is not affected and nor are the pensions. The unions support this move.

MW said that staff are enthusiastic as it gives wider networks to work with and have no concerns and prefer this option to becoming an academy. Under an academy their terms and conditions could change, they would lose their continuity of service and their pensions would be affected.

**18. Is there a contingency plan if we have a change of government and the academy agenda just disappears?**

We are not coming out of DCC so will be unaffected.

**19. Are we bound by the values of the Co-operative trust we are consulting to join?**

Yes their values are in place but they have similar values and ethos to those of our schools.

**20. How is the academy top slice going to benefit children in our schools?**

The governors could not see any benefit to our pupils in converting to an academy.

**21. Do governors become Trustees?**

Only 2 governors join the board of trustees – the Executive Head and another governor.

**22. Do trustees vote on policies?**

No. The trustees have a strategic role and are there to ensure that the trust members follow the co-operative values. They operate by discussion and not by voting.

**23. How does the trust work if we decide we want to convert to an academy?**

We have the choice to leave the trust and convert to an academy.

**24. Do the governing body carry on as they are now?**

Yes they continue as they are.

**25. Do co-op trusts have a proven track record?**

There are some very successful trusts and some that are not so successful. It is down to the individuals within the trust to make it work.

The USF have a very successful record of school improvement. Martin Harding, their Executive Head is a National Leader of Education, and has supported many other schools in the past.

**26. Is there any evidence that by not joining a local academy that we could be left out of secondary school placements?**

No as their catchment areas will remain the same and their feeder schools will be unchanged. They will still need the pupils from our schools.

**27. How does the exchange of skills work?**

It is already taking place behind the scenes and will continue. Staff will meet with their relevant peers not only in our federation but with staff from USF to enhance planning and share best practice. Whilst they are not geographically close it is not too far to arrange visits for a day.

**28. Do the questions raised tonight get shared with other parents?**

SH said she would need to check to see if the information can be shared prior to the close of the consultation.

**29. Was doing nothing an option?**

Yes it was but we felt we would be left behind and could then be forced into becoming something we didn't want to and governors would rather be proactive.

Parents felt that they gained a lot from this meeting and the information put across was very informative and gave the reasons why this decision was being considered.

They felt that the 'feel' of Filleigh school is what makes it special and were pleased that governors were investigating options that ensured the long term stability of the school that retained its individual identity.

SM asked parents to complete the questionnaires and pass on what they had learned to other parents and encourage them to respond as well.

The meeting closed at 7.15pm



## **APPENDIX E: Proposed Reconstituted DMF Governing Board Composition.**

Designation	Current	Proposed
Parent	2	2
Staff	1	1
Executive Headteacher	1	1
LA	1	1
Co-opted	3	1
Foundation (Diocese)	4	4
Foundation (USLP)	0	2
Total	12	12

## **DRAFT INSTRUMENT OF GOVERNMENT**

### **Devon Local Authority**

### **Instrument of Government**

1. The name of the school is Coplestone Primary School
2. The school is a Trust school
3. The name of the Governing Board is “The Governing Board of Devon Moors Federation”.
4. The governing board shall consist of:
  - a) Two parent governors
  - b) One local authority governor
  - c) One staff governor
  - d) The Executive Headteacher\*
  - e) One co-opted governor
  - f) Four foundation governors (Diocese)
  - g) Two foundation governors appointed by United Schools’ Learning Partnership
5. Total number of governors is 12 \*except at any time when the Executive Headteacher has given notice that she/he chooses not to be a governor when the total number of governors shall be 11.
6. The name of the board entitled to appoint foundation governors is “United Schools’ Learning Partnership”.
7. This instrument of government comes into effect on 1 February 2018
8. This Instrument was made by order of Devon Local Authority

on [leave blank for LA to insert date].

A copy of the instrument must be supplied to every member of the governing board (and the executive headteacher if not a governor), any trustees and to the appropriate religious body.

### **Devon Local Authority**

#### **Instrument of Government**

1. The name of the school is Filleigh Community Primary School
2. The school is a Trust school
3. The name of the Governing Board is "The Governing Board of Devon Moors Federation".
4. The governing board shall consist of:
  - a) Two parent governors
  - b) One local authority governor
  - c) One staff governor
  - d) The Executive Headteacher\*
  - e) One co-opted governor
  - f) Four foundation governors (Diocese)
  - g) Two foundation governors appointed by United Schools' Learning Partnership
5. Total number of governors is 12 \*except at any time when the Executive Headteacher has given notice that she/he chooses not to be a governor when the total number of governors shall be 11.
6. The name of the board entitled to appoint foundation governors is "United Schools' Learning Partnership".
7. This instrument of government comes into effect on 1 February 2018
8. This Instrument was made by order of Devon Local Authority  
on [leave blank for LA to insert date].

A copy of the instrument must be supplied to every member of the governing board (and the executive headteacher if not a governor), any trustees and to the appropriate religious body.

### **Devon Local Authority**

#### **Instrument of Government**

1. The name of the school is Spreyton Primary School
2. The school is a Trust school
3. The name of the Governing Board is "The Governing Board of Devon Moors Federation".
4. The governing board shall consist of:

- a) Two parent governors
- b) One local authority governor
- c) One staff governor
- d) The Executive Headteacher\*
- e) One co-opted governor
- f) Four foundation governors (Diocese)
- g) Two foundation governors appointed by United Schools' Learning Partnership

5. Total number of governors is 12 \*except at any time when the Executive Headteacher has given notice that she/he chooses not to be a governor when the total number of governors shall be 11.

6. The name of the board entitled to appoint foundation governors is "United Schools' Learning Partnership".

7. This instrument of government comes into effect on 1 February 2018

8. This Instrument was made by order of Devon Local Authority

on [leave blank for LA to insert date].

A copy of the instrument must be supplied to every member of the governing board (and the executive headteacher if not a governor), any trustees and to the appropriate religious body.