

LEEDS LEARNING ALLIANCE (LLA)

STATUTORY DETERMINATION REPORT

To

**The Governing Bodies of
Carr Manor Community School & Bankside Primary School**

4 March 2019, 6.00 pm

Bankside Primary School

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Main Report

Overview

This document summarises the feedback from the consultation and statutory representation period conducted by the Governing Bodies of Bankside Primary School and Carr Manor Community School in relation to the proposed change of category to foundation status and acquiring of a charitable trust known as the Leeds Learning Alliance (LLA). The consultation was supported by Julie Bowdidge 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 (Parts 2 7 3 and Schedule 3)
- The 'SOPAM' Regulations 2013; i.e. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013); ('The Regulations') and
- Making Significant Changes ('prescribed alterations') to maintained schools, Statutory Guidance for proposers and decision-makers October 2018

The Regulations specify how proposals are to be published 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 Bodies of Bankside Primary School and Carr Manor Community School are the decision maker for these proposals. All the representations that had been received at the time of writing, i.e. after the six-week consultation and four-week statutory representations period had finished at noon on Tuesday 19th February 2019 are included here.

It now falls to the Governing Bodies to make a decision about whether or not to implement the proposals. The Statutory guidance (section 5 & 6) 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 Body has considered the impact of the proposal on:
 - i) educational standards and the diversity of provision;
 - ii) equal opportunities issues;
 - iii) community cohesion;
 - iv) Travel & Accessibility
 - v) Funding

Each of these points is addressed below.

a) That the proposal meets legal requirements

The consultation period began at noon on 8 January 2019 until noon on the 19 February 2019. During this time meetings were held with staff, parents/carers, unions, pupils and an open meeting for other stakeholders. The statutory notice period ran from Monday 21 January 2019 for a 4-week period. The proposal was published on the individual school's website, in a local newspaper and at every entrance of the school in accordance with the 2013 Regulations. Representations were accepted for a period of four weeks between 21 January 2019 to Monday 18 February 2019. See appendix A for more details.

The Trust itself meets legal requirements and will be 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 Body considers the impact of the proposal on:

i) educational standards and the diversity of provision

Through acquiring a Trust each school which has made the Trust its legal foundation will be supported by a partnership with Leeds College of Building, Leeds Local Authority, Leeds Rhinos Foundation, Leeds Trinity University and Wetherby High School in ensuring achievement is further raised and a coherent provision made available across all phases of education.

The rationale for acquiring the foundation and the ethos that it will bring to the schools can be summarised as:

Building Capacity to improvement performance of children and staff with a group of like-minded colleagues. School improvement is key to the success and sustainability of our partnership. The support in working together will be invaluable – we all have similar challenges to deal with in the different settings. We will be in a larger group of organisations to argue for what we want in the best interest of children, young people and adults in our care. Our values are very important in how we work together in a mutually beneficial way – we are not being 'taken over' – we all have things to contribute and things to gain for the benefit of everyone in all our organisations. There are no guarantees as funding and standards requirements are changing all the time, but we are trying to provide ourselves with access to a wider pool of expertise to ensure high standards.

The Leeds Learning Alliance is founded on the common values of:

- A community of learning partnerships which promotes all children and young people equally; that promotes inclusive and restorative education and is committed to keeping them happy, safe and healthy in school and to work with their families to achieve this.
- A community of learning partnerships which promotes high quality learning that values and respects individual needs and backgrounds of all our children and young people and the families whom the partnership serves.
- A community of learning partnerships which delivers a wide and enriching curriculum for all our children and young people and actively seeks opportunities to provide engaging and purposeful learning.
- A community of learning partnerships which respects the faiths and ethical values of all our children, young people and families whom the partnership serves.

- A community of learning partnerships which is committed to high quality professional development for all staff, to ensure the best education for all our children and young people.
- A community of learning partnerships that values the role of parents and carers in developing effective learners and is committed to supporting their contribution to creating strong educational partnership between home and school.
- A community of learning partnerships which actively works to promote a collaborative approach to sharing resources and the development of joint ventures.
- A community of learning partnerships which encourages professional collaboration and shared good practice to create self-motivated and engaged staff, dedicated to developing the best education for all our children and young people.
- A community of learning partnerships which values and respects the retention of organizational identities and autonomy.

These values and principles underpin the work of the Alliance and we believe contribute to strengthening the schools and its links with the local community.

Our vision is of a community of Leeds-based learning organisations, with a common ethos and set of values, which shares a vision of supporting our children, young people and families to be successful, healthy and confident learners at all stages of their lives.

We believe in respectful collaboration, restorative practice and inclusive education. We will use the resources of all the partners in the Alliance to promote the very best outcomes for the children, young people and adults in our organisations, ensuring:

- aspirational learning
- high achievement
- empowering relationships
- equality of access

To achieve our vision, we will ensure that the Leeds Learning Alliance is a partnership of ambitious organisations who are committed to inclusive practice and who prioritise collaboration. We will

- Develop and share resource expertise in restorative leadership, management and professional practice
- Model collaborative work through partnerships and developing partnership programmes
- Focus on improving outcomes for learners and for communities
- Develop and share effective, efficient and sustainable organisation and partnership models
- Research and publish best practice in the fields of education, leadership, management, teaching and learning, inclusion, restorative practices, character development and well-being
- Develop a highly skilled and ambitious workforce motivated to work inclusively and collaboratively.

The overarching aims of the Leeds Learning Alliance are:

- A focus on raising outcomes for all learners regardless of levels of need and background.

- To use and further develop restorative approaches to leadership, management and professional practice in order to secure inclusion, achievement and destinations.
- To explore the development of Peace Education in order to further develop an inclusive, equitable and effective culture of learning and wellbeing.
- Develop a relationship led approach to organisational development and to improving outcomes for all will include the following areas of focus:
 - Sharing skills, methods and strategies to develop high quality teaching and learning
 - High quality, relevant and as needed targeted professional development
 - Rigorous quality assurance and collaboration to support improvement
 - Promotion and education for health and well-being
 - Securing appropriate destinations and pathways for all learners
 - Partnership to maximizing resources and opportunities across the Alliance and with other organisations

Establishing the Trust formalises existing working relationships and helps ensure that these survive changes of personnel, for the benefit of all within the LLA. It will also enable long terms plans to be developed and implemented for maximum impact.

The Trust will encourage participation and promote the ethos and culture of each organisation and LLA will work together to address national and local agendas.

The Local Authority will continue to challenge and support the schools and take an active part in helping the schools to address national agendas.

ii) equal opportunities issues;

The school's legal obligation will continue to be met and further enhanced from working with partners within the Alliance.

iii) community cohesion;

The LLA is committed to improving community cohesion and ensuring there is cultural respect and tolerance between different groups of people living together. The LLA will strategically develop opportunities for all children, young people and adults within our communities 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. Working with our different communities is a key focus of our aims, vision and values.

iv) travel and accessibility;

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

v) capital.

Foundation 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 the decision is taken to form the LLA the land and buildings will transfer from the LA to the Leeds Learning Alliance. The assets are held on trust for the duration of its relationship with the schools. The LLA 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. Carr Manor Community School is a PFI school and as such the land and assets will transfer at the end of the contract.

The responsibility of the LLA Board is to hold the land for the benefit of the schools is set out in its Articles of Association. The actions of the LLA 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 Board 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 bodies enter into.

Foundation school governing bodies have day-to-day control over the school premises in the same way that all maintained school governing bodies do. Local authorities are responsible for maintaining school buildings, although this is usually delegated to governing bodies. Governing bodies 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

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 Bodies of Bankside Primary School and Carr Manor Community School are the decision makers for these proposals.

IT IS RECOMMENDED:

a) that the Governing Bodies approves the Proposals as set out with an implementation date of 5 April 2019. The Governing Bodies should also authorise the associated changes to its Instrument of Government as set out in Appendix C.

b) that the Governing Bodies delegate any other urgent matters pertinent to the enactment of these proposals to the Chair of Governors of the Schools, in consultation with the Headteachers and Clerk to the Governing Body.

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 will be 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. Directors and Proposed Directors - at the Implementation Date – will be confirmed as not being disqualified from exercising their function either by virtue of:
 - Disqualification under company or charity law;
 - Disqualification from working with children or young people;
 - Not having obtained a criminal records certificate under section 113A of the Police Act 1997;
 - 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 Bodies of the school/s for which it will act as the legal foundation.

Consultation and Representations.

There were no responses received to the Statutory proposals See Appendix B for responses to the consultation.

APPENDIX B: Responses to the Consultation.

Appendix Bi Consultation Response – Questionnaires

School: Bankside Primary School

A total of 17 questionnaires were received following around 421 consultation documents being made available to all parents/carers, staff and governors of the schools as well as to a number of interested parties. These broke down as follows – 2 from parents and 15 from staff. Copies of these responses are available for governors' perusal. The responses are supportive of the proposals. There was one response against the proposals (parent).

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.

Summary of response forms

Q1. How do you feel about the school changing category and establishing The Leeds Learning Alliance?

	Parents/ Carers	Staff	Governors	Other	Not Known
I support the proposals	1	15	0	0	0
I am not sure and would like more information particularly on	0	0	0	0	0
I do not think the school should change category and join the Trust because.....	1	0	0	0	0

Comments received:

I think this is the way forward for community schools (Staff)

It sounds too good to be true! (Staff)

I feel this is a great opportunity for our school. (Staff)

From what we have been told - the alliance will enhance our learning opportunities. By forging links with the university, Rhinos and building college will enable the pupils to be exposed to a variety of opportunities and potential career paths. (Staff)

I think it will help children understand that you can learn in different ways. (Parent)

Q2. How do you feel about the partners in The Leeds Learning Alliance?

Our partners would be Carr Manor School, Leeds College of Building, Leeds Local Authority Leeds Rhinos Foundation, Leeds Trinity University & Wetherby High School

	Parents/ Carers	Staff	Governors	Other	Not Known
These are the appropriate partners	1	14	0	0	0
These are not appropriate partners	0	0	0	0	0
I think the school should also think about other partners (please comment below)	1	1	0	0	0

Comments received:

I agree with the above partners but would like to see some of the arts organisations in Leeds involved. (Staff)

We already have strong links to these schools/training establishments therefore these partners are very appropriate. (Staff)

I am excited to be in partnership where partners cover students from 0 - 25yrs. (Staff)

These are big organisations with great ideas who are thinking about the community and the children. (Parent)

Q3. What do you feel about the vision?

Inclusive, collaborative, ambitious

We are a community of Leeds-based learning organisations, with a common ethos and set of values, which shares a vision of supporting our children, young people and families to be successful, healthy and confident learners at all stages of their lives. We believe in respectful collaboration, restorative practice and inclusive education. We will use the resources of all the partners in the Alliance to promote the very best outcomes for the children, young people and adults in our organisations, ensuring:

- aspirational learning
- high achievement
- empowering relationships
- equality of access

	Parents/ Carers	Staff	Governors	Other	Not Known
This is right for the school	1	15	0	0	0
I think this is wrong for the school	1	0	0	0	0

Comments received:

With a strong leadership and support from all staff, this will be a pioneering example for other parties. (Staff)

I support this Trust being so publicly in support of restorative practice and inclusive education. (Staff)

As stated above, from the information we have received it appears to be beneficial (Staff)

I think it is great as the vision includes continuing supporting the community and nothing is changing. (Parent)

Q4 We expect that the partnership would strengthen the Governing Bodies. This would bring in expertise from our partners but parents, staff, Local Authority and community governors would still be represented on the governing bodies. Do you think this model is right for the school?

	Parents/ Carers	Staff	Governors	Other	Not Known
Yes – this sounds like a good idea	1	15	0	0	0
No, I do not like this proposal	1	0	0	0	0

Comments received:

Quite nervous as Governors will have more power over staffing and these members will be new to the board. (Staff)

Again, the community, parents and children will be involved which is great. (Parent)

Q5. Please use the space below to give us any comments, concerns or suggestions that you feel we should think about before we publish formal proposals.

Comments received:

As a teacher, I whole heartedly support this alliance venture. (Staff)

I very much want to work at a school that takes emotional/social education, trauma-informed practice, restorative practice and inclusive education. Assuming this goes ahead I would like to be part of learning and sharing things with other Trust partners (Staff)

I do think it is very important to be transparent with staff and parents. This builds up a partnership of trust between the trust and staff/parents. This will ensure everyone will support and engage with any changes in the future. (Staff)

I think we need a presentation that will cater for limited English - eg visual aids, potentially translators at the presentations. We need the above for pupils and community alike. (Staff)

The information that was provided was very informative and positive. I feel that the community as whole would be very happy as it will encourage children with their learning journey in a positive way. (Parent)

Appendix Bii Consultation Response – Questionnaires

School : Carr Manor Community School

A total of 22 questionnaires were received following around 1321 consultation documents being made available to all parents/carers, staff and governors of the schools as well as to a number of interested parties. These broke down as follows – 12 from parents and 10 from staff. Copies of these responses are available for governors' perusal. The responses are supportive of the proposals. There were no responses against the proposals.

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.

Summary of response forms

Q1. How do you feel about the school changing category and establishing The Leeds Learning Alliance?

	Parents/ Carers	Staff	Governors	Other	Not Known
I support the proposals	7	10	0	0	0
I am not sure and would like more information particularly on	5	0	0	0	0
I do not think the school should change category and join the Trust because.....	0	0	0	0	0

Comments received:

Are there any negative aspects or (potential risks) to a partnership? (Parent)

The reason why is not adequately explained in the leaflet. It explains it will be better but with no information about how forming a learning alliance would make these things happen. (Parent)

I would rather they remained under local authority control but feel that in the current climate that the alliance is the best way forward. (Parent)

What protections and oversight are in place long term to protect the school, its ethos and assets? How you can really achieve economies of scale when the partner organisations are so different in form and nature? What protections will be in place to ensure new partners share the philosophy and goals of the Alliance? (Parent)

Q2. How do you feel about the partners in The Leeds Learning Alliance?

Our partners would be Bankside Primary School, Leeds College of Building, Leeds Local Authority, Leeds Rhinos Foundation, Leeds Trinity University & Wetherby High School

	Parents/ Carers	Staff	Governors	Other	Not Known
These are the appropriate partners	8	10	0	0	0
These are not appropriate partners	0	0	0	0	0
I think the school should also think about other partners (please comment below)	3	0	0	0	0

Comments received:

My feeling is they're not particularly strong academic partners (Parent)

Why is Roundhay not included given that Simon Flowers is executive principle of both? (Parent)

I was surprised at how few actual schools were involved. I found the arguments for the mix at the meeting a little unconvincing. (Parent)

The current partners are appropriate but I would recommend approaching NHS organisations as well. (Parent)

Q3. What do you feel about the vision?

Inclusive, collaborative, ambitious

We are a community of Leeds-based learning organisations, with a common ethos and set of values, which shares a vision of supporting our children, young people and families to be successful, healthy and confident learners at all stages of their lives. We believe in respectful collaboration, restorative practice and inclusive education. We will use the resources of all the partners in the Alliance to promote the very best outcomes for the children, young people and adults in our organisations, ensuring:

- aspirational learning
- high achievement
- empowering relationships
- equality of access

	Parents/ Carers	Staff	Governors	Other	Not Known
This is right for the school	12	10	0	0	0
I think this is wrong for the school	0	0	0	0	0

Comments received:

But what does it mean? It is an excellent and positive ethos but there is no information about how forming this learning alliance will make this happen!! (Parent)

I am happy with the current vision, my only concerns would be if any of these were to change significantly and the process by which this may happen. (Parent)

Q4 We expect that the partnership would strengthen the Governing Bodies. This would bring in expertise from our partners but parents, staff, Local Authority and community governors would still be represented on the governing bodies. Do you think this model is right for the school?

	Parents/ Carers	Staff	Governors	Other	Not Known
Yes – this sounds like a good idea	11	10	0	0	0
No, I do not like this proposal	1	0	0	0	0

Comments received:

I have worked with the other organisations in the past and they have been first class. It will be a fantastic move that will safeguard and protect this unique school from academisation and the holistic / hostile politics surrounding education at the moment! (Staff)

In principle it does sound like a good idea but HOW will it be done, what expertise, what will be the real benefits in the classroom, what will be the impact - will the Rhinos finally get the school participating in more sporting fixtures, Will there be better provision after school? What will become of the SEND class that was supposed to be based at CMCS? (Parent)

It's not clear from the proposal what the numbers are but there is a risk that too much involvement from the partners results in too little independent scrutiny or real oversight ("marking their own homework"). (Parent)

A change in the role of governors was one of the concerns I had when I first heard about this but I attended one of the public meetings and was reassured by what I heard. (Parent)

Q5. Please use the space below to give us any comments, concerns or suggestions that you feel we should think about before we publish formal proposals.

Comments received:

No concerns (Staff)

How is this different to becoming an academy (I realise the funding still comes down from the LA, are there any other differences?)

Will there be a new uniform?

Will the buildings and land still be publicly owned? Will the school still follow national guidelines on curriculum and teacher pay and conditions? (Parent)

How likely are the partners to leave? If Wetherby high are leaving one Trust to come to join this. If further proposals or changes are to be made how likely is everyone to agree? How likely are all foundation partners likely to stay and not want to move? How strong are the current connections that the founders are likely to stay as they are for the longhold? How likely are you as partners going to agree on accepting other schools/organisations into the Trust? (Parent)

Having attended the parent consultation event I think this is a great way forward and support the proposals. I understood the proposals much better from attending the event and I appreciate you took the time to answer our questions. The language in the consultation booklets sounds strategic and for some will be quite abstract. Although aims like 'reinforcing our commitment to our communities' sound positive I think it would be really helpful to have some tangible examples of what new opportunities could be opened up for those who weren't at the consultation event. I'm just speaking as a parent, I think you would get more direct support from parents if there were one or two practical examples of what this would mean for children and communities in a tangible sense.

At the Consultation meeting at CMCS on 16/01, I was pleased and relieved to hear about the ongoing commitment to the ethos and style of education at CMCS: I have been very impressed by the School and the inclusive learning environment. It seems the school is backed into a corner by the cuts to the LA, financial pressures and political climate and is effectively being forced down this route - I understand the issues and the need for change but I am worried about a good model being broken. (BTW, I absolutely wouldn't want the school to become an academy.) I am very sceptical that there are no risks involved in the change, as stated at the consultation meeting, and this needs careful consideration, particularly once more detail emerges. I was very relieved that the staff seem broadly supportive as they are a real asset to the school and this seems a good test of the proposal. (Parent)

I was and am slightly concerned that the complex PFI contract which the school buildings and land are part of would cause problems for this transfer and for future flexibility of the alliance in relation to Carr Manor. (Parent)

APPENDIX C: Proposed Reconstituted Governing Body Composition.

Ci: Bankside Primary School

INSTRUMENT OF GOVERNMENT: FOUNDATION SCHOOL

1. The name of the school is: Bankside Primary School.
2. The school is a foundation school with a foundation.
3. The name of the governing body is ***“The governing body of Bankside Primary School***
4. The governing body shall consist of:
 - a. Two Parent governors
 - b. One LA governor
 - c. One Staff governor
 - d. One Headteacher
 - e. Two Foundation/Trust governors
 - f. Three Co-opted governors
5. Total number of governors shall be 10
6. Foundation governors will be appointed by The Leeds Learning Alliance.
7. This instrument of government comes into effect on 5 April 2019.
8. This instrument of government was made by order of Leeds Local Education Authority on
9. A copy of the instrument must be supplied to every member of the governing body (and the headteacher if not a governor) and the trustees of The Leeds Learning Alliance.

Governor type	Bankside Primary School	
	Current	Proposed
Local Authority	1	1
Parent	1	2
Staff	2	1
Community/Co-opted	5	3
Trust/Foundation	0	2
Headteacher	1	1
Total	10	10

Cii: Carr Manor Community School

INSTRUMENT OF GOVERNMENT: FOUNDATION SCHOOL

1. The name of the school is Carr Manor Community School
2. The school is a foundation school with a foundation.
3. The name of the governing body is ***“The governing body of Carr Manor Community School”***
4. The governing body shall consist of:
 - a. Two Parent governors
 - b. One LA governor
 - c. One Staff governor
 - d. Five Co-opted governors
 - e. Two Foundation/Trust governors
 - f. One Headteacher
5. Total number of governors shall be 12
6. Foundation governors will be appointed by The Leeds Learning Alliance
7. This instrument of government comes into effect on 5th April 2019
8. This instrument was made by order of Leeds Local Education Authority on

9. A copy of the instrument must be supplied to every member of the governing body (and the head teacher if not a governor) and the trustees of The Leeds Learning Alliance.

Governor type	Carr Manor Community School	
	Current	Proposed
Local Authority	1	1
Parent	2	2
Staff	1	1
Community/Co-opted	7	5
Trust/Foundation	0	2
Headteacher	1	1
Total	12	12

APPENDIX D: Correspondence.

Di: LA Assurances

The following letter was sent by the Chairs of Governors of Bankside Primary School and Carr Manor Community School to Leeds LA seeking staff assurances. The response to the letter will be tabled on 4 March 2019.

Xxx January 2019

Dear

Assurances from the Local Authority regarding Pension Arrangements, Costs of Early Retirement and Redundancies and related matters.

I write as Chair of the Governing Body of Bankside Primary School/Carr Manor Community School. You will be aware that we have begun consulting on changing our school category from community to foundation and at the same time acquiring a charitable trust. The proposed change will mean that governing body becomes the employing body on the proposed implementation day of 5 April 2019.

The TUPE process, under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007) provide for all rights, powers, duties and liabilities to transfer existing staff from the Local Authority to the Governing Body of the school.

Employees will be employed by the school's Governing Body instead of the Local Authority and it will continue to recognise the same teachers' associations and trade unions. The existing rights of teachers will be fully protected if the school acquires a Trust as the Governing Body will still be bound by the School Teachers' Pay and Conditions Document.

The Governing Body will set terms and conditions for its own support staff. However, terms and conditions will be safeguarded as per the prescribed regulations for existing staff and our support staff will maintain the same employment rights as Local Authority employees.

The Governing Body also agree to abide with the existing local agreements and policies currently in place for school staff, that have been negotiated by teacher associations and trade unions with the Local Authority and for recognition matters and payment towards facilities time.

However there are now a number of matters we require written assurances on from the Local Authority. These are as follows:

A). Liabilities affecting the governing body in respect of employment matters.

The governing body may, as employer, in some circumstances have to appear at an Employment Tribunal to defend ourselves, if, for example, candidates for a post at the school complain that a governing body's decision or procedure discriminated against them, or if an employee complains that they had been dismissed unfairly.

We would like an assurance in writing that the local authority recognises that in cases of dismissal, it has to pay any compensation or legal costs awarded by an Employment Tribunal

unless it can show that it has good reason to charge the school's delegated budget (for example, if the local authority had previously advised the governing body that an Employment Tribunal was likely to decide a dismissal was unfair).

B). Responsibility for the cost of premature retirements and compensation for redundancy.

The governing body, as the employer, can grant premature retirement to the staff either for reasons of redundancy or can terminate a member of staff's employment in the interest of the efficient discharge of their employer function. The governing body also decides on the level of compensation to grant any member of staff they may make redundant.

We would like an assurance in writing that the local authority recognises that it, as the "compensating authority" has to pay "mandatory compensation" towards a teacher's annual pension and retirement lump sum if they are granted premature retirement by the governing body. We do recognise that the local authority has the power to take the costs of premature retirement from a school's delegated budget if the authority has not agreed to the premature retirement. Similarly, the authority is empowered to take the costs of discretionary compensation for redundancy from a school's delegated budget if they have good reason to do so (an example of this might be if the local authority thought the discretionary payment in a particular case was too high in relation to its own policy).

C).Pensions of support staff.

Support staff at foundation schools are allowed to continue to be in the Local Government Pension Scheme (LGPS) if the local authority, with the consent of the school governing body, has by a statutory resolution specified them to be eligible to belong to the scheme. Otherwise, the support staff will no longer be members of the LGPS and it will be for them and the school governing body to make alternative pension arrangements. In our case, the governing body has resolved to seek to ensure continuity of pension arrangements for support staff through the local authority and the LGPS. We are now formally seeking written assurances that

- i) That the local authority will agree as a matter of urgency the statutory resolution specifying that support staff currently in the LGPS will continue to be eligible to belong to the scheme. We would ask for a copy of the actual resolution and the minute of the meeting where it was agreed.
- ii) That the local authority will also agree to support staff currently not in the LGPS, continue to have the right to join it going forward and that a similar offer be made to new support staff joining us in the future.

Yours sincerely,

Xxxxx (name)
Chair of Governors
School

APPENDIX E: Summary of Consultation Meetings

Ei: Bankside Primary School

Notes from the Leeds Learning Alliance consultation.

Bankside Primary School, 14th January 2019, 9.00 am

Staff Meeting

Present

92 Staff
plus Headteacher
NEU Representative
GMB Representative

The Head teacher gave a presentation about the LLA including:

Background Developments
National Context
Local Context
Not for Sale
Partners
How the Alliance will Make a Difference
Trust Model and Process
The Proposal and Moving Forward

and then invited questions and comments.

Q1. How will this affect our pensions?

There will be no change to this. We have written to the LA for assurances. Staff should see no change and schools will be treated in the same way as other foundation school in the LA. There is a TUPE process to go through and HR and payroll will not change in the short term. The Trust has to pay national pay and conditions for teaching staff and honour any local agreements for support staff.

Q2. How will it affect our terms of employment?

There would be no change to terms of employment. Unlike an Academy, Trust schools have to continue to abide by National Pay and Terms of Conditions so the only will change is that the governing body will become your employer and not the LA. Again, this is the same in other foundation schools for example Aided church schools. For support staff the Trust will abide by any local agreements made for pay and conditions of employment.

General Comments

Staff believed that the proposals were a very good idea and would 'future proof' the school from a new headteacher changing all the principles and ethos of Bankside.

The GMB and NEU reps also spoke out in favour of the proposal referencing how different it was from the process of academisation.

Notes from the Leeds Learning Alliance Consultation.

Bankside Primary School

Parents/Carers Meeting,

15 January 2019, 2.00 pm

8 Parents/carers
Headteacher
Dave Wood, Carr Manor School

24 January 2019

2 Parents/carers
Headteacher
Derek Williamson, College of Building

The Headteacher gave a presentation about the LLA including:

Background Developments
National Context
Local Context
Not for Sale
Partners
How the Alliance will Make a Difference
Trust Model and Process
The Proposal and Moving Forward

and then invited questions and comments.

Q1 Will there be a change to the school uniform?

No there will be no change. Each school will retain their own individual uniform. There are no plans to have the same uniform.

Q2 Will the term dates remain the same?

Yes. They will continue to be allocated in just the same way as they are now.

Q3 Will the staff remain the same?

Yes. There is no intention to move staff between schools unless it is with their agreement to pursue individual opportunities.

Everyone was encouraged to return their questionnaire and to talk to other parents/carers about what they have heard tonight.

Notes from The Leeds Learning Alliance consultation.

Bankside Primary School,

School Council Meeting, 15 January 2019

Present

42 children

Dave Wood, Carr Manor Community School

Mr Wood explained to the School Council about the Leeds Learning Alliance and how it would work across the schools and the benefits it would bring Bankside School.

He explained who the partners in the Alliance were and how they could help the school.

He talked about some of the things the schools might do together such as staff training and sports opportunities but also explained that the school would still be Bankside Primary School.

Mr Wood asked the pupils what they thought about the proposals:

Overall the reaction was positive and the two questions they had were:

- if the school uniform would change. Mr Wood explained that it would not change. All the schools would keep their own individual uniform.

- if the staff would change. Again, it was explained that the staff would stay the same.

Mr Wood thanked the children for their comments.

Eii: Carr Manor Community School – Consultation Meetings

Notes from The Leeds Learning Alliance Consultation.

Carr Manor Community School,

Staff Meeting, 16 January 2019, 3.30 pm

Present

53 staff members
2 union representatives

The Headteacher gave a presentation about the LLA including:

Background Developments
National Context
Local Context
Not for Sale
Partners
How the Alliance will Make a Difference
Trust Model and Process
The Proposal and Moving Forward

and then invited questions and comments.

Questions:

Q1. What is the significance of the LLA starting in the Easter holidays?

Not really a significant date, it is to allow the full school's consultation and decision-making processes to run through to completion and it then made sense to have it coincide with the start of the Financial year.

Q2. Is this a stepping stone to a Free School or an Academy?

As a group, we took the time to explore all options, including Academisation, as initially Leeds Rhinos were interested in becoming involved in a potential Free School application. Having looked at all options, the decision to move forwards with the Alliance rather than Academisation was unanimous and accepted as the best way forward. Leeds Rhinos see the opportunities and benefits of working in partnership with the organisations within the Alliance, and very much want to be involved in the LLA regardless of any Free School processes, which may or may not arise in the future.

Q3. Is the School following LA employment policies, pay and conditions etc? Can this change over time?

As a LA maintained school, albeit Foundation rather than Community, we will continue to adhere to and follow all LA employment policies. We have no intention to change that decision at this stage. That decision could only then change going forwards as part of a further full consultation process with staff and unions.

Q4. In Booklet 2 it says that Support Staff are allowed to be in the LGPS. If the LA, with the consent of the school Governing Body, has by a statutory resolution specified them to be eligible to belong to the scheme. Otherwise, the support staff will no longer be a member of the LGPS and have to make alternative arrangements. What are the alternative arrangements they need to make?

The school has already been in contact with the LA and asked for confirmation that a resolution is in place to allow all non-teaching staff, both current and future to be members of the LGPS. This is a standard procedural process and is already underway

Notes from The Leeds Learning Alliance consultation.

Carr Manor Community School, 16 January 2019, 5.30 pm

Parents/Carers Meeting

Present

15 parents/carers
Headteacher

The Headteacher gave a presentation about the LLA including:

Background Developments
National Context
Local Context
Not for Sale
Partners
How the Alliance will Make a Difference
Trust Model and Process
The Proposal and Moving Forward

and then invited questions and comments.

Questions:

Q1. How is the separate LLA Governing Body made up? Please explain further how they are responsible for the school / how do they take over employment?

The Governing Trust Board is made of up 2 representatives from each organisation in the LLA. HTs and Governors will continue to recruit staff and the LA will continue to support schools to recruit HTs as they do now. The LLA will not be responsible for staffing in any of the partner organisations.

Q2. Please can we see a model / diagram of the Foundation to understand this further?

All the information is on our website and fully explains our plans going forward.

Q3. Is there an example of something that the LA provided previously that the LA could provide to other organisations?

LA are now offering a very reduced service to schools in Leeds due to budget constraints. We can offer many services to other organisations such as HR / IT support etc.

Q4. What is the make-up of the partners, how will economies of scale be formed and what is the future?

All the partners were chosen as they have the same ethos / values as us. All organisations have to sign up to say they will abide by these values before they join the LLA. With the breadth of organisations, we have a pathway from birth to adulthood making us unique. Many opportunities here for the pupils / young adults in the organisations. Working closely with the organisations would allow us to form economies of scale through eg HR / IT services.

Q5. Will Carr Manor pay to enter the LLA?

No, we will not be paying to enter the LLA. If we were joining a MAT however, there would be a 'top slice' to pay which would significantly impact on a school's budget. Our contribution will be for 2 nominated Governors to attend 3 meetings a year.

Q6. Do you have examples of plans/how it will work going forward?

We continue to look at the future and the infrastructure.

Q7. Do you see any negatives for Carr Manor to enter the Trust short / long term?

Feedback from staff is positive and there will be no negative impact on children/staff. In the short term - staff involved in setting up the Trust will have additional work load.

Q8. Will Governors be able to commit to attending 3 or more Board meetings a year?

Governors meet on a regular basis now and do not find this a problem. We will continue to monitor meetings and check if more or less meetings are needed. We do not see this is a problem.

Q9. What are the risks financially of coming away from PFI/LA?

Commitments already in place by the LA/PFI will continue, eg Primary building work will continue even if a delay and be paid for by the LA. Land and buildings will go to the Trust. Primary Phase is not PFI so owned by the LA; consequently we have more freedom with this land.

Q10. Why are Bankside and Carr Manor consulting at the same time?

Cheaper do this at the same time, eg joint statutory notice.

Q11. What are the risks to the LLA if one organisation decided to leave?

We have never had a minimum number of organisations. There would be no significant risk to the LLA if an organisation left.

Q12. Will the questions we put on the questionnaire be answered?

Yes

Notes from The Leeds Learning Alliance Consultation.

Carr Manor Community School,

School Council Meeting: Bremner and Trueman (41 attendees)

23 January 2019

The group was briefed on the proposal to change the school's status to Foundation school in preparation for joining the Leeds Learning Alliance. The following questions/points were noted:

Are there any downsides to this change?

We do not see any downsides, we will remain exactly the same as we are now in terms of funding, the involvement of the Local Authority; who are interested in becoming a partner. Even if in future the partnership doesn't work as we envisaged, we can leave and it will not affect the school.

Have the people outside the immediate school circle been consulted?

We asked staff, parents/carers, the Governing Body and other stakeholders. The consultation is still open to the public to take part and give their views, it remains open till 19th February.

Is this to avoid academising?

Yes, you could say that this option is an alternative to that.

Are there any other Sixth Forms interested in joining?

We are already talking to other organisations and they are interested but haven't committed yet.

How would it affect pupils leaving school?

It should enhance the opportunities available for pupils and will possibly offer more routes for them. They will still have to go through the usual processes and procedures to join.

Would this have any effects on the school itself?

There will be no changes to our processes or the way we do things. The school already have certain non-negotiables, e.g. inclusion, Restorative Practice... etc. and this will continue moving forward.

What would we be doing together?

There will be opportunities for staff to train and learn from/work with other schools. We can hold joint events and projects together, especially with Trinity University and Leeds College of Building for staff training, lectures, talks, CEIAG projects and pathways.

Would there be more schools joining?

Yes, we hope so. Lots of schools are interested and will possibly have other organisations join in future. But it has to be organisations and school who share our values and ethos.

How many schools can join? Is there a limit?

No, there's no limit.

If a school is in an academy, can they leave and join the LLA instead?

No, once they are in an academy trust they cannot change that. They can only leave their current arrangement and join another Multi Academy Trust.

Would it be the same as our partnership with Wetherby High School?

No, this is a different type of partnership. Our partnership with WHS is part of something called a Service Level Agreement, but this is different.

What is the difference between schools like ours and academies?

We are funded by the council through the local authority, an academy is funded directly by the government; because of this, they are under more direct pressure for outcomes which doesn't make it easy for them to share our values in terms of inclusion... etc.

Some pupils made comments that the Alliance will be a really good for the school and pupils as they can have more opportunities in future.

School Council Meeting: Robinson and Tomlinson (37 attendees)

30 January 2019

The group was briefed on the proposal to change the school's status to Foundation school in preparation for joining the Leeds Learning Alliance. The following questions/points were noted:

Any examples of how we can work together with the partner organisations?

These organisations are keen to work together; for example, Leeds Rhinos can offer the use of their facilities for training and events. Leeds College of Building can offer advice to pupils on what they can do next and career pathways. Leeds Trinity University will offer teachers' training and possible future pathways/courses options. Bankside Primary pupils will get to experience High School before they join one. Mr Flowers is proud of the fact that every pupil who leaves here have something to do afterwards, and we believe the partnership will help with that.

Would the funding the school gets for each pupil change?

There will be no change to funding, this will remain unaffected.

What are the downsides of this?

We've been looking at this for a long time and we explored many options. We couldn't see any downsides to this partnership. All partners share the same values and that's why we know it will work well. We are very careful who joins and they must share our values and ethos to be able to join.

Are there other schools who are in an Alliance?

A lot of schools in Leeds have gone down the academy route, which is a different model that doesn't suit the way we do things at Carr Manor.

In what way would the partnership with Leeds College of Building help?

Some of the benefits would be: use of their facilities, future pathways, training for staff, developing pupils' skills... etc.

Once we join, can we leave?

Yes, unlike academies, we can leave the Alliance.

Would it help pupils who don't know what they want to do after they leave school?

Yes, they can work with pupils to advice on suitable future pathways and provide career advice and guidance.

Do we get more funding/money when we join?

We are not joining to make money, it's to share expertise. We expect the Alliance to grow in the future and more partners to join, which will offer more opportunities. Leeds City Council are looking to join, it is important to us that the local authority wants to be part of this.

Would Carr Manor Primary School join?

Not at this point.

Can we arrange a trip for current Year 11 pupils to visit Leeds Trinity University before they leave in the summer?

We can look into arranging this in the near future.

If there are no downsides or risks, why are we being cautious to join?

We're not being cautious, it is a legal process that we have to follow, which is called a Statutory Consultation & Notice process.

When pupils were asked if they think joining the Alliance is a good idea, all pupils agreed it was the right thing for the school.

Eiii: Notes from The Leeds Learning Alliance Consultation.

Carr Manor Community School,

Open Meeting

16 January 2019, 7.00 pm

Present

2 parents/carers

3 school staff

The headteachers gave a joint presentation about the LLA including:

Background Developments

National Context

Local Context

Not for Sale

Partners

How the Alliance will Make a Difference

Trust Model and Process

The Proposal and Moving Forward

and then invited questions and comments.

Questions:

Q1. We would hope that as an organisation you are sufficiently motivated to develop as an organisation anyway and share ideas. Are you not doing this already?

As a school we continue to develop but developing formal relationships allows for more opportunities.

Q2. Will you form your own admissions appeal panel?

As a foundation school we will be responsible for appeals. However, we intend to follow the same procedure and work alongside the LA. We will continue to comply with LA conditions for admissions and also have to follow the National Code for Admissions.

Q3. The pupils and staff are the most important in this process and can often get caught in between systems. Are the staff and unions in favour of this?

A meeting was held with the unions and they were very positive about us joining the LLA. Colleagues from the unions also joined the staff meeting at Carr Manor and Bankside. Staff were very positive too and were encouraged also to complete the questionnaire and give any feedback.

Q4. Would pupils at Bankside get greater access to gaining a place in Year 7 at Carr Manor?

No. We would also not want to limit the choices of Parent/Carers at Bankside as to where to send their children.

Q5. What if the LLA fails and the Governors are not successful? How closely will the board be monitored?

We will monitor as we do now as a maintained school with a statutory responsibility. Schools in the LLA can support each other. LA have a duty of care and will still intervene if there is a problem. The Trust Board will act as a reporting body and responsible for the strategic direction of the Trust.

Eiv: Notes from The Leeds Learning Alliance Consultation.

Consultation with Unions and Professional Associations on behalf of Bankside Primary School and Carr Manor Community School

Tuesday 8th January 2019 1.30pm

Meeting Location:	Carr Manor Community School (CMCS)
Meeting called by:	Simon Flowers/ Dave Wood
Note taker:	Paulette Bywater

Present:	Simon Flowers	Principal CMCS
	Dave Wood	Resources & Partnership Dev Lead
	Paulette Bywater	HR Business Partner
	Amir Mohammed	NASUWT
	Patrick Murphy	NEU
	Sally Ryan	GMB
	Maggie Pearson	GMB
	Sarah Ruddy	Head Teacher, Bankside Primary
	Mark Sutton	ASCL
Apologies:		

Introductions from all present.

Simon Flowers welcomed unions present and provided some high level context regarding the consultation process commencing today (8th January 2019). Supporting documentation was also provided regarding the Leeds Learning Alliance (LLA). An opportunity to ask early questions offered. No initial questions received. Simon Flowers withdrew from the meeting.

Dave Wood chaired the meeting/ briefing and provided some wider context/ background including the journey CMCS have taken to the present day (2 years of discussions) consideration has included joining a MAT and setting up a MAT. The resulting proposal is for CMCS and Bankside establish a Learning Alliance in Partnership with Leeds Trinity University; LCC; Leeds Rhinos Foundation and Leeds College of Building. The next stages involved in the consultation process were explained. The process of setting up the Foundation Trust (LLA) was explained. Documentation issued has also been made available to all staff at Bankside Primary and CMCS via the website. Letters have been sent out to Parents/ Carers/ stakeholders & local schools. The Local Authority are supportive of the proposals for the Learning Alliance.

Wetherby High School are at present a Trust and the Trust needs to be legally disbanded before they can consult on joining the LLA.

The consultation period begins today on the 8th January 2019 for 6 weeks ending noon Tuesday 19 February 2019. This is both the School and the Statutory process running concurrently.

All staff at Bankside Primary and CMCS were notified of the intentions/ proposals before Christmas.

Consultation meetings with staff and parents have been scheduled in and the unions have been invited to attend these sessions. In addition, Sarah Ruddy confirmed that drop-in sessions will also be available to any staff or parents who require clarification and support regarding the process at Bankside Primary.

Feedback received so far from both schools has been positive. High levels of trust are afforded to the leadership in both schools. Early indications point to staff in favour of the proposal.

Implications of the Foundation Trust were discussed including the PFI contract on the CMCS School building/ land. Cindy Costigan from the Local Authority is advising on the implications/ lease. If after the consultation the proposal is to move forward with the Trust further discussions will take place. Early indications point to minimal issues with this element.

Each document provided as part of the briefing was discussed (Memorandum of Understanding, Parent/ Carer Letter; Consultation Questionnaire; Timescales and Booklets 1 & 2. Booklet 1 provides the rationale and the guiding principles and the benefits of the Partners.

The unions were invited to ask questions.

In brief further discussions took place regarding broad questions:-

The current school situation regarding Wetherby High School & Boston Spa (now part of the Gorse Academy) was raised (AM).

The WHS building and the costs of improving and or rebuilding remain a challenge.

The role of the proposed Trust was discussed along with what changes the Trust Status brings to the employer of staff and the subsequent changes the Foundation Trust would have for staff.

How will the trust affect the admissions to high schools and choices from Bankside Primary. Bankside currently feeds 7 High Schools; Roundhay High, Allerton Grange, Co-op Academy; CMCS and WHS included. CMCS continues to hold an excellent reputation and does not envisage that the choices parents make on high schools will change.

The future aspirations of the Trust were asked. The proposed structure of the LLA is already quite big. Consideration to Associate Partners may be considered. The essence of the organisation will not change and any Partnerships will have to sign up to the values and ethos of the Trust. The Trust will provide 0-25 links for families right through to Further Education. Effective partnership working is key (SR). Future partnership working with Academies is a possibility (DW). Growth of the LLA is certain.

The AIP and Cluster although the funding remain separate, staff in the AIP are employed by Bankside Primary and the 2gether Cluster are employed by Hovingham Primary (SR/DW).

The proposed effective date for the LLA Trust is the 5th April 2019. How will consultation commence in light of TUPE (MS). DW provided assurances regarding Model Policies, STPCD and 'Soft' TUPE was referred to as this being an 'Organisational' move. In addition an Assurance Letter regarding Admitted Body Status School is protected.

Will any current SLA's with the LA change, Payroll, H&S. No changes are envisaged. DW added that CMCS offer a Traded HR Service, joining the LLA would not require you to change any established SLA's, however, discounted rates and pooling of talents and resources harnessing opportunities are a clear benefit. The premise is the LLA will have minimal impact to staff and that working across the Alliance and accessing Partners will strengthen. The Trust if approved will have charitable status. Paul Brennan is Chair of the Board. CMCS and Bankside are working closely with the LA (Mariana Pexton) and LCC is named as a Partner of the LLA along with Leeds Trinity University; Leeds College of Building and Leeds Rhinos Foundation. The role of Board (PM) was discussed. The appointment of Directors to the Board was discussed. Each School will make their own decisions putting forward appropriate persons.