



**Proposal Consultation Information Pack**

**Braunton Learning Co-operative  
(A mutual schools co-operative membership trust)**

**Including**

**Consulting Schools:**

**Caen Community Primary School**

**Kingsacre Primary School**

**Marwood School**

**Southmead Primary School**

**In association with their partner schools:**

**Braunton Academy**

**Georgeham C of E Primary School**



**Braunton Learning Co-operative**  
**(A mutual schools co-operative education trust)**

**The Reason for the Consultation**

The Governing Boards of Caen Community Primary School, Kingsacre Primary School, Marwood School and Southmead Primary School are proposing to change their legal school category from community to foundation and, at the same time, acquire charitable status as a shared co-operative Trust; to be known as Braunton Learning Co-operative

**This publication provides information about our Proposal including how we are planning to develop and improve our schools - and why we think that setting up a co-operative education Trust will help us to achieve this.**

Copies of this information are available at our school as well as electronically from our website.

**What we would like you to do**

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

- a) Reading this information and asking for further information if you need any.
- b) Attending one of the consultation meetings details are shown below.

Thursday 23 May 2019 at Southmead School	1.30pm – meeting with trade union & professional association representatives 2.40pm – meeting with parents from all schools 4.15pm – meeting with staff from all schools 5.30pm – meeting with members of the public and parents/staff from all schools
Week beginning Monday 27 May 2019 is half term holiday for all schools Week beginning Monday 3 June 2019 is half term holiday for Kingsacre School No consultation meetings can take place during this fortnight.	
Tuesday 11 June 2019 at Kingsacre School	2.30pm – meeting with parents from all schools
Wednesday 12 June 2019 at Caen School	2.40pm – meeting with parents from all schools
Thursday 13 June 2019 at Marwood School	2.30pm – meeting with parents from all schools
Braunton Academy and Georgeham C of E Primary School will be holding a meeting for parents about their involvement as a partner school, but parents from Braunton Academy and Georgeham are welcome to attend any of the public and parent consultation meetings above.	

**You can respond to the consultation**

- By completing the Proposal Consultation Response Forms
- By sending comments or requests for further information by emailing one of the following:  
[consultation@caen.devon.sch.uk](mailto:consultation@caen.devon.sch.uk) [consultation@kingsacre-primary.devon.sch.uk](mailto:consultation@kingsacre-primary.devon.sch.uk)  
[consultation@marwood.devon.sch.uk](mailto:consultation@marwood.devon.sch.uk) or [consultation@southmead.devon.sch.uk](mailto:consultation@southmead.devon.sch.uk)

- By sending comments or requests for further information in writing to one of the following Chairs of Governors:

Consultation c/o Chair of Governors

Caen Community Primary School, Caen Street, Braunton, Devon, EX33 1AD. Tel: 01271 812786

Kingsacre Primary School, Greenacre, Braunton, Devon, EX33 1BQ. Tel: 01271 815485

Marwood School, Whiddon, Muddiford, Barnstaple, Devon, EX31 4HF. Tel: 01271 850395

Southmead Primary School, Wrafton Road, Braunton, Devon, EX33 2BU. Tel: 01271 812448

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**Section 1 Summary**

- 1 The Governing Boards of Caen Community Primary School, Kingsacre Primary School, Marwood School, Southmead Primary School, Georgeham C of E Primary School and Braunton Academy have been considering how best to plan for the long term future success of the schools. The six schools are currently part of an informal grouping called the Braunton Learning Community but wish to strengthen and deepen their relationship by creating a formal collaboration in the form of a Co-operative Trust. In order to do this, the four consulting schools will change their legal school category from community to foundation, but as Braunton Academy and Georgeham already have foundations, they would become partner schools, if this proposal is implemented in September 2019. They would nevertheless be full contributors to, and beneficiaries of, the work of the Trust.
- 2 We want to ensure that we continue improving the education we offer our children and young people and want to become part of a regional and national network of co-operative schools and partners that can help us to deliver that ambition.
- 3 The process of change will not result in noticeable day to day differences for our schools, but we believe that setting up this partnership will allow us to continue to work together as a group of like-minded schools and learn from the shared expertise and experience we can offer each other.
- 4 To take this plan forward, the four consulting schools are proposing to change the school category from community to foundation and at the same time to establish a co-operative education trust, to be called Braunton Learning Co-operative
- 5 The proposed date of implementation (i.e. the date on which any legal change of category would take place and the Trust would be created) is 1 September 2019.
- 6 Further information is provided within this proposal. We would be pleased to hear what your thoughts are, and invite you to comment on these proposals at any time until the end of the

consultation period, which runs from Monday 13 May 2019 until noon on Thursday 27 June 2019.

## **Section 2 The Vision and Values of our proposed Education Trust**

7 The vision we have for our proposed Education Trust is of a strong partnership that helps us to create the best possible educational opportunities for all our children and young people. We believe that the best way to secure continual improvement in teaching and learning is to work collaboratively and transparently to support one another. We will make a shared commitment to hold one another to account, share best practice, provide mutual inspirational and tangible support, with a view to improving opportunities, progress and outcomes across all our schools.

We shall:

- create an ethos of mutual support and transparency in working towards school improvement across schools within the partnership
- improve progress and outcomes for all children, young people and staff by analysing data across the partnership to inform how we work and how we measure success
- provide opportunities for all our children, young people, staff, leaders and governors to work and grow alongside one another, building positive relationships across a variety of curriculum and enrichment activities
- identify teams across the partnership to share subject expertise in curriculum, training and 'business' areas of school life so that we take advantage of economies of scale
- build additional partnerships with supportive organisations, to encourage our communities to be outward-looking

8 As a Co-operative Education Trust, we will adopt and support the values and principles of the co-operative movement in our work: all Co-operatives are based on the values of self-help, self-responsibility, democracy, equality, equity and solidarity. Co-operative members also believe in honesty, openness, social responsibility and caring for others.

## **Section 3 The main aims and ambitions we have for our schools**

We shall:

- 9 create an ethos of mutual support and transparency in working towards school improvement across the partnership through:
- collaboration between schools, not competition
  - joint meetings to share best practice and ideas between headteachers and governors
  - sharing expertise to support areas of development within our schools through effective school-to-school support
  - providing 'joined-up' provision for our families across our communities
  - liaison between staff within different age groups to improve pupil and student outcomes and transition arrangements
- 10 improve progress and outcomes for all our children, young people and staff by analysing data across the partnership to inform how we work and how we manage success by:
- sharing data analysis and acting on it to improve provision and outcomes
  - participating in joint moderation and evaluative activities to inform future strategies
  - developing open, honest and supportive relationships between governors and staff

- informing individual governing boards about the impact of partnership interventions and activities
- 11 provide opportunities for all our children, young people, staff, leaders and governors to work and grow alongside one another, building positive relationships across a variety of curriculum and enrichment activities by:
- drawing upon expertise that can benefit other colleagues within different contexts
  - developing a partnership-wide understanding of aspirations and expectations
  - providing opportunities for staff to work across phases to enhance pupil progression
  - participating together in joint curriculum and enrichment activities, trips and residential
- 12 identify teams across the partnership to share subject expertise in curriculum, training and 'business' areas of school life so that we take advantage of economies of scale by:
- sharing teaching resources that cover the whole curriculum including creative subjects and modern languages
  - enabling our children and young people to have access to a richness of resources, including staff, throughout the partnership
  - holding joint activities, when it's appropriate, to develop co-operative working within a wider community
  - sharing and pooling staff development in order to build capacity across our schools and create developmental opportunities for staff
  - working efficiently on a larger financial scale and seeking opportunities to improve value for money and possible savings in purchasing, training costs and trips and residential
  - exploring the possibility of joint bids for additional funding
- 13 build additional partnerships with supportive organisations, to encourage our communities to be outward looking by:
- sharing links from existing partnerships, including Teaching Schools, across our schools where appropriate
  - engaging with new partners to support additional opportunities for our children, young people and staff
  - increasing our knowledge and aspirations through establishing links with schools in other parts of the UK and the world

#### **Section 4 List of Consultees**

We want to consult widely about this Proposal to ensure all interested parties have their say.

We are actively seeking the views of the following groups of people:

- Pupils and students at the consulting and partner schools
- Parents and carers at the consulting and partner schools
- Teachers and support staff at the consulting and partner schools
- Members of the Countryside and Coastal Schools' Partnership
- Staff and users of Southmead Preschool and Springfield Nursery
- Teacher associations and trades unions representing school staff;
- The Local Authority
- The Diocese of Exeter

If you know of any other stakeholders who should be contacted, please inform the school.

## **Section 5 Further information**

*What is the purpose of a Co-operative Education Trust and what is involved in developing a Trust?*

- 14 The purpose of a Co-operative Education Trust is to support the best possible school performance and learning outcomes, by developing a strong, values-driven partnership of one or more schools.
- 15 Under the **2006 Education and Inspections Act**, schools have the power to change their legal status to become Trust (or 'Foundation') schools, subject to consultation.
- 16 The Trust (or Foundation) provides a supporting, strategic partnership alongside the continuing governance and professional leadership of the schools – as happens with faith schools, e.g. VA and VC schools with a Church of England Foundation.
- 17 Trust Schools continue to teach the National Curriculum and are inspected by Ofsted at appropriate times.
- 18 A Trust school becomes its own admissions authority, employs its own staff and takes over ownership of its land and buildings.

*Decision making responsibilities for any change of status*

- 19 The process for a change of school status is set out in the **SOPAM Regulations (2016)** (Statutory Order for Prescribed Alteration to Maintained schools)
- 20 **The Decision Maker is the Governing Board** – there is no requirement for the Local Authority or the DfE to endorse or approve a proposal to create a Co-operative Trust.
- 21 When considering this process, the Governing boards are required to notify the Local Authority that they will be meeting to discuss a possible change of category, e.g. from community maintained school to foundation category (maintained sector).

*The Decision Making and Consultation process*

- 22 Decision making begins with a formal vote by governors to consult (or consider in public discussion) a proposal for a change of status. The publication of a proposal in draft form is a required part of the consultation process.
- 23 The consultation process – at least four weeks, but usually around half a term - allows all interested parties to express a view.
- 24 Governors have the responsibility to consider all views, including external advice where this is commissioned and to make a final decision to go ahead (implement); or to defer; or to not proceed.

*People Management and Employment: what happens to staff?*

- 25 The Governing Board of a Foundation school becomes responsible for pupil admissions and will work with the Local Authority to provide pupil places under the requirements of the National Schools Admissions Code.
- 26 The Governing Board of a Foundation School is the employer for staff with effect from the date of the legal change to the school's status.
- 27 This is not such a major development as it may seem: all schools have undertaken the key tasks of the employer since 1989. Maintaining existing HR and Payroll support services will provide Headteachers and Governors with support and guidance, as at present.
- 28 All employees employed by the school immediately before the transfer irrespective of their length of service have entitlement to continuous employment.

- 29 This is **not a transfer to a 'new employer'** within the regulations determined in the Transfer of Undertaking (Protection of Employment) (TUPE) Regulations 2006. No formal TUPE process is required **as the employer is not changing** under the legislation, this is a re-organisation within the maintained sector schools public service: a 'TUPE-like' consultation is organised to ensure full consultation.
- 30 All employees will transfer with entitlement to retain existing terms and conditions of employment and there is no break to the employees' continuity of service.
- 31 Teaching staff will automatically continue to have access to the National Pension Scheme. For support staff a formal confirmation by local authority resolution is required; Governors will ensure that this is secured during the process.

#### *Management of Land and assets*

- 32 As soon as the Trust is established, land and buildings transfer to it automatically. There is no right of veto from the Local Authority or any other body. The land and buildings are held on trust (for nil payment) for the duration of the trust for the educational purposes/benefit of the school, in accordance with the Trust's legal constitution as set out in the Articles registered at Companies House.
- 33 The legal conveyancing work can take some time, however. For example, more complex arrangements will apply where there is dual usage; on site accommodation; a PFI (Private Finance Initiative) or other agreements already in force. In all cases, the final agreement involves a process of negotiation and agreement between the legal team acting for the Trust and the Local Authority.
- 34 Trust school governing boards have very similar responsibilities for buildings maintenance and generally manage major aspects of this through a service-level agreement, often with the Local Authority.
- 35 The management of Health and Safety for premises will require access to, and sensible usage of, a professional service - as is normally the current arrangement.

#### *Maintenance funding and major incident responsibility*

- 36 Trust schools remain local authority maintained and are funded in the same way as all other maintained schools. Therefore funding for buildings remains the same.
- 37 The Local Authority has a responsibility to maintain schools to provide education within the community; as with all maintained schools, the local authority has an obligation to fund major costs towards keeping this provision, e.g. roof damage, health and safety issues due to asbestos or unsafe heating systems.
- 38 If the school is currently buying into a service-level agreement with the local authority or pays the local authority to maintain buildings, this arrangement should be able to continue so that the responsibility on the governors for the land and buildings remain the same.
- 39 Should the Local Authority or the DfE wish to use a part of the site or building for other things then agreements can only be made in discussion with the Trust. The Trust cannot make decisions against the will of an individual Governing Board to part with or use their school's land, but the Trust can act to support the school and prevent any unwanted usage e.g. a free school being built or occupying part of the school site

#### *The Trust and Trust Partners*

- 40 A Co-operative trust is a variation of trust that is co-operative in its nature and supports the core cooperative values of *self help, equality, equity, democracy, solidarity and self responsibility*.

- 41 The Co-operative Trust model usually includes at least one partner who holds the same values and a membership arrangement through which parents, pupils, staff and other stakeholders can be involved and have a say in how the trust is run.
- 42 Partners in the Trust can include the Local Authority, Further or Higher Education; local businesses or other community organisations; the common factor is a commitment to contribute to a successful learning community.
- 43 The Proposed Education Trust will be built around the schools as the key partners. Georgeham C of E Primary School and Braunton Academy are working with the consulting schools and would have the opportunity to become partner schools if this proposal goes ahead – they cannot become full members as they already have a foundation. They would be full contributors to and beneficiaries of the work of the Trust. Other schools may consider becoming full or partner members of the Trust at a later stage if appropriate.
- 44 The Atlantic Coast Co-operative Trust (ACCT) are being invited to join the Trust to add to the strength of the Trust and the range of experience and opportunities we can bring to our work.
- 45 The Co-operative Schools Network is the delivery arm for the national family of co-operative schools and provides a range of support services and considerable educational expertise to a schools in our region and across the country. The involvement of CSNET will support us in developing a co-operative, values-driven ethos across the whole curriculum and bring national and international links with other co-operative educational institutions and organisations.
- 46 Over time, the Trust will explore links with other suitable partners.

*How the Proposed Education Trust can help in practical terms*

- 47 At a time when Local Authority services are diminishing and schools increasingly find themselves working alone, the Trust provides a means of joining together with other schools to serve a common purpose and achieve more together.
- 48 There are opportunities to make better use of our resources, using the significant collective bargaining power of the Co-operative Schools Network in negotiations with suppliers of goods and services. This will enable us to secure best value and prioritise funding for teaching and learning. The Trust will allow our schools to pool expertise and resources with others to enable them to maximise the benefits for staff, children and young people.

*How will the Trust operate and who will regulate the way it works?*

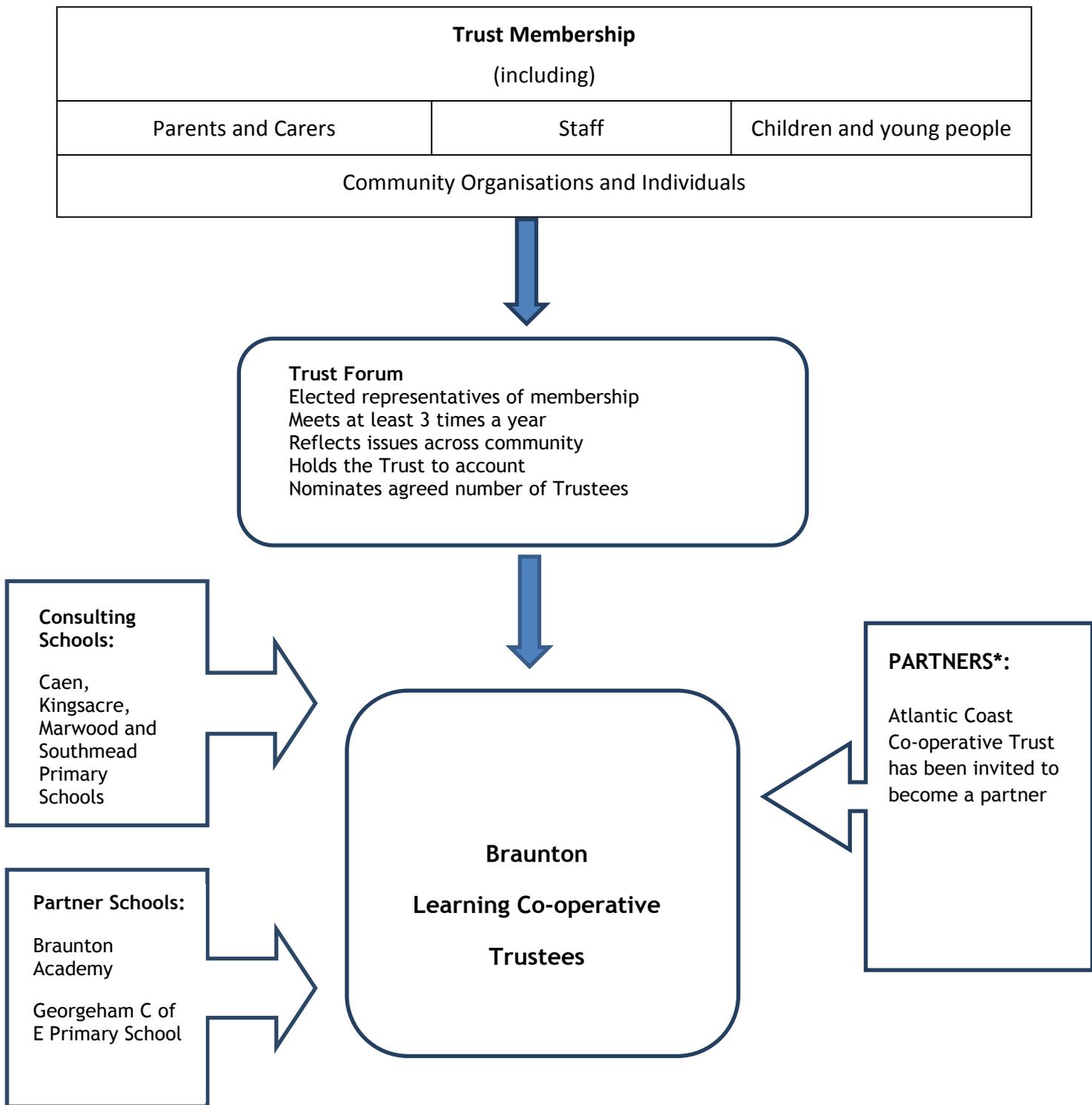
- 49 The Education Trust will offer membership to parents, children, young people, employees and local community groups and individuals and provide benefits for each of these groups, but also enlist their support in achieving the aims of the Trust.
- 50 The Education Trust will become a charitable, not for profit, organisation meeting the legal and other requirements of the Department for Education (DfE).
- 51 It will carry out its duties in relation to schools as set out by the DfE, specifically by appointing a minority (probably two) governors to the Governing Board of any supported school and by holding the land and assets in trust for the school community.
- 52 The Trust will be legally established and regulated (as with all charities) by the Charities Commission and registered as a company limited by guarantee with Companies House.
- 53 Trustees will not be able to earn an income from the Trust, but the Trust may become an employer as it develops its work. Any income generated by the Trust must only be used to support its charitable aims.
- 54 Trustees will meet a minimum of 3 times a year (co-ordinated with existing school governance arrangements as required).

*Governing Board changes*

- 55 In September 2012, the Government changed the arrangements for appointing Parent, Community, Local Authority and Staff Governors.
- 56 These proposals are designed so that changes should be as minimal as possible when compared with the current composition of the governing board, which will have a minority of governors (probably the legal minimum of two), appointed by the Trust. This helps to ensure that there is a strong link between the Trust and the school Governing Board.
- 57 The governing board of a foundation school with a 'minority' Trust as its foundation, which is what we are proposing, has to be composed as follows:
- The Headteacher;
  - One staff governor;
  - At least two parent governors;
  - One Local Authority governor;
  - As many co-opted governors as the governing board considers necessary. The total number of co-opted governors who are also eligible to be elected as staff governors must not exceed one-third of the total membership of the governing board, you must also count the Headteacher's position in this figure.
  - At least two, but no more than 45% of the total, foundation governors appointed by the named Trust; in our case we are proposing the legal minimum of two;
  - (There will, however, be arrangements in the legal constitution that may allow the Trust to increase the number of foundation governors to a majority if the school needs additional support at any time, because it has developed weaknesses for any particular reason).

*The structure of the Trust and the involvement of Trust members in the work of the Trust*

- 58 We plan to develop a Trust structure which will be properly representative of all members and stakeholders, will represent external partners appropriately and will enable all of our schools to be represented equitably.
- 59 We would establish a Trust Forum, within 18 months, representing parents, staff, children, young people and the local community elected from the various membership types. The Trust Forum will help to hold the Trust to account, to shape policies and appoint additional trustees.
- 60 In putting this together we intend to build on existing governance arrangements whilst creating a structure which is realistic. We have no wish to create an unwieldy and bureaucratic structure that is not fit for purpose.
- 61 The diagram below represents the relationships in the proposed Trust between the membership, the Trust schools and their Governing Boards and the Trust's initial additional partners.

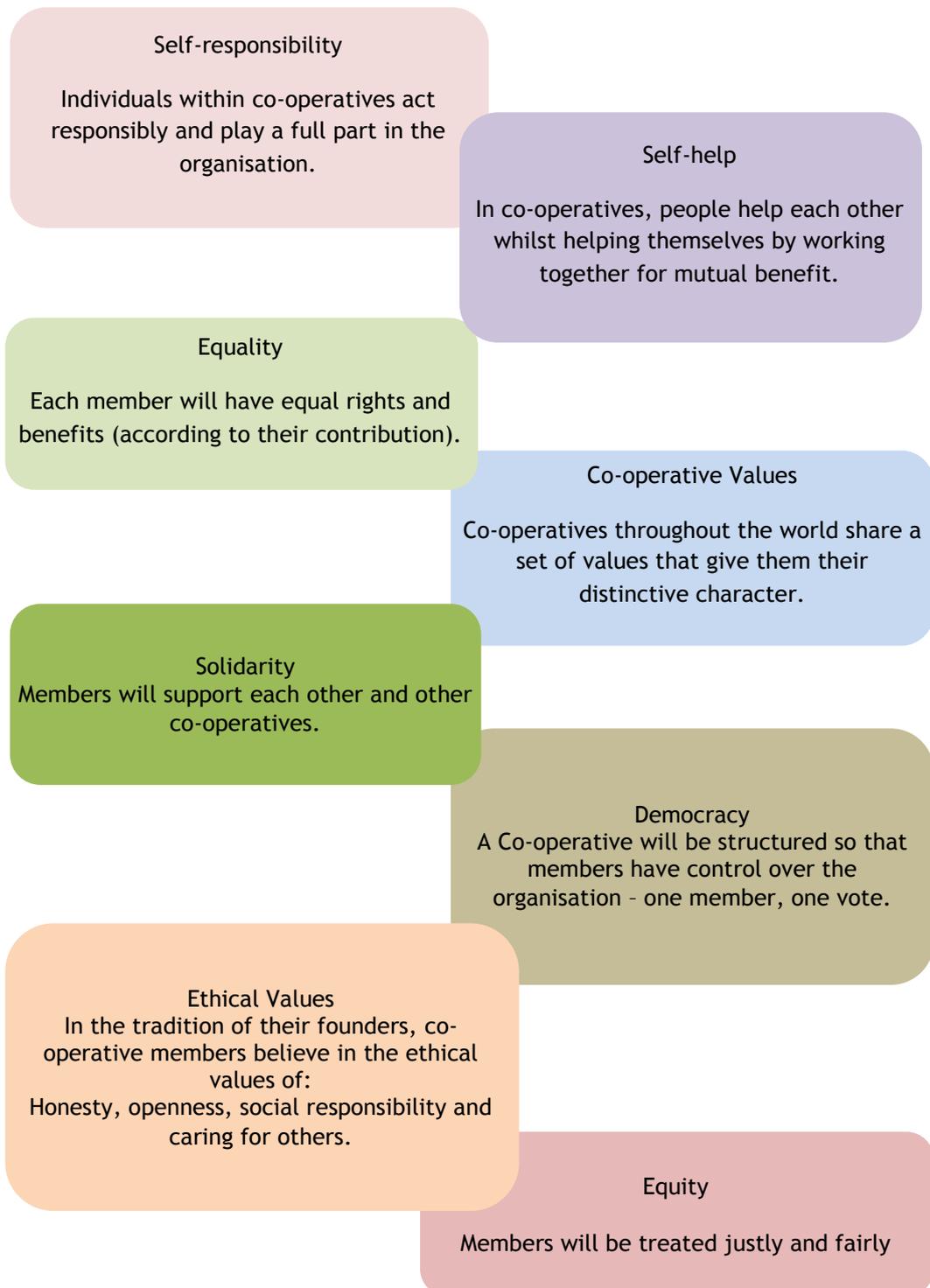


**\*Each partner will appoint one trustee to the Board**

**The schools will appoint two trustees to the Board (being the Headteacher and Chair of Governors)**

## **Section 6 Further information about Co-operative Values and Principles**

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



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

<p>1<sup>st</sup> Principle: Voluntary and Open Membership</p>	<p>Co-operatives are voluntary organisations; open to all persons able to use their services and willing to accept responsibilities of membership, without gender, social, racial, political, or religious discrimination.</p>
<p>2<sup>nd</sup> Principle: Democratic Member Control</p>	<p>Co-operatives are democratic organisations controlled by their members, who actively participate in setting their policies and making decisions. Men and women serving as elected representatives are accountable to the membership. In primary co-operatives members have equal voting rights (one member, one vote), and co-operatives at other levels are also organised in a democratic manner.</p>
<p>3<sup>rd</sup> Principle: Member Economic Participation</p>	<p>Members contribute equitably to, and democratically control, the capital of their co-operative. At least part of that capital is usually the common property of the co-operative. Members usually receive limited compensation, if any, on capital subscribed as a condition of membership. Members allocate surpluses for any of the following purposes:</p> <p>Developing their co-operative, possibly by setting up reserves, part of which at least would be indivisible; benefiting members in proportion to their transactions with the co-operative; and supporting other activities approved by the membership.</p>
<p>4<sup>th</sup> Principle: Autonomy and Independence</p>	<p>Co-operatives are autonomous, self-help organisations controlled by their members. If they enter into agreements with other organisations, including governments, or raise capital from external sources, they do so on terms that ensure democratic control by their members and maintain their co-operative autonomy.</p>
<p>5<sup>th</sup> Principle: Education, Training and Information</p>	<p>Co-operatives provide education and training for their members, elected representatives, managers and employees so they can contribute effectively and strengthen the Co-operative Movement by working together through local, national, regional and international structures.</p>
<p>6<sup>th</sup> Principle: Co-operation among Co-operatives</p>	<p>Co-operatives serve their members most effectively and strengthen the Co-operative Movement by working together through local, national and international structures.</p>
<p>7<sup>th</sup> Principle: Concern for Community</p>	<p>Co-operatives work for the sustainable development of their communities through policies approved by their members.</p>

## **Statutory Notice**

**Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that:**

- the governing board of Caen Community Primary School intends to make a prescribed alteration to Caen Community Primary School, which is a Community School located at Caen Street, Braunton, Devon, EX33 1AD
- the governing board of Kingsacre Primary School intends to make a prescribed alteration to Kingsacre Primary School, which is a Community School located at Greenacre, Braunton, Devon, EX33 1BQ
- the governing board of Marwood School intends to make a prescribed alteration to Marwood School, which is a Community School located at Whiddon, Muddiford, Barnstaple, Devon, EX31 4HF
- the governing board of Southmead Primary School intends to make a prescribed alteration to Southmead Primary School, which is a Community School located at Wrafton Road, Braunton, Devon, EX33 2BU

The proposed alteration is to:

- Change school category from Community to Foundation and;
- Together with one or more of the proposed partners to acquire a trust established otherwise than under the School Standards and Framework Act 1998.
- The proposed name of the foundation will be *Braunton Learning Co-operative* and the proposed implementation date is 1<sup>st</sup> September 2019

*The Braunton Learning Co-operative* does not already act as a foundation for any school.

The partners in the proposed trust are:

- Braunton Academy
- Georgeham C of E Primary School
- Atlantic Coast Co-operative Trust (ACCT)

In addition, children and young people at each of the schools, parents, staff, members of the local community and local community organisations will be able to become members of the Trust. The Trust will have a Stakeholder Forum composed of members, which will be able to appoint 2 of the Trust's trustees. As the Trust develops the Trust may welcome other schools and partners joining the Trust.

The rationale for acquiring the Trust, the contribution it will make, and the direction it will provide to the schools can be summarised as follows:

The vision we have for our proposed Education Trust is of a strong partnership that helps us to create the best possible educational opportunities for all our children and young people. We believe that the best way to secure continual improvement in teaching and learning is to work collaboratively and transparently to support one another. We will make a shared commitment to hold one another to account, share best practice, provide mutual inspirational and tangible support, with a view to improving opportunities, progress and outcomes across all our schools.

We shall:

- create an ethos of mutual support and transparency in working towards school improvement across schools within the partnership

- improve progress and outcomes for all children, young people and staff by analysing data across the partnership to inform how we work and how we measure success
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- identify teams across the partnership to share subject expertise in curriculum, training and 'business' areas of school life so that we take advantage of economies of scale
- build additional partnerships with supportive organisations, to encourage our communities to be outward-looking

This notice is an extract from the complete proposal. Copies of the full proposals can be obtained from the schools by writing to or e-mailing the Governing Boards at the addresses above.

Within four weeks from the date of publication of this proposal any person may object to, or make comments on, the proposals by sending them by email or in writing to the Governing Board of the appropriate school (address above).

Joanna Howard, Chair of Governors, Caen Community Primary School

Briony Tuohey, Chair of Governors, Kingsacre Primary School

Elizabeth Quick, Chair of Governors, Marwood School

Marguerite Shapland, Chair of Governors, Southmead Primary School

**Date: Thursday 16 May 2019**