# REPORT ON CONSULTATION

# ON THE PROPOSAL TO CONVERT TO ACADEMY STATUS

# AND ESTABLISH THE GREENWOOD TREE ACADEMY TRUST

## Background

The Governing Bodies of Frome Valley CofE VA First School, Milborne St Andrew Community First School, Piddle Valley CofE VA First School, Puddletown CofE VC First School and Trust Board of St Mary’s Middle School are collectively considering a proposal to establish a new multi academy trust, the Greenwood Tree Academy Trust.

The proposal would involve the four First Schools converting to academy status and St Mary’s Middle School converting its existing academy trust into a multi-academy trust.

The proposal arose out of a rigorous investigation of partnership structures and academy status by each Governing Body over the past year. The Governing Bodies and Trust Board, both individually and collectively, agreed that the proposal was in the best interests of children, staff and parents at their schools and the wider community.

The Governing Bodies and Trust Board agreed in December 2014 to consult with their communities as required by the Academies Act 2010. This report describes the consultation activities undertaken, the feedback from this activity and draws conclusions about the outcome of consultation.

**Purpose of Consultation**

It is recognised by the Secretary of State and the DfE that the Governing Body and leadership team of a school is best placed to assess the benefits of academy status and to decide whether it is appropriate for their school. Therefore the purpose of consultation is for each Governing Body to present their reasons for the proposal to their stakeholders and to establish whether there is any significant objection to Academy status among stakeholders that would cause the Governing Body to reconsider.

**Consultation Process**

### Consultation Planning and Information

The Governing Bodies agreed to run a coordinated consultation programme, which ran from Monday, January 12th until Friday, February 6th. A consultation plan was drawn up that identified the different stakeholders, how those stakeholders would be consulted and how the consultation would be managed.

Stakeholders identified included;

* Parents and carers with children at each of the schools
* Staff working at each of the schools
* Unions and professional associations
* Local MPS and County Councillors
* Church PCCs and parishioners
* Headteachers of other schools in Dorchester Area Schools Partnership (DASP)

A core consultation pack of letters and Frequently Asked Questions documents was prepared and each school tailored the pack for their parents/carers and staff. Joint letters and packs were sent to other stakeholders.

Questionnaires were included in the pack and stakeholders were asked to send their responses back by the consultation closing date. Information about the consultation was also published on each school website.

Consultation materials published included;

* Parent and Carer consultation pack with letter, FAQs and questionnaire
* Staff consultation pack with letter, FAQs and questionnaire
* Union and professional association pack with letter, staff letter, staff FAQs and questionnaire
* Church community consultation pack with letter, FAQs and questionnaire
* School community consultation pack with letter, FAQs and questionnaire

The consultation with staff integrated the statutory consultation on the TUPE transfer from current employer to the proposed Trust. Therefore staff also received Regulation 13 letters setting out the implications of the proposed transfer.

### Consultation meetings

A series of consultation meetings was organised as below.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Audience** | **Date** | **Time** | **Venue** | **Attendees** |
| Parents, carers and members of community | Tuesday, January 20th  | 2.30pm | Puddletown First School | 2 |
| 6.30pm | Puddletown First School | 10 |
| Wednesday, January 21st  | 9.15am | Puddletown First School | 4 |
| 6.30pm | St Mary’s Middle School | 8 |
| Staff | Tuesday, January 20th  | 4.00pm | Puddletown First School | 59 |
| Unions & professional associations | Wednesday, January 28th  | 2.30pm | St Mary’s Middle School | 4 |

### Each meeting was supported by a panel of Governors and Headteachers from the Steering Group. A short presentation was made by a Chair of Governors, Headteacher and project manager and then attendees were invited to ask questions.

It should be noted that Governors and Headteachers also organised further consultation meetings for staff within their schools and also discussed the proposal with a number parents and carers at the ‘school gate’.

**Consultation context**

It is worth noting that St Mary’s Middle School converted to academy status two years ago and at the time ran its own academy consultation. The vast majority of pupils at the four First schools proposing to convert do go onto St Mary’s Middle School. So a significant proportion of parents consulted with **either** have or have had children at St Mary’s and are aware of academy status **or** their children will go onto St Mary’s Middle School and are aware of academy status.

Also, the schools proposing to establish the Greenwood Tree Academy Tree form a mini-pyramid within the Dorchester Area Schools Partnership (DASP) with Thomas Hardy as the Upper School at the ‘top’ of the pyramid. Parents and carers are aware of these local arrangements.

Therefore the context for consultation is one where the parent community would see deepening partnership as entirely logical.

## Consultation meeting feedback

### Parent and carer consultation meeting feedback

Overall, the attendance by 24 parents (as measured as a proportion of children attending each school) was quite modest at either 5% of First School pupils or 2.5% of all pupils.

However, those parents and carers that attended did ask a range of challenging and pertinent questions, which anecdotal feedback suggests, were answered as fully and clearly as possible. A summary of the questions and answers is published as appendix B.

There were some common themes from the parent consultation meetings;

1. Shared concern to protect the ethos and values of their school and desire to understand the safeguards in place.
2. Importance of the Trust being subject to monitoring and scrutiny so that risk of financial irregularity is minimized.
3. Avoidance of excessive bureaucracy that would divert funding away from teaching and learning.
4. Demonstrable impact of partnership on teaching, learning and pupil achievement.

### Staff consultation meeting feedback

A total of 59 staff attended the joint consultation meeting. Feedback suggested that the vast majority of staff at the four First Schools attended the joint consultation meeting along with a number of colleagues from St Mary’s Middle School. It should noted that St Mary’s had already converted to academy status so their staff had already been through the transfer of employment, which is key issue for staff facing academy conversion.

Staff only asked one question in the public meeting which was “What are the risks of the proposal?”. It was explained that the principal risk was that once a school converted from maintained status it could not return i.e. a school would remain an academy (until any change of Government policy).

### Union and professional associations consultation meeting feedback

This meeting was also part of the formal TUPE consultation process and was attended by representatives of the three current employers as follows;

* Alison Ragbourne (HR Advisor for Dorset County Council, the employer of staff at Milborne St Andrew and Puddletown First Schools)
* Lucy Mitchell (Governor of Piddle Valley CofE Voluntary Aided First School)
* Keith Campbell (Chair of Governors of Frome Valley CofE Voluntary Aided First School)

This meeting was attended by four union and professional associations representatives;

* Amanda Brown (Unison)
* Ian McCann (ATL)
* Geoff Cooke (NUT)
* Mick Richardson (NASUWT).

Also in attendance were Headteachers and Governors from the Steering Group representing the Greenwood Tree Academy Trust as the future employer.

There was a robust discussion, which culminated in the Steering Group committing to responding to a series of questions. The representatives also asked for an extension of the consultation period, which was considered but declined by the Steering Group. (See appendix C and D for full response)

It was noted that unions and professional associations would invited to attend the staff TUPE consultation meeting on February 24th.

### Other consultation feedback

No other feedback on the proposal was received by the schools.

## Consultation Questionnaires

By the close of the consultation period a total of 57 questionnaires had been received from parents, carers and staff. Although this was a lower than expected response some insights can be drawn from the full analysis in Appendix A.

In particular;

* First School parents responded in similar numbers, eighteen (18) to St Mary’s Middle School parents, twenty (20) and were equally likely to be part of the 80% in favour of the proposal. Around 10% were against the proposal.
* St Mary’s Middle School parents specifically commented on wanting to protect the three-tier system and hence supporting the proposal.
* Only four (4) First school teachers responded and were split between: for (1), against (1) or undecided (2) abut the proposal.
* More First School support staff responded, thirteen (13), and were more likely to be in favour of the proposal than against although the majority were undecided.

It is reasonable to interpret the low response as a lack of objection to the proposal given the consultation context described on page 2. Also experience on other projects is that if either the parent community or staff community are concerned about an academy proposal they will voice those objections via questionnaire and at meetings.

## Summary and recommendation

The consultation programme has been comprehensive and, as was explained, in the context where partnership working between schools is familiar to parents and staff and where academy status is not a new concept

So, although the level of parental engagement has been lower than is usual, anecdotal feedback from parents was that the consultation information had answered their questions sufficiently. Those that did respond were fully in favour of the proposal.

Staff attendance at the consultation meeting was understandably high but the questionnaire responses were much lower. Again feedback from staff was that the consultation information addressed their questions. Those that did respond were mainly undecided about the proposal. This suggests a need to further communicate the benefits of the proposal to staff.

The conclusion from the consultation programme is that there is no objection to the proposal to establish the Greenwood Tree Academy Trust and convert the four First Schools to academy status. Therefore the Governing Bodies and Trust Board are recommended to continue with the proposal.

**APPENDIX A: ANALYSIS OF CONSULTATION QUESTIONNAIRES**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  | **YES**  | **NO**  | **MAYBE** | **TOTAL** |
|  |  | **#** | **%** | **#** | **%** | **#** | **%** |   |
| **FROME VALLEY** | Parents & Carers | 4 | 100% | 0 | 0% | 0 | 0% | 4 |
| Teacher | 1 | 50% | 0 | 0% | 1 | 50% | 2 |
| Support staff | 2 | 100% | 0 | 0% | 0 | 0% | 2 |
| **TOTAL** | **7** | **88%** | **0** | **0%** | **1** | **13%** | **8** |
| **MILBORNE ST ANDREW** | Parents & Carers | 2 | 100% | 0 | 0% | 0 | 0% | 2 |
| Teacher | 0 |   | 0 |   | 0 |   | 0 |
| Support staff | 0 |   | 0 |   | 0 |   | 0 |
| **TOTAL** | **2** | **100%** | **0** | **0%** | **0** | **0%** | **2** |
| **PIDDLE VALLEY** | Parents & Carers | 2 | 50% | 0 | 0% | 2 | 50% | 4 |
| Teacher | 0 |   | 0 |   | 0 |   | 0 |
| Support staff | 1 | 50% |   | 0% | 1 | 50% | 2 |
| **TOTAL** | **3** | **50%** | **0** | **0%** | **3** | **50%** | **6** |
| **PUDDLETOWN** | Parents & Carers | 6 | 75% | 1 | 13% | 1 | 13% | 8 |
| Teacher | 0 | 0% | 1 | 50% | 1 | 50% | 2 |
| Support staff | 2 | 22% | 2 | 22% | 5 | 56% | 9 |
| **TOTAL** | **8** | **42%** | **4** | **21%** | **7** | **37%** | **19** |
| **FIRST SCHOOLS** | Parents & Carers | 14 | 78% | 1 | 6% | 3 | 17% | 18 |
| Teacher | 1 | 25% | 1 | 25% | 2 | 50% | 4 |
| Support staff | 5 | 38% | 2 | 15% | 6 | 46% | 13 |
| **TOTAL** | **20** | **57%** | **4** | **11%** | **11** | **31%** | **35** |
| **ST MARY'S** | Parents & Carers | 15 | 75% | 2 | 10% | 3 | 15% | 20 |
| Teacher | 1 | 100% |   | 0% | 0 | 0% | 1 |
| Support staff | 0 | 0% | 0 | 0% | 1 | 100% | 1 |
| **TOTAL** | **16** | **73%** | **2** | **9%** | **4** | **18%** | **22** |
| **TRUST** | Parents & Carers | 29 | 76% | 3 | 8% | 6 | 16% | 38 |
| Teacher | 2 | 40% | 1 | 20% | 2 | 40% | 5 |
| Support staff | 5 | 36% | 2 | 14% | 7 | 50% | 14 |
| **TOTAL** | **36** | **63%** | **6** | **11%** | **15** | **26%** | **57** |

 **APPENDIX B: SUMMARY OF CONSULTATION MEETING Q&A MEETINGS HELD JANUARY 20TH – 21ST**

**What impact will the partnership have in the classroom?**

We believe that working closely together with local First and Middle Schools that share a similar vision, ethos and values and the same commitment to raising standards, would help our school in a number of important ways, including;

* providing a more effective educational pathway for pupils from Reception through to Year 8,
* enriching the curriculum through partnership working and shared resources,
* enabling the sharing of excellent practice in teaching and learning,
* enhancing the professional development of teaching and support staff,

Most of the pupils at the five First schools move on to and form the majority of pupils at St Mary’s Middle School. So, sharing and developing good practice in teaching, learning, curriculum and pupil support can only strengthen the children’s progress and achievement through different schools and key stages and prepare them better to succeed at upper school.

In many ways the children will not notice any immediate difference; they will be in the same uniform, in the same classrooms with the same teaching staff. We will continue to strive for an outstanding education for all our children.

However, in time the children may notice changes and improvements in the way that they learn, resulting from the greater training opportunities given to teaching staff to innovate and improve the children’s education. In particular, they will benefit from the sharing of excellent practice in teaching and learning between the partner schools. They will also have wider opportunities to learn new skills and experience new activities.

**Who are the Directors accountable to?**

The Directors are accountable to the Secretary of State for Education through the Funding Agreement. The Secretary of State can terminate the Trust’s right to run schools The Directors are also responsible for compliance with company and charity law.

**Why hasn’t Cheselbourne Village School joined?**

The Governors were invited to join the Trust but chose not to do so. They are welcome to join in the future.

**How will the Trust avoid excessive bureaucracy?**

A Steering Group made up of Governors and Headteachers has been considering how the Trust should be run. Avoiding bureaucracy is something all agreed was important. There will be a clear decision-making structure so that we avoid duplication and gaps. To fulfil the responsibilities that the LA previously held there will be two new Trust jobs, CEO and Trust Business Manager. They will have an important role in simplifying how the Trust runs and removing much of the bureaucracy from Headteachers, which will free up more time for teaching and learning.

## Will the Trust Business Manager have the skills and will they be on the Trust Board?

The Trust Business Manager will be required to have a broad range of business, commercial and financial skills to ensure they can help run the Trust efficiently, effectively and compliantly. Expertise of working in an educational environment will also be sought. They will certainly be an advisor to the Board and attend Board meetings.

## Will teachers and staff be moved around?

Staff will continue to be contracted to work and be based in one school as now. Most new staff will be contracted to work and be based in a particular school. However, the Trust is committed to retaining and developing its staff, which will include the opportunity to work at other schools as part of career progression. So, any jobs within the schools will first be advertised internally to give the Trust staff first opportunity to apply. Some staff may be offered secondments as part of their development. Any movement will be with the agreement of staff and no one will be forced to move.

However, some staff will move into roles will require them to move and travel between schools such as the CEO and Trust Business Manager. There may be other roles, which may be more affordable for the Trust if shared between schools. Any changes will be discussed and agreed with staff individually.

## Can a school resign from the Trust if it doesn’t work? Can the Trust shut down a school?

The Funding Agreement between the Secretary of State and the Trust requires the Trust to give seven years notice if it no longer wishes to run a school. The school resigning would need to consider who would then run the school for example a new academy trust.

Legally, the Trust would need the permission of the Secretary of State for Education to close any school and any proposed closure would requires significant consultation in line with legislation. In simple terms, it is harder for the Trust to close a school than it is for a Local Authority.

## What is the conversion costing the schools?

There is no extra cost to the four schools. Each school has received a £25k conversion grants and these grants more than cover the cost of conversion. Going forward the Trust will use a further grant of £100k (Primary Academy Chain Development Grant) and the Education Services Grant, which each school receives for being an academy, to cover the central costs. The schools are clear that becoming an academy should not divert any funding from the classroom. The financial modelling done to date gives confidence this can be achieved.

## What are the risks of becoming an academy?

The risks are as follows;

* Political change that alters national policy on academies. This seems highly unlikely given all the major parties are committed to the academy programme
* Schools struggle due to the withdrawal of Local Authority support to schools. This also seems unlikely given the low levels of free support that schools receive from their Local Authorities. The schools will be able to buy in services from their LAs as now.
* Poor financial management leading to deficits. The schools are taking steps to ensure that the Trust has high levels of financial expertise and scrutiny among Directors, Governors and staff to mitigate this risk
* Poor governance. The schools have been well-run by their Governing Bodies to date and the schools have been working hard to build governance structures and processes to ensure this is maintained.
* Educational decline. This is a risk for any school and the schools believe that working together will reduce this risk. In particular the collective scrutiny of standards by Directors and the Headteachers will ensure that any potential decline is spotted and addressed very quickly.

## How will the Trust prevent financial malpractice in academies (as reported in papers that week)?

The schools take this risk very seriously. The Trust will have a Finance & Audit Committee with a specific responsibility for monitoring the financial management of the schools. The Trust’s accounts will be audited annually by an external independent auditor. The Trust will be required to submit annual accounts the Education Funding Agency (the government agency responsible to Parliament for the spending of public money in academies). The EFA runs the equivalent of financial ‘Ofsted’ to check the financial performance of academy trusts. Furthermore the Trust will appoint an independent Responsible Officer who will test compliance by the Trust and the schools with financial regulations

## Will Ofsted still inspect academies?

Yes. Academies will be subject to the same Ofsted regime as maintained schools.

## What happens when a Headteacher leaves? Who will run our school?

The Local Governing Body will lead the process to appoint a new Headteacher, which will include other Headteachers and another Trust Director. Every school will continue to have a full-time leader with responsibility for its day-to-day running.

## APPENDIX C: RESPONSE TO UNIONS AND PROFESSIONAL ASSOCIATION REQUEST TO EXTEND CONSULTATION

The Steering Group have also carefully considered your request to extend the consultation period until after the staff TUPE meeting on Tuesday, February 24th.   The Steering Group has decided that the academy consultation period will expire on Friday, February 6th as original planned.

They have arrived at this decision having considered a number of factors including: the overall project timetable towards April 1st; the earlier engagement in 2014 with stakeholders including unions; the particular requirements of the Academy Act 2010 and the responsibilities as employers under the TUPE Regulations 2006.

The Steering Group believe that;

* the academy consultation has been extensive and follows on from earlier engagement with stakeholders, including unions, in 2014. It is certainly exceeds the requirements of the Academies Act 2010.
* every effort has been made to engage union and professional associations in the academy consultation while working to the requirements of local agreements for sufficient notice of meetings. The request on January 28th to delay the consultation was received too late to be implemented. An initial request from NUT to extend to half-term was responded to on January 21st, explaining why this was not possible.
* although the TUPE consultation is the recognised forum to address employment issues, during the academy consultation staff have been given as much information as possible about the transfer of employment. This includes sharing the response to questions raised by unions and professional associations  before the end of the academy consultation. Unions and professional associations will have opportunity to consult with staff as part of the TUPE consultation including the formal meeting on February 24th.
* staff have been briefed on how the academy consultation and TUPE consultation would be managed , in particular in relation to involvement of union and professional associations. The Steering Group have received no feedback from staff suggesting they were concerned.
* the gateway meeting for Governing Bodies on February 11th to consider the outcome of consultation has been planned since November 2014. It is one of a series of approval gateways built into the project. Moving this meeting at  this late stage risks one or more of the Governing Bodies not being quorate and therefore jeopardising an April 1st conversion. A delay would mean a significant increase in the workload of a number of key staff.

However, the Steering Group recognises the importance of the staff meeting on February 24th as part of the TUPE consultation. Therefore the resolution that Governing Bodies will be asked to agree on February 11th will include a caveat. The caveat will be that academy conversion will only proceed if the Steering Group are reassured there is no significant objection after the staff meeting on February 24th.

## APPENDIX D: RESPONSE TO UNION AND PROFESSIONAL ASSOCIATION QUESTIONS RAISED DURING CONSULTATION MEETING

## 1. Will the Trust agree to sign the Dorset MAT union recognition agreement?

 The Steering Group is committed to the proposed Trust having a positive working relationship with unions and professional associations. The Steering Group agrees in principle to the Trust having a union recognition and consultation agreement. The Trust Board, guided by its HR & Pay Committee, will determine and sign the actual agreement soon after conversion and no later than September 2015 in time for negotiation of the annual pay settlement. The HR & Pay Committee will need the opportunity to review and consider the range of union recognition agreements both used by Trusts and proposed by unions. For this reason the Steering Group cannot commit the Trust to signing the agreement provided by ATL.

## 2. Will the Trust commit to maintaining a single tier workforce with consistent terms & conditions? In particular will the Trust agree that all new and promoted staff will be on the same prevailing terms & conditions as existing staff?

The Steering Group Trust is fully committed to the proposed Trust maintaining a single tier workforce with consistent terms & conditions for all existing, new and promoted staff. The only exception will be for posts requiring specific terms in their contract related to the nature of the job. For example, some posts may requires staff to work across all academies and involve travel to/from and working on different sites. These terms and conditions would be specific to the posts.

## 3. Will the Trust protect pay portability of staff moving between schools?

The Steering Group is unable to commit to the proposed Trust adopting pay portability for staff moving between schools. School budgets are under increasing pressure due to funding reductions and cost increases. Protection of pay portability restricts the ability of the school to work within their budget. For example if a school is recruiting to a post at a particular pay scale it will be what is affordable within the budget. Appointing an individual at a higher grade to protect pay portability would require savings to be made elsewhere to balance the budget. This decision does not affect existing staff.

## 4. Have the Steering Group carried out an audit of transferring policies and assessed whether they are model DCC policies and whether there are differences?

The Steering Group are confident that schools have adopted DCC model policies and if there are any differences between schools they are slight. Given that the policies that transfer of staff are protected and the work involved in close analysis is substantial the Steering Group is happy that staff transfer with the policies linked to their contracts and terms & conditions.

## 5. Will staff have the opportunity to check the terms of their employment before conversion including contracts?

The Steering Group has already planned for due diligence so that staff can check individual statements with employment information including pay scales, working hours, holiday and continuity of service. Any queries or possible errors will be investigated and where appropriate corrected.

**6. Have all staff on maternity leave and long term sick been consulted on the academy proposals?**

Yes.

**7. Have any staff  to be appointed before or after conversion been informed of the academy proposal?**

Yes.