



Castle Lower School Governing Body
Response to Trust Consultation questionnaires

Before Christmas we carried out a public consultation on the proposal that Castle Lower School should become a Trust school, strengthening collaborative links with other local schools and external partners. We distributed a short consultation document and questionnaire to all parents of children at the school and the nursery. We also consulted with other stakeholders including teachers and other staff, unions, local playgroups, the local authority, community bodies including local churches, and our MP, Patrick Hall. With the other schools, we organised an information evening at Mark Rutherford which a number of parents and governors attended. We also sought the views of children at the school.

We are very grateful to everyone who took the time to read the consultation document, and to everyone who returned the questionnaire. In total we received 23 completed questionnaires or other written submissions. Anonymised copies of written responses, and relevant extracts from minutes of the public meeting are available from the school office on request. The purpose of this document is to summarise the views expressed in the consultation and to respond to the main points raised, including requests for further information

After considering the views expressed in the consultation process, the Governing Body has decided to proceed with the publication of formal proposals, which is the next step in the process. We expect this to take place in the second week of February, and will (in accordance with the legal requirements) be followed by a further period of four weeks during which time any person may make comments or raise objections to the proposals. We expect that the Governing Body will make a final decision on whether or not to formally adopt the proposals at its meeting in the third week of March.

In the meantime we are very grateful for everyone who contributed to the consultation exercise. We hope the attached document is helpful in addressing the key points and questions that have been raised.

A handwritten signature in blue ink, appearing to read 'M. Ridley'.

Michael Ridley
Acting Chair of Governors
30th January 2009

M. J. Marsh
Head Teacher

Questions about Trust status

We asked stakeholders how they felt about Castle Lower School adopting Trust status. 19 of the written responses supported the proposal for trust status, whilst 3 did not support it. (The remainder either didn't respond, or felt they needed more information before reaching a view). The points raised included :-

Benefits of becoming part of a Trust Although many of the respondents welcomed the proposal as bringing benefits for the schools, others wanted more information or evidence on the advantages for the school and for pupils in the school becoming part of a Trust. Some questioned why it was not possible to strengthen collaboration and work within external partners within the existing arrangements, suggesting that a change to Trust status was not a pre-condition for achieving this goal.

Although it is correct to say that Trust status is not a precondition for collaboration, it also fair to say that in the past, collaboration between schools has not lived up to its potential. Schools in Bedford have experienced a series of collaboration initiatives through the Education Action Zone, Excellence Cluster and the Learning Community. These initiatives have often been short lived, however, and dependent upon central funding that has subsequently been withdrawn. In terms of informal collaboration and links, often too much has depended upon individual initiatives, personalities, or has taken place upon an ad hoc basis without being sustained or the benefits shared. Since we are seeking to develop and strengthen collaboration on a sustainable basis in order to raise standards, we think that there is a reasonable argument to be made that creating through the Trust a new "umbrella" – under which that collaboration can take place – is the right way to go about this, and will maximise the chances of success.

It terms of practical evidence that forming a Trust will have this effect, we think it is significant that even from the discussions to date on arrangements to establish a Trust, there has been a marked improvement in the relationships between the schools at a strategic level, and a new energy and willingness in exploring opportunities for collaboration. This is a very promising beginning, and reflects the positive experience of schools involved in other Trust arrangements, such as in North East Bedfordshire (<http://www.northbedfordshireschools.co.uk>). We've attached to this response further information on some of the benefits experienced by schools that are part of those arrangements.

Relationship with the Local Authority A minority of respondents were concerned that Trust status would remove the school from the direct control of the Local Authority control. They suggested that this would lose the benefits of the Local Authority's broader overview and perspective, as well weaken democratic control.

Whilst Trust status does result in some changes in the relationship between the Local Authority and the school, it is important not to overstate either the existing

control that the Local Authority has over the school, nor to understate the important continuing links with the Local Authority that will continue if Trust status is adopted.

Ever since the introduction of Local Management of Schools in the early 1990's the control of the Local Authority over schools has reduced, while the influence of the Governing Bodies on running their own schools has steadily increased. We are in a position now where the direct running of the school is already carried out by the Governing Body and the school's management, and has been judged outstanding by Ofsted. The Local Authority assists the school, for instance by providing payroll services, risk management advice, curriculum advice, etc. All these services provided by the Local Authority have to be bought in by the school now, and we will continue to do this if we become a Trust school unless they become uneconomic or not suitable to the School's needs.

The Local Authority will continue with its statutory monitoring role, monitoring standards in all areas of the school, and intervening to support schools where necessary. We will continue to work very closely with our School Improvement Partner and the Local Authority School Improvement Team, and will also continue to participate in Local Authority sponsored bodies such as the Schools Forum. In addition, we envisage working very closely with the Local Authority in respect of admissions, where the Local Authority will continue to have a key role.

Finally, the Governing Body will continue to have Local Authority appointed Governors (including, at present, one elected local councillor) who represent an important link to the Local Authority and to the local electorate.

Finance

A minority of respondents suggested that financial considerations played a significant role in the motivation behind the proposal

Although this was only a minority suggestion, for the avoidance of doubt we would like to stress that Trust status has very little impact on the financial position of the school. Although the partners bring skills and experience, their role is not that of financial sponsor. Control of the school budget remains with the Governing Body of the school, not with the Trust. Equally, although as an incorporated charity, the Trust may bring new income-generating opportunities (e.g. bidding for grants), Trust status has no impact on the core funding of the school, which will continue to come from the Local Authority under the same mechanism as at present.

Questions about partners

As part of the consultation, we asked stakeholders how they felt about Castle Lower School working, through the Trust Board, with Bedfordshire Police, Bedford College, the University of Bedfordshire, and the Bedford Charity [Harpur Trust]. 18 of the written responses felt that the proposed partners were right. 3 raised concerns about them. The points raised included :-

Further information on the partners **A number of respondents indicated that they would like further information on the skills and experience that proposed partners would bring to the Trust, and how this would benefit the school.**

It was also worth noting that a number of the partners are already supporting teaching and learning at Castle Lower School. For instance, we already work with the Harpur Trust, which runs a Maths Academy on Saturday mornings attended by some of our children, and the University work specifically with our Year 3 children on developing their physical skills. Bedfordshire Police supports our road safety curriculum, by giving talks and demonstrations. Participation in the Trust Board represents a natural development and strengthening of these links, but at a strategic level.

Harpur Trust **Although a number of the responses welcomed the involvement of the Harpur Trust, others questioned their suitability as a partner. The concern was expressed that the involvement of a charity with a significant interest in private education would be detrimental to Castle Lower School's ethos, or that it would lead to "cherry picking" of pupils.**

Whilst clearly there are strong views amongst some parents regarding the role of the Harpur Trust, we see no evidence from our existing work with the Harpur Trust (and that of the other state schools) for the suggested adverse effects. The policies and practices of Castle Lower School will remain a decision for the Governing Body of Castle Lower School, not the Trust Board (on which each external partner will have just one representative, alongside representatives from the schools). Against this background, the suggestion that the involvement of the Harpur Trust at the Trust Board could result in practices such as cherry picking seems to us to be an extreme and unrealistic possibility.

Bedfordshire Police **One respondent suggested that Bedfordshire Police was an inappropriate partner for our trust because they are a low performing police force and public confidence in them is low.**

Our view is that the police ethos includes positive values of public service and community responsibility that do have a valid part to play in education. Involvement of the police service in support of education is another way of rooting the service in our community so that it does not act or be perceived as an agent of state control distinct from and unaccountable to civil society as a whole.

Other partners One respondent suggested that the school should think about working with a large local employer and provider of community services, such as the Bedfordshire NHS.

The Trust Development Board has already approached the Bedford Primary Care Trust to see if it would be willing to join the Trust as a partner; at the moment we are awaiting their reply.

Business / commercial partners Some respondents suggested that the school should think about working with commercial partners in order to bring a business/commercial perspective to the children's education and a channel into working life. Others expressed the view that the potential role of business in the trust was a concern, and ran contrary to the purpose of education.

We recognise that there are different views amongst parents and other stakeholders on the potential role of businesses as a partner in the Trust. We see businesses, large and small, as part of the community and society we serve, and in which our pupils will grow up. They provide services and employment to people in the community, and as with the police, appropriate involvement in education can help root businesses in our civil society.

The schools involved in the Trust proposal have contacted the Specialist Schools and Academies Trust to enquire whether they have any local or national companies on their database who would be interested in working in the Trust and we are waiting for their reply. Clearly, as for the other partners, there will be a process of assessment of any potential partner's suitability for that role.

In terms of the impact of the involvement of a business partner on the childrens' education, it is important to distinguish between the role of the Trust (on which any business partner would be represented), and that of the Governing Body of the school. It is the Governing Body that sets the policies for the school, working within relevant legal frameworks (including the national curriculum). We do however believe that there are legitimate opportunities for business, along with other partners, to support the school in delivering a balanced, first class education for its pupils.

Questions about the proposed focus of the Trust

In our consultation document, we set out the proposed purpose of the Trust. This was to raise educational standards, with an initial focus on collaboration to support the development of Every Child Matters through personalised learning. 19 of the written responses felt that the proposed theme was right. 3 raised concerns about it. The points raised included :-

Practical implications **A number of respondents supported the idea in principle, but wanted further information about what the practical impact of “personalised learning” would be.**

Personalised learning is a fairly broad concept and, as such, can include a wide range of activities. The formation of the Trust, and collaboration with other schools to develop personalised learning approaches will not suddenly change the way we do things at Castle Lower across the board. As a school, we will need to decide on the priority areas that will also have the greatest impact on standards, learning from and with our partners. These areas could include, for example : specialist teaching organised by the University or College, much like the teaching in PE that Year 3 pupils receive at the present time or extended challenge offered to our more able children, such as the Children’s University, which is run by Bedfordshire University during the Summer break.

For more in depth information and a greater range of examples, the government has recently published “Personalised Learning – A Practical Guide” for schools which provides a number of case studies. Copies can be obtained from the school office, or alternatively downloaded at <http://publications.teachernet.gov.uk/eOrderingDownload/00844-2008DOM-EN.pdf>

Broader implications **One respondent expressed the concern that the new emphasis on “personalised learning” reflected excessive emphasis on the individual, rather than the collective.**

Personalised learning has little or nothing to do with economic individualism – rather it comes from the recognition that individuals learn in different ways, and so one size does not fit all. This approach does not seek to deny the desirability and power of pupils learning together. We would hope this would be supported by parents irrespective of their broader political views.

Questions about the other schools involved

In our consultation document we set out our proposals to work with Mark Rutherford Upper, Goldington Middle, Newnham Middle, Hazeldene Lower, The Hills Lower, Goldington Green Lower, and Putnoe Lower as part of the new Trust. 17 of the written responses were happy with Castle Lower School working with these other schools. 5 raised concerns about them. The points raised almost all related to the participation of Biddenham Upper School in the Trust.

Biddenham Upper **There was strong support amongst respondents for the inclusion of Biddenham Upper School within the Trust, because Castle Lower and Biddenham Upper share the same catchment. It was suggested that this would have benefits for Castle pupils.**

Decisions about participation in any Trust arrangements are ultimately a matter for the Governing Body of each school. Following discussion with his Governing Body, the headteacher of Biddenham Upper School has expressed the view that his school is not in a position at the moment to move forward with the Trust proposal.

Nevertheless, this will not stop Castle Lower working alongside Biddenham Upper School in the Bedford Learning Community, and working with Newnham Middle School in improving transition arrangements between the three schools. It has also been suggested that even if Biddenham Upper was not a member of the Trust, it could be given associate or observer status to help facilitate links; this may also be an option that can be pursued in future, if there is no change to the current intentions.

It is also worth emphasising that irrespective of whether schools are part of a Trust or not, issues concerning admissions will continue to be governed by the national Admissions Code.

Questions about governance

In our consultation, we invited views on the proposal that the Trust should appoint a minority of governors to the school's Governing Body. We suggested that this would bring in expertise from our partners, without any group having overall control, and with elected parents still comprising one third of the Governing Body. 19 of the written responses supported this model. 3 raised concerns about it. The points raised included :-

Need for greater skills and experience on the Governing Body	<p>Two respondents suggested that the Trust should appoint more governors, to secure a greater range of skills and experience that would be required by the school, and for greater objectivity</p> <p><i>We agree that the Governing Body should always be seeking to strengthen the range of skills and experience held by its members. However we believe that the proposed minority model will enable us to do that as effectively as the alternative in which the Trust would appoint the majority of governors. Unlike some schools, Castle Lower School has not had any difficulties finding individuals who would be willing to contribute to the work of the Governing Body. It is also worth highlighting the fact that many of our existing governors have significant and diverse professional experience which they contribute, as well as being parents.</i></p>
The influence of Trust governors	<p>Some other respondents suggested that Trust governors would have too much influence over the development of the school.</p> <p><i>The proposed 'Minority Trust Governance' model means that a maximum of two additional governors would be appointed by the Trust to join the school's individual Governing Body. We envisage that the overall size of the Governing Body will remain unchanged at eighteen, including the existing six places for parent Governors, as well as staff, Local Authority, and community governors (the relative proportions are set out in legislation). Each governor has one vote when decisions are taken. The Trust governors will clearly be able to make an important contribution to the work of the Governing Body; but given the relative proportions we do not believe that they will have excessive influence over the school. They would not be in a position where they could impose outside priorities on the school against the wishes of the majority of the governors.</i></p>
Future changes to the minority model	<p>One respondent asked whether there were any guarantees that the minority model would not be changed at a future stage</p> <p><i>The minority model of governance could be changed in the future, but for it to change it would need the agreement of the Governing Body of every school participating in the Trust.</i></p>

**Selection of
Trust
governors**

One respondent suggested that particular partners should not be nominated as Trust governors.

The appointment of Trust governors to each school's Governing Body is a matter for the Trust. However, if the Governing Body had any concerns regarding the suitability of the nominee, for example due to potential conflicts of interest, then these would be raised with the Trust. Ultimately the School could withdraw from the Trust over this or any other issue, and resume its status as just a Foundation School, reappointing partnership governors in the place of Trust Governors.

Other questions

Implications of possible move to “two tier” arrangements

A number respondents asked about how the proposals for Trust status would impact on any possible future moves to a “two tier” schools system, and what the implications of such a change would be for the Trust arrangements.

Any change to a two tier status is a matter for the local authority, not the Trust (or individual schools). The schools proposing to form a Trust are committed to working together to raise educational standards within whatever structure for local schools is determined by the Local Authority i.e. the existing three tier system, or any possible move to a two tier system in future.

Any future decision by the Local Authority to change the current three tier system would be taken after public consultation, and it is reasonable to expect that as a school we would, along with other stakeholders, seek to have our views taken into account by the Local Authority. If such a decision was taken, our view is that a collaborative trust of schools would facilitate closer, collective working between school leaders and Local Authority officials, and this would help to ensure a smoother transition for affected pupils. From this perspective, we believe the proposed Trust would help ensure the interests of pupils remain at the fore as decisions regarding the implementation of any new arrangements were taken.

Legal clarity

Concern was expressed that all legalities, for example the transference of land and assets to the Trust/Governing Body, should be absolutely clarified.

The schools involved in the Trust proposal have appointed experienced solicitors who will be able to advise on these issues, and ensure that the relevant legal provisions are clear and meet the requirements of the school.

Impact on staff

A number of respondents, including staff, asked for assurance that their positions would not be compromised in any way because of the changes.

All staff have been involved in the consultation process and a meeting was held with staff and their union representatives where questions and concerns were aired. Guarantees were given to staff that the school will continue to work within all the policies and procedures contained in the Schools Personnel Handbook for Bedfordshire schools, and that it will adopt any subsequent locally-agreed policies and procedures which become part of that Handbook.

In terms of protecting existing terms and conditions of staff, these are safeguarded under relevant legislation. This means that although the school’s Governing Body will take on the responsibility of the employer, any agreements previously entered into by the Local Authority or Governing Body in respect of an individual’s terms and contract of employment must be honoured by the new employer.

New and existing teachers will continue to be covered by the School Teachers’ Pay

and Conditions Document, and therefore would be able to keep the same pension arrangements. Support staff in trust schools are able to remain in the Local Government Pension Scheme (LGPS). The Governing Body will ask the Local Authority to pass a statutory resolution enabling this to be the case.

Union recognition

Will the Trust guarantee to recognise all teacher and non-teacher trade unions as currently recognised by the local authority?

The Trust itself has no powers to interfere with the direction of school or decision-making of the school. This remains the responsibility of the Governing Body. It is the Governing Body's intention to recognise all unions currently recognised by the local authority.

A useful comparison would be with existing Voluntary Aided schools. Their governing bodies recognise all unions and professional associations – it is the right of staff in schools to belong to these bodies and this will be the same in Trust schools.

Admissions

One respondent suggested that as a Trust school, the school would have additional powers regarding admissions criteria. It was suggested that this could adversely affect the position of certain categories of children seeking admissions.

Trust schools are legally bound by the national School Admissions Code, which sets out fair access criteria and prohibits unfair discrimination. We envisage working very closely with the Local Authority in respect of admissions, for example through the Admissions Forum, and discussions regarding catchment areas.

The Trust proposals have no impact on the admissions rounds for entry to the school in September 2009 or September 2010. The arrangements for 2009 admissions have already been set by the Local Authority, and it is currently consulting on arrangements for 2010.

Accountability

One respondent suggested that the formation of a Trust would add another layer of confusion if parents want to complain.

Each school will still retain its current procedure for handling complaints, and so there will be no change in the way that parents can pursue issues with their school. In terms of broader accountability, the school and the head teacher will remain accountable to the Governing Body for the performance of the school; the school will also continue to participate fully in external support and inspection procedures, including Ofsted inspections and the work of the Local Authority appointed School Improvement Advisor.

Leaving the Trust

One respondent asked if it would be possible in future to leave the Trust and revert to the current (community) status.

The Governing Body may at any time decide to publish proposals to “remove” (i.e. leave) the Trust. This decision would need to be confirmed by a second vote of the Governing Body not less than 28 days after the original decision, and would be subject to a public consultation process.

Implementation timescale

One respondent suggested that the implementation process was being rushed, and that more time was required to consider the proposals.

Although the public consultation has happened only relatively recently, it has been a year since discussions between the schools regarding the possible formation of a Trust were started, on the initiative of the Local Authority. During that time the Governing Body has had a number of substantive discussions and presentations on the issues. Investigating Trust status was also one of the priorities identified in the school’s development plan for 2008/09, on which parents were consulted in the Summer term.

We are pleased by the very positive momentum that has built up between the schools involved, and are keen to maintain this going forward. We believe that it is possible to move towards implementation of the Trust at the start of the new financial year whilst also fully meeting our statutory obligations in terms of consultation. Stakeholders will be able to raise any further issues or concerns as part of this process, including during the consultation on the formal proposal.

Further Information on the North Bedfordshire Schools Trust

The North Bedfordshire Schools Trust in the Sharnbrook area has been up and running since September 2007. It was one of the first Trusts to be formed and has 19 member schools along with the external partners Bedford College, Capita SIMS, Cranfield University and Unilever Research; Councillor Rita Drinkwater is also a member. The overarching aim of this Trust – similar to that of our proposed Trust – is to achieve excellence through cooperation and the sharing of aspirations and expertise.

Staff, headteachers and governors in North Bedfordshire talk of a sense of renewed enthusiasm and excitement towards working together and sharing good practice as a result of trust status. This is evident in a number of areas, for example the launch of an annual Pupil Voice Conference attended by pupil representatives from all member schools, and multi-school projects relating to increasing children’s enthusiasm for maths and improving transition when children move school. Trust status brings a clear, official structure to oversee such work, resulting in the systemising of relationships between schools and partners and increased accountability for the collective work taking place. School leaders believe this benefit ensures the collaboration and improvement now taking place will continue for the long term.

Schools leaders in North Bedfordshire described the move to trust status as involving a “leap of faith”; some 18 months after implementation, pupils and staff have experienced a number of benefits. For example :-

- In science, Unilever has helped Turvey and Thurleigh Lower Schools run ‘awe and wonder’ Science Theme Days using ice cream and dry water; staff and pupils from Sharnbrook Upper School have attended lectures given by world renowned scientists; middle schools have benefited from resources to support experiments; and the Science Working Party arranged for a guest speaker, to talk about Fireworks, which included demonstrations to which 200 pupils 5-18yrs were invited.
- Sharnbrook Upper School is working with lower and middle schools on improving results through a Maths Working Party aimed at working collaboratively to consolidate common policy, practice, training, transition and assessment. This has created structured opportunities for staff development and sharing of good practice.
- A pilot project involving Sharnbrook John Gibbard and Milton Ernest Lower Schools, Margaret Beaufort Middle School and Sharnbrook Upper School has been started, with a further 11 schools joining in phased approach, to develop a IT-based “Learning Platform” for the Trust.

Other examples, and further background information

You can find a range of other case studies, together with further background information on Trust Schools at the Trust and Foundation Schools Partnership Website :-

http://www.trustandfoundationschools.org.uk/schools/case_studies.aspx