



BRIDGE EDUCATION TRUST (Southampton)
STATUTORY DETERMINATION REPORT

To

**The Governing Bodies of
Fairisle Infant & Nursery School, Fairisle Junior School, Mason Moor Primary School,
Newlands Primary School, Oakwood Primary School, Shirley Warren Primary &
Nursery School and Redbridge Primary School**

23rd February 2023, 3.30 pm

Via Zoom

PRIVATE AND CONFIDENTIAL INFORMATION

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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 Fairisle Infant & Nursery School, Fairisle Junior School, Mason Moor Primary School, Newlands Primary School, Oakwood Primary School, Shirley Warren Primary & Nursery School and Redbridge Primary School, in relation to the proposed change of category to foundation status, and the establishment of a charitable trust known as Bridge Education Trust (Southampton). 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 Fairisle Infant & Nursery School, Fairisle Junior School, Mason Moor Primary School, Newlands Primary School, Oakwood Primary School, Shirley Warren Primary & Nursery School and Redbridge Primary School are the decision makers for these proposals. All the representations that had been received at the time of writing, i.e. after the four-week consultation and statutory representation period had finished at noon on Friday 3 February 2023 as appendices.

Consultation

Copies of the consultation documents were published on the schools' websites and distributed widely to consultees including parents/carers, learners, staff, teacher associations and support staff trade unions, local Headteachers and Governors, the Local Authority and stakeholders in the catchment area of the school. A total of 7,612 questionnaires were issued.

In addition, separate consultation meetings were held for Unions, staff, as well as for parents and carers at the schools. These meetings were well publicised locally

Pupils were consulted through school assemblies, School Council meetings and Learning Leaders.

Appendix B summarises the responses received for the consultation. All responses will be made available to the Governing Bodies for examination when they consider this consultation.

In most consultation exercises responses tend to be made by those who have strong views and not by those who are happy with the proposals being put forward. A total of 29 questionnaires were returned.

There is a response rate of 0.38% of the total number of questionnaires distributed. In this case the level of response was below that compared to similar consultation exercises but the feedback to the consultation was generally in favour of the proposals.

Governors should also note that all staff and governors have been consulted, associate schools and the LA. This would significantly alter the percentage of responses had these been added in. Governors should therefore note the feedback from the consultation meetings included at Appendix C.

Statutory Proposals

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 5 January 2023 until noon on 3 February 2023. An additional day was due to the strike action. 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 5 January 2023 for a 4-week period. The proposal was published on the individual schools' website, in a local newspaper and at every entrance of each school in accordance with the 2013 Regulations. Representations were accepted for a period of four weeks and one day between 5 January 2023 and 3 February 2023. See Appendix B for more details.

The Trust itself will meet legal requirements and will be established and registered with exclusively charitable objectives. The structure of the Trust meets the requirements of stakeholder membership and trustees and none of the 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 establishing the Trust the schools will be making the Trust its legal foundation and will be supported by a partnership of seven schools in ensuring achievement is further raised and a coherent provision made available across all phases of primary education. Further support will be provided by three associate schools.

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 the partnership. The support in working together will be invaluable. The schools all have similar challenges to deal with in the different settings. They 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 their care. The values identified are very important in how the schools work together in a mutually beneficial way – the schools are not being ‘taken over’. All the schools have things to contribute and things to gain for the benefit of everyone in all organisations. There are no guarantees as funding and standards requirements are changing all the time, but the schools are trying to provide themselves with access to a wider pool of expertise to ensure high standards.

The Bridge Education Trust (Southampton) is a group of schools that celebrate their individual character. The schools may have different systems, pedagogies and cultures, but it is understand the need to focus on learning and the impact of teaching to improve outcomes for children and young people in each schools. Together they endeavour to ensure that the children and young people in the schools receive a rich variety of learning. This commitment to developing a high-quality curriculum, delivered by well trained, effective teaching and support staff, and the sharing of expertise is at the heart of the partnership’s vision.

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

The vision for the proposed Education Trust is of a strong partnership that helps us to:

- Strengthen existing partnerships and encourage reciprocal effort in order to develop a sustainable self-improving schools’ system, which improves our children’s educational experiences and long-lasting relationships in the community.
- Ensure that local schools remain accountable to local people.
- Attract and retain the best possible quality staff to work with our children and families, offering a broad range of effective and relevant development opportunities.
- Enhance the well-being of our children and all other stakeholders in our school communities.
- Further increase the levels of aspiration and opportunities for our communities.
- Promote the academic and social potential of all our young people in our community.
- Ensure improved longer term employment prospects for our learners through closer working with local secondary schools and higher education institutions.
- Work together on specific curriculum areas to enhance learning opportunities that develop our children’s knowledge and understanding of the world, raise their self-

esteem and promote well-being so they are prepared academically and socially to succeed in the next phase of education.

- Improve transition for our learners across their journey within our schools.
- Develop partnerships with pre-schools, nurseries, secondary schools, colleges, universities, employers and apprenticeship providers.
- Improve value for money and economies of scale in a time of real terms reduction in funding.

In addition, As a Co-operative Trust, the Partnership has adopted the values and principles of the co-operative movement. Co-operatives are based on the values of self-help, self-responsibility, democracy equality, equity and solidarity. In the tradition of their founders, co-operative members believe in their ethical values of honesty, openness, social responsibility, and caring for others.

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

The main aims and ambitions for the first 5 years of the proposed Trust are:

- Develop exceptional teaching for all learners.
- Increase the level of aspiration and opportunities for the school communities.
- Realise the potential of all young people in community.
- Ensure excellent longer term prospects for learners.
- Improve transition for learners across each key stage
- Develop education partnerships to include parents and the wider community.
- Develop partnerships with continuing and higher education and employers.

The Trust encourages participation and promotes the ethos and culture of each organisation and the Bridge Education Trust 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 schools' legal obligation will continue to be met and further enhanced from working with partners within the Trust. The Bridge Education Trust will endeavour to create opportunities for pupils to experience different educational experiences, equip all learners with skills to succeed in the work place and support learners in developing their emotional well-being. Staff will be treated with respect and equity and provided with relevant CPD to develop their skills and career aspirations. All local policies will be considered and where applicable adhered to.

iii) community cohesion;

The Bridge Education Trust is committed to improving community cohesion and ensuring there is cultural respect and tolerance between different groups of people living together. The Trust will look to strategically develop opportunities for all children, young people and adults within our communities to succeed to the highest levels; by removing barriers to access, 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 the Trust's aims, vision and values. The schools within the Trust will work together on engaging local community organisations and businesses to extend their offer to learners and enable

parents and carers to make a positive contribution to learning. The Trust will actively seek other partners who can support our work to the benefit of our learners.

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 is done now. The Bridge Education Trust will support the transporting of pupils to locations for participation in events. There are no changes with regard to individual schools travel issues.

v) funding.

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 establish the Trust the land and buildings will transfer from the LA to the Bridge Education Trust. The assets are held 'in trust' for the duration of its relationship with the schools. The Trust does not have to pay for the land and assets. A Trust has the legal title to the land but holds it 'in trust' for the purpose and benefit of the schools involved.

The responsibility of the Trust Board is to hold the land for the benefit of the schools is set out in its Articles of Association. The actions of the Trust will be determined by these and by the requirements of company and charity law. Beyond checking that the schools are 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 so wish.

There can be advantages of financial gain through the establishment of a Trust with schools joining together for joint negotiation for services and supplies.

Schools will decide the level of financial contribution which can support both the administration and delivery of services for the Trust.

Recommended Action

It can be seen from the above that the necessary statutory considerations have been met; and as the Proposals have not been referred to the Schools Adjudicator, the Governing Bodies of Fairisle Infant & Nursery School, Fairisle Junior School, Mason Moor Primary School, Newlands Primary School, Oakwood Primary School, Shirley Warren Primary & Nursery School and Redbridge Primary School now have to make the final decision for these proposals.

It is recommended:

- a) that the Governing Bodies approve the Proposals as set out with an implementation date of 1 March 2023. The Governing Bodies should also authorise the associated changes to the Instrument of Government as set out in Appendix D.
- b) that the Governing Bodies delegate any other urgent matters pertinent to the enactment of these proposals to the Chair of Governor of the School, in consultation with the Headteacher and Clerk to the Governing Body.
- c) that this report is published on the schools' websites.
- d) that all staff and the unions are provided with a copy of the staff assurances response from the Local Authority.

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

Characteristics of the Trust it is proposed to establish:

- a. The Trust is not seeking to acquire or alter the religious character of the schools.
- b. The Trust is 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 Trust 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 (2) to the Governing Bodies of the school/s for which it will act as the legal foundation.

Consultation and Representations.

There were no responses directly received to the published Statutory proposals.