

LONG DITTON
INFANT AND NURSERY SCHOOL
THE HEART OF LONG DITTON SINCE 1911



The Ember Learning Trust

Proposal and Consultation Information Pack

The Reason for the Consultation

The Governing Bodies of Hinchley Wood Primary School, Long Ditton Infant and Nursery School, Thames Ditton Infant School and Thames Ditton Junior 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 **The Ember Learning Trust**.

Long Ditton St Mary's Junior School will be joining the trust as a partner school.

This publication provides information about our Proposal including how we are planning to develop and improve our school/s - 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.

You can respond to the consultation

- 1. By completing the Proposal Consultation response forms, which are available from the schools**
- 2. By sending comments or requests for further information by email or in writing to the schools: consultation c/o The Governing Body – contact information is provided below.**

School Contact Details

Hinchley Wood Primary School

Claygate Lane, Esher, Surrey KT10 OAQ

Website: www.hwps.co.uk

Email: admin@hinchley-wood-primary.surrey.sch.uk

Long Ditton Infant and Nursery School

Ditton Hill Road, Long Ditton, Surbiton, Surrey KT6 5JB

Website: www.longditton.surrey.sch.uk

Email: trustschools@longditton.surrey.sch.uk

Thames Ditton Infants School

Speer Road, Thames Ditton, Surrey, KT7 0PW

Website: www.thames-ditton-infant.surrey.sch.uk

Email: info@thames-ditton-infant.surrey.sch.uk

Thames Ditton Junior School

Mercer Close, Thames Ditton, Surrey KT7 OBS

Website: www.tdjs.org

Email admin@tdjs.org

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Section 1 Summary of Proposal

1. The Governing Bodies and the leadership teams of Hinchley Wood Primary School, Long Ditton Infant and Nursery School, Thames Ditton Infant School and Thames Ditton Junior School have been considering how best to plan for the long term future of the school, in the light of changes happening in the public education service.
2. We want to ensure that we continue improving the service we offer to our children and young people and we want to become part of a regional and national network of schools and partners that can help us to deliver that ambition.
3. To take this plan forward, we are proposing to change the school category from community to foundation and at the same time to acquire (establish) together a co-operative education trust, to be called The Ember Learning Trust.
4. 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 on) is 1st July 2016.
5. The process of change will not result in noticeable day to day differences for our school, but we believe that setting up this partnership will allow us to join a group of like-minded education providers and learn from the shared expertise and experience they offer.
6. Further information is provided below – we would be pleased to hear what your thoughts are and invite you to become a member of the Trust so that you can contribute to its work if we do go ahead.
7. You are invited to comment on these proposals at any time until the end of the consultation period, which runs from 12th April 2016 until 24th May 2016.

'The White Paper' published on 17th March lays out an expectation that all schools will become academies by 2022. As a group of schools we aim to form a trust providing excellent education for our children now. In the future we intend to address the issue of academisation once changes to the law have been made and a clear path has been identified.

Section 2 The Vision and Values of our proposed Education Trust

8. *The vision we have for our proposed Education Trust is of a strong partnership that helps us to:*
 - Develop outstanding teaching for all our learners.
 - Increase the level of aspiration and opportunities for our community.
 - Realise the potential of every young person in our community.
 - Ensure excellent employment prospects for our learners.
 - Enrich the curriculum by providing innovative curriculum opportunities to develop the children's knowledge and understanding of the world, to raise self esteem and promote pupil wellbeing
 - Improve the experience of transition for our learners at each key stage.
 - Develop our partnership with our parents and the wider community.
 - Develop stronger partnerships with other education providers and employers.

9. 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 school

Governors and school leaders have agreed the following goals for the next five years:

We want to:

10. Develop outstanding teaching for all our learners.

We will use the proposed education partnership trust to support work designed to:

- Deliver high quality and outstanding teaching.
- Harness local resources efficiently in the interests of learning.
- Create the right conditions for enjoyable effective learning.
- Develop the expertise of our staff to ensure all learners can achieve.
- Ensure that all learners make significant progress during their time at the school

11. Increase the level of aspiration and opportunities for our community.

We will use the proposed education partnership trust to support work designed to:

- Encourage our whole learning community to have high expectations of our learners
- Encourage our children and young people to have high expectations of themselves
- Encourage our children and young people to become life-long learners.
- Foster creativity and innovation through an exciting and challenging curriculum.
- Create a sense of local pride and excitement in the possibilities of the wider world.
- Support members of the local community in their efforts to learn and succeed.

12. Realise the potential of all our young people in our community.

We will use the proposed education partnership trust to support work designed to:

- Create opportunities for our learners to experience different educational experiences.
- Develop the resilience and confidence of our learners.
- Increase the number of learners engaging in local volunteering.
- Create more opportunities for learners to develop their emotional well-being.
- Enhance our provision of social and moral support for the young people in our schools.

13. Ensure excellent longer term employment prospects for our learners.

We will use the proposed education partnership trust to support work designed to:

- Develop support for all learners in discovering their talents and abilities.
- Ensure all learners develop skills of entrepreneurship and enterprise.
- Equip all learners with effective basic skills to succeed in the workplace.
- Give every learner a good understanding of the world of work.

14. Enrich the curriculum by providing innovative curriculum opportunities to develop the children's knowledge and understanding of the world, to raise self-esteem and promote pupil well-being.

We will use the proposed education partnership trust to support work designed to:

- develop the provision of ICT to allow for national and international links with other schools
- use ICT and other forms of communication to develop the pupils national and international identity
- increase the range of sporting opportunities for pupils within the curriculum and as extra curricular activities including inter school competition
- use sporting activities to both improve skills and levels of fitness
- increase opportunities for music including instrumental teaching and singing
- incorporate a range of coordinated extension activities for the children across all schools e.g. theatre groups and teaching of specialist skills, organised in certain weeks during the year where the schools can benefit from cheaper rates by booking for all the schools to have the same opportunities.

15. Improve transition for our learners across each key stage.

We will use the proposed education partnership trust to support work designed to:

- Ensure all schools work together to raise standards in each transition year.
- Communicate the expectations and demands of each key stage effectively to parents.
- Ensure our learners experience continuity of learning when changing stages or classes.
- Ensure outstanding outcomes for learners moving into a new education setting.

16. Develop our education partnership to include our parents and the wider community.

We will use the proposed education partnership trust to support work designed to:

- Develop and share resources to improve outcomes for our learners.
- Enable parents and carers to make a positive contribution to learning.
- Engage local community organisations and extend what schools can offer.
- Engage other partners who can support our work to the benefit of our learners.

17. Develop partnerships with continuing and higher education and employers.

We will use the proposed education partnership trust to support work designed to:

- Increase our expertise in teaching and learning.
- Increase the access of our learners to university and lifelong learning.
- Increase the involvement of local employers in our curriculum.
- Develop a wider range of work based learning experiences for our learners.
- Foster greater levels of work based skills and competencies.

Section 4 List of Consultees and consultation arrangements

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:

- Learners at the school; Parents and Carers;
- Teachers and support staff;
- Neighbouring schools which might be affected by or interested in the proposals;
- Staff and users of local Children's Centres;
- Teacher associations and trades unions representing school staff;
- The Local Authority; The District and Borough Council;
- Local MPs and elected local councillors;
- Local community and voluntary groups; local faith and religious groups
- Local and neighbouring Further Education and Higher Education providers;

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

Dates for consultation meetings:

Monday 25th April 2016

Hinchleywood Primary School

3.00 p.m. Parents and Carers

4.00 p.m. Staff

6.00 p.m. Local Community/ Public Meeting

Tuesday 26th April 2016

Thames Ditton Infant School and Thames Ditton Junior School

2.00 p.m. Joint Parent/Community meeting at Thames Ditton Infant School

3.30 p.m. Joint Staff meeting at Thames Ditton Junior School

6.00pm Joint Parent/Community meeting at Thames Ditton Junior School

Thursday 28th April 2016

Long Ditton Infant and Nursery School

3.00 p.m. Parents and Carers

4.00 p.m. Staff

6.00 p.m. Local Community/ Public Meeting

All schools will also be discussing the Proposal with learners, to see what their views are

Section 5 Further information about establishing the Trust and how it will work

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

18. 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.
19. 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. Elements of the 2006 Act are expected to be updated by the **Education and Adoption Act 2015**.
20. The Trust (or Foundation) provides a supporting, strategic partnership alongside the continuing governance and professional leadership of the school or schools – as happens with faith schools, e.g. VA and VC schools with a Church of England Foundation.
21. Trust Schools continue to teach the National Curriculum and are inspected by Ofsted at appropriate times.
22. 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

23. The process for a change of school status is set out in the **SOPAM Regulations (2013)**(Statutory Order for Prescribed Alteration to Maintained schools)
24. **The Decision Maker is the Governing Body** – there is no requirement for the Local Authority or the DfE to endorse or approve a proposal to create a Co-operative Trust.
25. When considering this process, the Governing body is 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

26. 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.
27. The consultation process – at least four weeks, but usually around half a term - allows all interested parties to express a view.
28. 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?

29. The Governing Body 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.

30. The Governing Body of a Foundation School is the employer for staff with effect from the date of the legal change to the school's status.
31. 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 Head teachers and Governors with support and guidance, as at present.
32. All employees employed by the school immediately before the transfer irrespective of their length of service have entitlement to continuous employment.
33. 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.
34. 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.
35. 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

36. 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.
37. 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 agreement 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.
38. Trust school governing bodies have very similar responsibilities for buildings maintenance and generally manage major aspects of this through a service level agreement, often with the Local Authority.
39. 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

40. 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.
41. 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.
42. 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.

43. 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 Body 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

44. 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*.
45. 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.
46. 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.
47. The Proposed Education Trust will be built around the schools as the key partners. Other schools can consider becoming a full or a partner member of the Trust at a later stage if they wish to. If they do join the Trust, they will be full contributors to and beneficiaries of the work of the Trust
48. Other partners are being invited to join Trust to add to the strength of the Trust and the range of experience and opportunities we can bring to our work.
49. The full list of initial partners is shown here:
- **The Co-operative Schools Network**
 - 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.
 - **Surrey County Council**
 - Surrey County Council are the local authority who has maintained the local schools and has provided support and services for many years. The local authority has a wide range of expertise and resources that will be invaluable to the trust and they have agreed to be a founding partner.
 - Over time, the Trust will explore links with other partners from the public, voluntary and commercial sectors that can help to further its aims. Charitable status and existing partnerships will help significantly in identifying suitable partners.

How the Proposed Education Trust can help in practical terms

50. 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.

51. 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 and learners.

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

52. The Education Trust will offer membership to parents, learners, 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.
53. The Education Trust will become a charitable, not for profit, organisation meeting the legal and other requirements of the Department for Education (DfE).
54. 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 Body of any supported school and by holding the land and assets in trust for the school community.
55. 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
56. 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.
57. Trustees will meet a minimum of 3 times a year (co-ordinated with existing school governance arrangements as required).

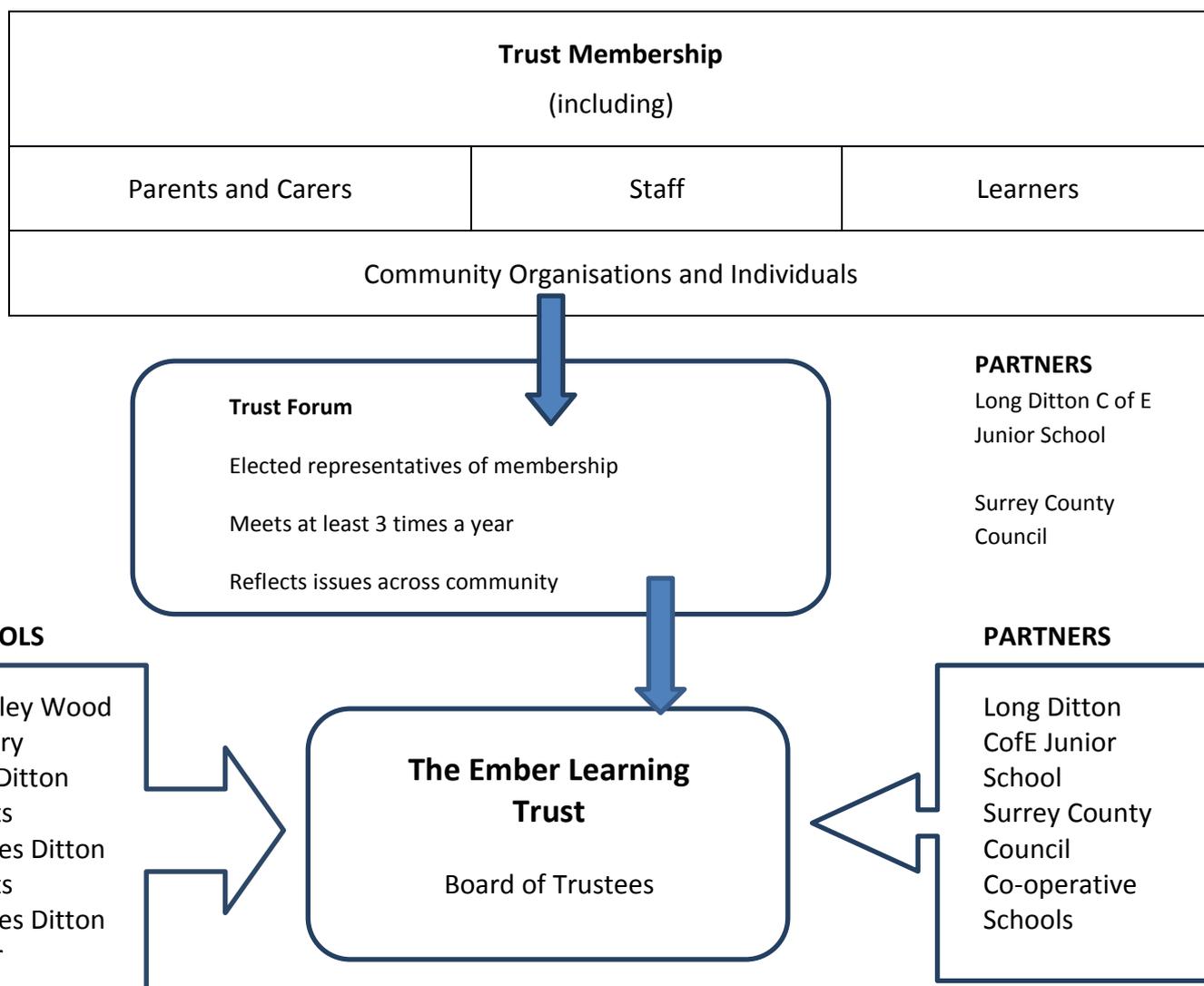
Governing Body changes

58. In September 1st 2012 the Government changed the arrangements for appointing Parent, Community, Local Authority and Staff Governors.
59. These proposals are designed so that changes should be as minimal as possible when compared with the current composition of the governing body, 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 Body.
60. The governing body of a foundation school with a 'minority' Trust as its foundation, which is what we are proposing, has to be composed as follows:
 - The Head teacher;
 - One staff governor;
 - At least two parent governors;
 - One Local Authority governor;
 - As many co-opted governors as the governing body 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 body, you must also count the Head teacher'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

62. 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.
63. We would establish a Trust Forum, within 18 months, representing parents, staff, learners 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.
64. In putting this together we intent 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.
65. The diagram below represents the relationships in the proposed Trust between the membership, the Trust schools and their Governing Bodies and the Trust’s initial additional partners.

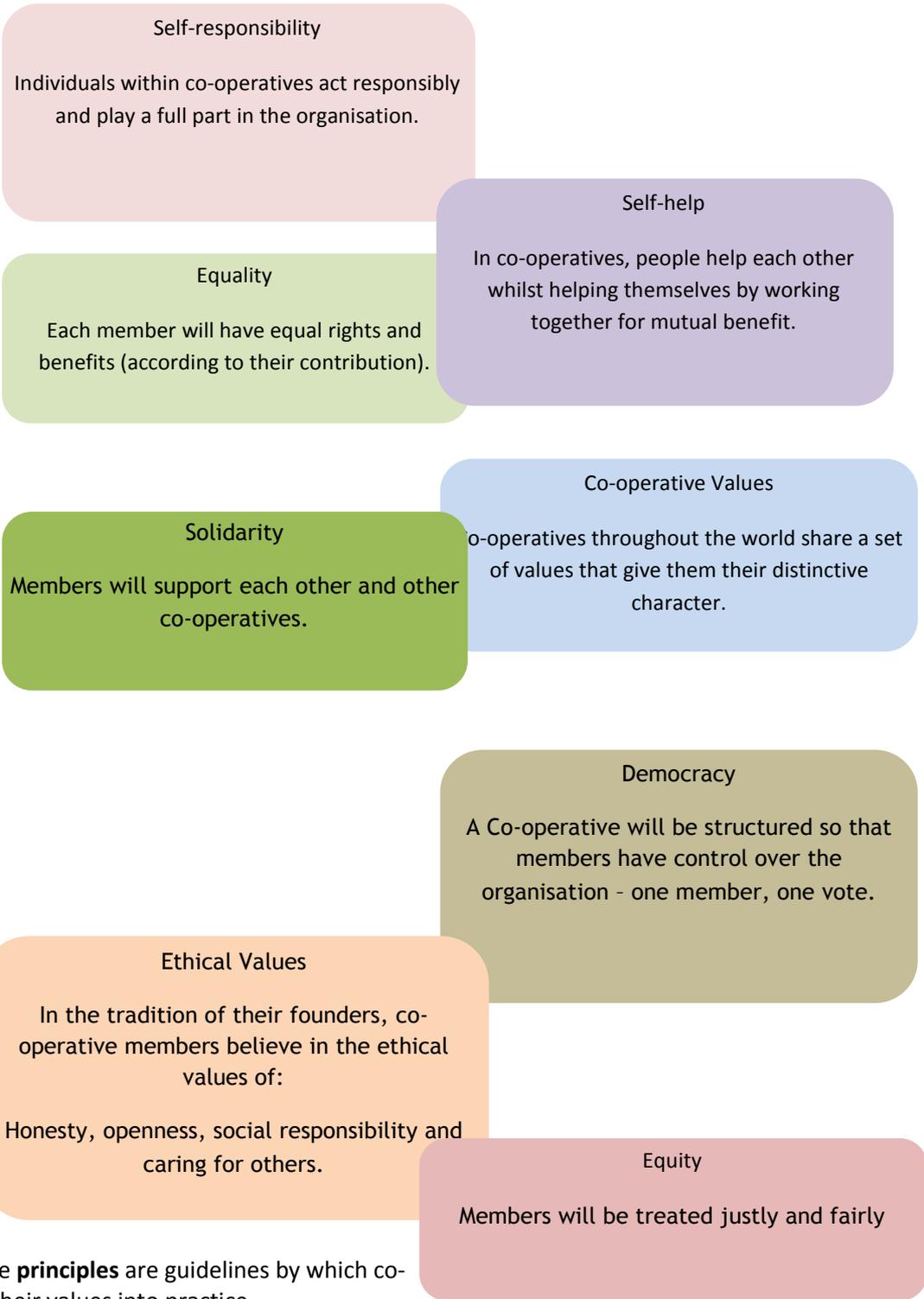


***Each partner will appoint one trustee to the Board**

****The school will appoint two trustees to the Board (being the Head teacher and Chair of Governors).**

Section 6 Further information about The 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 18th 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>1st 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>2nd 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>3rd 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>4th 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>5th 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>6th 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>7th Principle: Concern for Community</p>	<p>Co-operatives work for the sustainable development of their communities through policies approved by their members.</p>

Section 7 Copy of Statutory Notice

Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that: the governing bodies of Hinchley Wood Primary School, Long Ditton Infant and Nursery School, Thames Ditton Infant School and Thames Ditton Junior School intend to make a prescribed alteration to Hinchley Wood Primary School, Long Ditton Infant and Nursery School, Thames Ditton Infant School and Thames Ditton Junior School, which are Community Schools located at:-

Hinchley Wood Primary School. Claygate Lane, Esher, Surrey KT10 OAQ

Long Ditton Infant and Nursery School. Ditton Hill Road, Long Ditton, Surbiton, Surrey KT6 5JB

Thames Ditton Infants School. Speer Road, Thames Ditton, Surrey, KT7 OPW

Thames Ditton Junior School. Mercer Close, Thames Ditton, Surrey KT7 OBS

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 The Ember Learning Trust and the proposed implementation date is 1st July 2016.

The Ember Learning Trust does not already act as a foundation for any school.

The partners in the proposed trust are:

Hinchley Wood Primary School. Claygate Lane, Esher, Surrey KT10 OAQ

Long Ditton Infant and Nursery School. Ditton Hill Road, Long Ditton, Surbiton, Surrey KT6 5JB

Thames Ditton Infants School. Speer Road, Thames Ditton, Surrey, KT7 OPW

Thames Ditton Junior School. Mercer Close, Thames Ditton, Surrey KT7 OB

Long Ditton St. Mary's C of E (Aided) Junior School will be joining the trust as a partner school.

In addition, learners 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 will 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 Trust will support the schools in seeking to:

- Develop outstanding teaching for all our learners.
- Increase the level of aspiration and opportunities for our community.
- Realise the potential of every young person in our community.
- Ensure excellent employment prospects for our learners.
- Develop an excellent and innovative curriculum to support the raising of standards and the improvement of pupil wellbeing
- Improve the experience of transition for our learners at each key stage.
- Develop our partnership with our parents and the wider community.

- Develop stronger partnerships with other education providers and employers.

This notice is an extract from the complete proposal. Copies of the full proposal can be obtained from the schools by writing to or e-mailing the Governing Bodies 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 Body of the appropriate school (address above).

Date: **12th April 2016**

Signed:

Chair of Governing Body of Hinchley Wood Primary School,

Colin Stevenson

Chair of Governing Body of Long Ditton Infant and Nursery School

Stephen Ind

Chair of Governing Body of Thames Ditton Infant School

Tessa Griffiths and Erin Willson

Chair of Governing Body of Thames Ditton Junior School

Ms Bronach Hughes