

To all teaching and support staff

Foundation Status

After very careful consideration of all the responses received in the first phase of consultation regarding Foundation Status, in particular the issues and concerns raised by staff, governors at the meeting of the full governing body on 5th February resolved on a majority vote (9 for, 3 against, 1 abstention) to proceed to the next phase of consultation and to publish formal proposals that the school should change category to Foundation from 1st May. Governors are strongly of the opinion that there should continue to be open and constructive dialogue with all staff.

Governors also wish to respond in detail to the issues raised by staff at the Staff Meeting held on 23rd January and I have therefore copied below the agreed responses:

1. What are the benefits of Foundation and Foundation Trust Status? Don't we do these things anyway? Do we have to become a Foundation School in order to experience the benefits of having a Trust?

The benefits of Foundation Status are the additional flexibilities gained as a result of becoming the employer of all staff (particularly as far as support staff are concerned), the ownership of land and buildings and the school becoming its own admissions authority (particularly as far as in-year admissions are concerned).

There are significant benefits of Trust Status: working with Trust partners in a long-term, sustainable relationship to raise standards and bringing support (human and financial) to develop a vocational and work-related science and health sciences curriculum as well as addressing the health needs of learners and families through curriculum and extended services, thereby promoting and developing community cohesion. (These benefits are more fully described in the document 'Trust School Expression of Interest'.)

Government legislation dictates that to have a Trust, a school also has to become a Foundation School.

2. Do governors have the knowledge and experience to run a multi-million pound institution?

Governors already collectively run a multi-million pound institution. 'A Guide to the Law for School Governors' summarises the position:

"At first sight, the range of responsibilities described in the Guide may seem daunting. However, governors do not need to be experts to tackle them. Help and advice is available from various

sources. As well as this Guide, the headteacher of the school and officers of the LA can provide professional advice and support. The clerk to your governing body will also be able to help. Governors can develop their own knowledge through training schemes and other materials available locally and nationally.”

3. For staff to change employer to the Governing Body is a big change. What safeguards are there for staff? Can the Head and Governors guarantee there will be no changes in the future?

Staff are safeguarded by education and employment legislation. Any agreements entered into by the LA before the school becomes Foundation, in respect of an individual’s terms and conditions of employment (including pension arrangements) **must** be honoured.

The Governing Body must engage with and consult staff and unions over any matters that affect working conditions or workload. Teaching staff pay and conditions must remain within national pay and conditions.

It is clearly not possible to make absolute guarantees about the future.

4. What safeguards are there with regard to Trust Governors and their influence on the school?

The Governing Body chooses its Trust partners. It then invites the Trust to nominate a number of governors to sit on the Governing Body (likely to be 2). The Governing Body runs the school, not the Trust. The Governing Body can dissolve the Trust if necessary.

5. Cannot the Power to Innovate be used to alter Pay and Conditions of staff?

All schools whether Community or Foundation can apply for the Power to Innovate. If, hypothetically, this involved a move away from national pay and conditions, governors would have to demonstrate that this would lead to improved standards. They would also have to negotiate changes with staff and unions as no member of staff can be forced to sign a new contract. Employment law offers protection and safeguards to staff (see above).

6. What are the benefits for the Trust partners?

All Trust partners will have their own reasons for joining the Trust, for example:

- Local Authority: strengthen ability to commission the school to lead and coordinate multi-disciplinary services for the benefit of young people and their families.
- Sandwell PCT: better access to pupils and their families and ability to trial health promotion and community programmes through the school.
- Sandwell Leisure: work with the school to provide and run community sports and leisure facilities.

- University of Wolverhampton: long term relationship with the school that will lead to placements for ITT students as well as progression routes for Holly Lodge pupils (better recruitment).
- Ormiston Trust: furthering own charitable aims in relation to deprived communities, Every Child Matters, extended services.

All Trust partners will need to explain “what’s in it for them” in the consultation phase before Trust arrangements are finalised by governors.

7. Will Trust Status lead to changes to the curriculum?

Yes – this is the aim of the Trust (see above).

8. Do governors realize that unions are opposed to Foundation and Foundation Trust Status?

Only one union (NUT) formally responded in the initial consultation period (against proposal). Governors understand that the national position of teaching and support staff unions is hostile to Foundation and Foundation Trust Status.

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6th February 2008