



DOVESTONE LEARNING PARTNERSHIP (DLP)

STATUTORY DETERMINATION REPORT

To

**The Governing Body of
Friezland Primary School**

26 April 2022, 6.00 pm

Via Zoom

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Main Report

Overview

This document summarises the feedback from the consultation and statutory representation period conducted by the Governing Body of Friezland Primary School, in relation to the proposed change of category to foundation status, and the joining of a charitable trust known as Dovestone Learning Partnership (DLP). 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 Body of Friezland Primary School are the decision maker for these proposals. All the representations that had been received at the time of writing, i.e. after the eight-week consultation and four-week statutory representations period had finished at noon on Friday 8 April 2022 are included here.

Consultation

Copies of the consultation documents were published on the school's website 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 251 questionnaires were issued.

In addition, separate consultation meetings were held for Unions, staff, as well as for parents and carers at the schools. Additionally, a general public meeting for anyone with an interest or who could not attend the earlier meetings was also held. These meetings were well publicised locally. A Pupil Voice meeting was held to consult with the children. Due to the pandemic meetings, other than with the pupils, were held by Zoom.

Appendix B summarises the responses received for the consultation. All responses will be made available to the Governing Body 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 23 questionnaires were returned. This does not include the pupils consulted (15) through the Pupil Voice meeting.

There is a response rate of 9.16% of the total number of questionnaires distributed. In this case the level of response was slightly below that compared to similar consultation exercises but the feedback to the consultation was wholly in favour of the proposals.

Statutory Proposals

It now falls to the Governing Body 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 11 February 2022 until noon on the 8 April 2022. 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 11 March 2022 for a 4-week period. The proposal was published on the individual school's website, in a local newspaper and at every entrance of the school in accordance with the 2013 Regulations. Representations were accepted for a period of four weeks between 11 March 2022 to 8 April 2022 in addition to the consultation period. See Appendix B for more details.

The Trust itself meets legal requirements and has been established and registered with exclusively charitable objectives. The structure of the Trust meets the requirements of stakeholder membership and trustees and none of the current or 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 joining the Trust Friezland will be making the Trust its legal foundation and will be supported by a partnership of eight other schools schools in ensuring achievement is further raised and a coherent provision made available across all phases of education.

The rationale for acquiring the foundation and the ethos that it will bring to the schools can be summarised as:

Building capacity to improve 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 – we all have similar challenges to deal with in the different settings. We 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 our care. Our values are very important in how we work together in a mutually beneficial way – we are not being ‘taken over’ – we all have things to contribute and things to gain for the benefit of everyone in all our organisations. There are no guarantees as funding and standards requirements are changing all the time, but we are trying to provide ourselves with access to a wider pool of expertise to ensure high standards.

Dovestone Learning Partnership is founded on the common values of: respect, trust and solidarity together with a passion for education. For the church schools this is also embedded in their Christian faith.

DLP 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 we endeavour to ensure that the children and young people in our 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 is of a strong family of inspiring schools that serve the local community and contribute fully to the provision of education in the area and collaborate with other partners to achieve common goals. Leading the way in education for Oldham children and young people enabling them to enjoy learning and achieve well as individuals.

‘Stronger Together For Our Pupils’

To achieve this vision we will ensure:

- The community is passionate about learning.
- Everyone’s point of view is heard and appreciated.
- A relevant curriculum is engaging, inspiring and challenging for all learners.
- Children and young people experience excellent learning and teaching enabling them to thrive and flourish within a vibrant, happy, inclusive and safe learning environment.
- The adults employed to work with them are valued and challenged to be the best they can be.

The overarching aims of the Dovestone Learning Partnership are:

- To enable distinctive, aspirational schools
- To encourage innovation and inspiring decision making
- To build capacity, resilience and determination
- To develop strong leadership, governance and accountability
- To strengthen cross-phase working and transition
- To enable wider opportunities for all within the community

- To share expertise and best practice across our schools
- To provide exciting and relevant CPD opportunities for staff
- To support the well-being of pupils, staff and wider school community
- To deliver long term sustainability through efficiencies and savings, that release resources to improve the rate of progress for all pupils.

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.

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

Some examples of the work of the Trust to date are:

- Peer Reviews – working with colleague headteachers and an external consultant
- Working Parties – Financial Efficiencies/Curriculum Developments and Transition/Well-being/School Improvement
- Range of networks - Maths, Literature, Foundation Subjects, SEND, NQT/RQT, Chairs of Governors
- Coaching
- Shared CPD
- Payroll and Staff Cover contracting
- Maths projects/Literacy Festival/Brass Band/Sports Competitions
- Curriculum Review
- Moderation
- Pupil well-being – counselling and peer mentoring
- Family support – upskilling of staff

The Trust encourages participation and promotes the ethos and culture of each organisation and DLP works 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 school's legal obligation will continue to be met and further enhanced from working with partners within the Partnership. DLP endeavours to create opportunities for pupils to experience different educational experiences, equip all learners with skills to succeed in the work place and support our pupils in developing their emotional well-being. We aim to treat all our staff with respect and equity and provide relevant CPD to develop their skills and career aspirations.

iii) community cohesion;

The DLP is committed to improving community cohesion and ensuring there is cultural respect and tolerance between different groups of people living together. The DLP looks 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 DLP aims, vision

and values. We are working together on engaging local community organisations and businesses to extend our offer to pupils and enable parents and carers to make a positive contribution to learning. We are always seeking 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. DLP supports the transporting of pupils to locations for participation in events.

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 join the DLP the land and buildings will transfer from the LA to the Dovestone Learning Partnership. The assets are held 'in trust' for the duration of its relationship with the schools. The DLP 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 DLP Board is to hold the land for the benefit of the schools is set out in its Articles of Association. The actions of the DLP will be determined by these and by the requirements of company and charity law. Beyond checking that the school is 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 wish.

There is evidence to show that there has been financial gain through the DLP schools joining together for joint negotiation for services and supplies. There is a proactive Financial Efficiencies Working Party.

Recommended Action

It can be seen from the above that the necessary statutory considerations have been well met; and as the Proposals have not been referred to the Schools Adjudicator, the Governing Body of Friezland Primary School is the decision makers for these proposals.

It is recommended:

a) that the Governing Body approves the Proposals as set out with an implementation date of 1 May 2022. The Governing Body should also authorise the associated changes to its Instrument of Government as set out in Appendix D.

b) that the Governing Body 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.

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

Characteristics of the Trust it is proposed to join:

- 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 Trusts 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 received to the Statutory proposals See Appendix B for responses to the consultation.

APPENDIX Bi – RESPONSES TO THE CONSULTATION

Summary of response forms

A total of 23 questionnaires were received following approximately 251 consultation documents being sent to all parents/carers, staff and governors of the schools as well as to a number of interested parties. These broke down as follows – 8 from parents, 9 from staff and 6 from other stakeholders. This represents a return of 9.16% which is a slightly lower than average return when compared with similar consultations of this type. Copies of these responses are available for governors' perusal. All the responses 23 (100%) are supportive of the proposals.

The number of responses for each question is given below together with the comments received.

Q1. How do you feel about the school formally joining the Dovestone Learning Partnership?

	Parents/ Carers	Staff	Governors	Other	Not Known
I support the proposals	8	9		6	
I am not sure and would like more information particularly on					
I do not think the school should join a partnership					

Comments received:

I am looking forward to continuing to work closely with other KS1 teachers in the DLP schools.

It will be wonderful to have Friezland as a full trust member as they have been active and supportive with the partnership since its start.

Friezland have already been part of our partnership unofficially for a number of years and Rachael has been a brilliant leader throughout for the benefit of her school and all our schools. Formalising the partnership is the natural and correct course of action in my opinion.

Q2. How do you feel about the partners in Dovestone Learning Partnership?

	Parents/ Carers	Staff	Governors	Other	Not Known
These are the appropriate partners	8	9		6	
These are not appropriate partners					
I think the school should also think about other partners (please comment below)					

Comments received:

I am sure that working in this partnership with the above schools will be beneficial in many ways.

The above listed school work very well together to make improvements for all including CPD opportunities, curriculum improvements, moderation of writing, Subject Leader networks as well as many other working parties including financial efficiencies so that we all benefit from economies of scale.

Q3. What do you feel about this vision?

	Parents/ Carers	Staff	Governors	Other	Not Known
This is right for the school	8	9		6	
I think this is wrong for the school					

Comments received:

I think the vision fits well with all our schools regardless of their Key Stage (primary or secondary) and church or community schools

Q4 We expect that the partnership would strengthen the Governing Body with 2 governors becoming foundation governors. This would bring in expertise from our partners but parents, staff, Local Authority and co-opted governors would still be represented on the governing body. Do you think this model is right for the school?

	Parents/ Carers	Staff	Governors	Other	Not Known
Yes – this sounds like a good idea	8	9		6	
No, I do not like this proposal					

Comments received:

This existing model works very well for the partnership and I can see no reason why this would not continue with Friezland.

Q5. Please use the space below to give us any comments, concerns or suggestions.**Comments received:**

I support the proposal for Friezland to formally join the DLP. I have received information which has answered the questions I had and I'm happy for us to go ahead. I think it the right move for the future of Friezland School.

All sounds great to me! A real positive for the school.

I value the opportunities for networking within the DLP and the shared expertise that this creates. I believe that becoming a foundation school will further strengthen Friezland and help us to continue to provide the best education for our pupils.

I feel that Friezland would be an asset to the DLP

Friezland school would be an asset to the partnership with the addition of Rachael's excellent and forward-thinking leadership skills together with the rest of her dedicated staff, governing body, children and wider community.

We would welcome Friezland Primary School becoming a partner of the DLP.

APPENDIX C: SUMMARY OF THE CONSULTATION MEETINGS

Ci Consultation meeting with staff

The meeting with staff was held on 14 February 2022 via zoom at 3.30 pm

Present

Headteacher
Chair of Governors
3 staff members
Julie Bowdidge

JB spoke to a presentation which covered:

- Background to the DLP
- National/Local Context
- Not for Sale
- Governor involvement
- Partners
- Benefits
- Co-operative Trust Model
- Process
- Key Changes
- DLP Developments
- Opportunity for questions and comments

Assurances were given re pensions, continuous employment and not being asked to work in other schools without prior agreement.

Staff spoke positively about joining the DLP and were happy to support the proposals.

The meeting closed at 6.30 pm.

NB The headteacher has already spoken to staff at staff meetings prior to the consultation event. The majority of staff had had experience of the DLP through the school's associate membership.

Cii Consultation meeting with parents/Carers

The meeting was held on 14 February 2022, 5.00 pm via zoom

Present

Headteacher
Chair of Governors
Julie Bowdidge

No parents/carers joined the meeting so it was closed after waiting 20 minutes.

Subsequently, the presentation was put on the school's website and informal conversations held with parents/carers when they came into school ie beginning/end of school day.

Generally parents/carers were happy with the proposals and the information received. They understood that Friezland had been an associate member of the DLP for a number of years and they had been kept up to date through newsletters etc on these developments. No concerns were raised.

Ciii Consultation Open meeting for anyone who could not attend previous meetings or other stakeholders of the school.

The meeting was held on 14 February 2022, 6.00 pm via Zoom

Present

Headteacher
Chair of Governors
Julie Bowdidge

As no one joined the meeting it was closed at 6.20 pm. Full information was available to interested stakeholders through the school website and the Statutory Proposals.

Civ Consultation meeting with the Unions

The meeting was held at 10.00 am on 14 March 2022 via zoom

Present/Invited

Paul Hindle	GMB
Secretary	NAS/UWT
James Stirton	NEU
Iain Windeatt	NEU
Damian Harrison	NAHT
Phil M Gaul	Unison
Andrew Corry	Unite
Adrian Calvert	ASCL
Nigel Yeo	NEU
Jason Ferronby	NAHT
Kathryn Pickford	Oldham HR Services
Tracy Delaney	Oldham HR Services
Rachael Swaby	Headteacher
Jane Goodwin	Chair of Governors
Julie Bowdidge	Trust Facilitator/Consultation Support

JB gave a short presentation that showed the main aspects of changing the school designation from Community to Foundation and the implications for staff. This included:

- For teachers: no change to pay and conditions of service. Foundation Trusts have to follow national pay and conditions.
- For support staff: all local agreements will be honoured. If the GB decide to make changes they must be as good as, or better than, those in place.
- Assurances are being sought from LA regarding Pension Arrangements, Costs of Early Retirement and Redundancies so the same conditions are in place.
- Staff will not be 'forced' to work in another school. There may be opportunities that come along ie secondments but this will be by agreement with all parties.
- Trade Unions and Professional Associations will be recognised and the Trust will continue to closely with them.
- The GB becomes the employer of all staff.
- Continuous service is recognised.

Questions and comments were invited.

HR confirmed that it would be a TUPE-like process to transfer staff over to the governing body.

It was agreed that the letter seeking staff assurances should be followed up by the Chair of Governors as a response was still outstanding.

There were no concerns raised and the meeting ended at 10.30 am.

Cv Consultation with Pupils

The Headteacher met with 15 pupils and completed the questionnaire. This gave an opportunity for the pupils to ask questions and receive further explanation which could be passed on to other pupils. See below

1. How do you feel about the school formally joining Dovestone Learning Partnership?

Please tick	Responses
15	I support the proposals
	I am not sure and would like more information particularly on
	I do not think the school should join a Partnership

Comment:

*Would staff from other DLP schools come to work here? (yes there could be opportunities for other staff to work here and they could bring new ideas and experiences to help us in school. Likewise our staff might go to other schools to help them).

2. How do you feel about the partners in Dovestone Learning Partners?

Our partners would be the Co-operative Movement, Saddleworth School, St Agnes CE Primary School, Christ Church Denshaw CE Primary School, St Marys CE Primary School, Greenfield and St Thomas' Leesfield CE Primary School, Diggle Primary School, Delph Primary School and Knowsley Junior School

Please tick	Responses
15	These are appropriate partners
	These are not appropriate partners
	The school should think about other partners (please comment below)

Comment:

*I think they're good partners because there's different sizes of school.

*I like that they're local schools because I have friends at the other schools.

*I like that Saddleworth School are a partner because we have older siblings there.

3. How do you feel about this vision?

Our Vision is of a strong family of inspiring schools that serve our local community and contribute fully to the provision of education in the area and collaborate with other partners to achieve common goals. Leading the way in

education for Oldham children and young people enabling them to enjoy learning and achieve well as individuals. To achieve our vision, we will ensure:

- The community is passionate about learning.
- Everyone’s point of view is heard and appreciated.
- A relevant curriculum is engaging, inspiring and challenging for all learners.
- Children and young people experience excellent learning and teaching enabling them to thrive and flourish within a vibrant, happy, inclusive and safe learning environment.
- The adults employed to work with them are valued and challenged to be the best they can be.

Please tick	Responses
15	This is right for the school
	I think this is wrong for the school

Comment:

*The schools can support and help one another.

*We’re a small school so it’s good we can get support if we need it.

*We can share ideas between schools.

*We can share what we are good at and other schools can share what they are good at.

APPENDIX D: Proposed Reconstituted Governing Body Composition.

Di: Friezland Primary School

INSTRUMENT OF GOVERNMENT: FOUNDATION SCHOOL

1. The name of the school is: Friezland Primary School.
2. The school is a foundation school with a foundation established otherwise than under the School Standards and Framework Act 1998.
3. The name of the governing body is **“The governing board of Friezland Primary School”**.
4. The governing body shall consist of:
 - a. Three Parent governors
 - b. One LA governor
 - c. One Staff governor
 - d. One Co-opted governors
 - e. Two Foundation/Trust governors
 - f. One Headteacher
5. Total number of governors = 8 and Headteacher.
6. The name of the body entitled to appoint foundation governors is Dovestone Learning Partnership.
7. The school has a trust entitled Dovestone Learning Partnership.
8. The term of office of governors is to be 4 years.
9. This instrument of government comes into effect on 1 May 2022.
10. This instrument of government was made by order of Oldham LA on [leave blank for LA to insert date →].
11. A copy of the instrument must be supplied to every member of the governing body and any trustees.

Governor type	Friezland Primary School	
	Current	Proposed
Local Authority	1	1
Parent	3	3
Staff	1	1
Community/Co-opted	3	1
Trust/Foundation	0	2
Headteacher	1	1
Total	9	9

APPENDIX E: Correspondence.

Ei: LA Assurances

The following letter was sent by the Chair of Governor of Friezland Primary School to Oldham LA seeking staff assurances.



Friezland Primary School

'A Family Committed to Making a Difference'

Church Road, Greenfield,
Oldham, OL3 7LN.

Tel No: 01457 872601

E-Mail: info@friezland.oldham.sch.uk

Website: www.friezlandschool.co.uk

Headteacher: Miss R Swaby B.Ed (Hons) PGCE

27.01.22

Dear Mr Tony Shepherd,

Assurances from the Local Authority regarding Pension Arrangements, Costs of Early Retirement and Redundancies and related matters.

I write as Chair of the Governing Board of Friezland Primary School.

You will be aware from previous correspondence, that we are about to begin consulting on changing our school category from community to foundation, as part of the process of formally joining the Dovestone Learning Partnership, a charitable trust.

The Governing Board confirmed their decision to consult on changing category from Community Maintained to Foundation (Maintained) and join the Trust at a meeting held on 13th October 2021. The implementation date is likely to be 1st May 2022, following the statutory consultation that will take place from 11th February to 1st April 2022.

The Trust was incorporated in October 2017.

The change to Foundation category means that the Governing Board becomes the employing body with effect from the date of implementation, 1st May 2022.

The transfer of responsibilities from the LA in this process takes place under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2016) which provides for all rights, powers, duties and liabilities to transfer existing staff from the Local Authority to the Governing Board of the school.

The school will continue to recognise the established teachers' associations and trade unions. The existing rights of teachers will be fully protected, as the Governing Board will still be bound by the School Teachers' Pay and Conditions Document.

The Governing Board will have the powers to set terms and conditions for its own support staff, but has determined that it will not use these powers. Terms and conditions will be safeguarded in line with the

prescribed regulations for existing staff and our support staff will maintain the same employment rights as Local Authority employees.

The Governing Board has also agreed to abide by the existing local agreements and policies currently in place for school staff, that have been negotiated by teacher associations and trade unions with the Local Authority, including recognition matters and payments towards facilities time.

There are a number of matters on which we would ask for written assurances from the Local Authority, including confirmation that the school will keep its maintained sector status in line with other schools in the Local Authority.

These are as follows:

A. Liabilities affecting the Governing Board in respect of employment matters.

The governing board may, as employer, in some circumstances have to appear at an Employment Tribunal to defend ourselves, if, for example, candidates for a post at the school complain that a Governing Board's decision or procedure discriminated against them, or if an employee complains that they have been dismissed unfairly.

We would like an assurance in writing that the Local Authority recognises that in cases of dismissal, it has to pay any compensation or legal costs awarded by an Employment Tribunal unless it can show that it has good reason to charge the school's delegated budget (for example, if the LA had previously advised the Governing Board that an Employment Tribunal was likely to decide a dismissal was unfair).

B. Responsibility for the cost of premature retirements and compensation for redundancy.

The Governing Board, as the employer, can grant premature retirement to the staff either for reasons of redundancy or can terminate a member of staff's employment in the interest of the efficient discharge of their employer function. The Governing Board also decides on the level of compensation to grant any member of staff they may make redundant.

We would like an assurance in writing that the LA recognises that it, as the "compensating authority", has to pay "mandatory compensation" towards a teacher's annual pension and retirement lump sum if they are granted premature retirement by the Governing Board. We recognise that the LA has the power to take the costs of premature retirement from a school's delegated budget if the authority has not agreed to the premature retirement. Similarly, the authority is empowered to take the costs of discretionary compensation for redundancy from a school's delegated budget if they have good reason to do so (an example of this might be if the LA thought the discretionary payment in a particular case was too high in relation to its own policy).

C. Pensions of support staff.

Support staff at foundation schools are allowed to continue to be in the Local Government Pension Scheme (LGPS) if the Local Authority, with the consent of the school Governing Board, has by a statutory resolution specified them to be eligible to belong to the scheme. In our case, the Governing Board has resolved to seek to ensure continuity of pension arrangements for support staff through the local authority and the LGPS. We are now formally seeking written assurances that:

1. That the Local Authority will agree as a matter of urgency the statutory resolution specifying that support staff currently in the LGPS will continue to be eligible to belong to the scheme. We would ask for a copy to be supplied of the actual resolution and the minute of the meeting where it was agreed.

2. That the Local Authority will also agree that any support staff currently not in the LGPS will be allowed to join it in the future, and that a similar offer be made to new support staff joining us.

All of these matters have a well-established set of precedents, in line with the SOPAM regulations and I would very much welcome an early response to these matters.

Yours sincerely,

J Goodwin

Mrs Jane Goodwin
Chair of Governors, Friezland Primary School



Please see below the response received.

Date: 15th March 2022



**Chair of Governors
Friezland Primary School**

Education and Early Years Directorate
Education Support Services
Level 3
Civic Centre
West Street
Oldham
OL1 1UT

Tel: 0161 770 4239

Dear Jane

Foundation Trust Status

Thank you for your recent letter dated 27th January 2022 regarding the school's consultation on foundation trust status.

In response to the matters raised in your letter namely liabilities in respect of employment matters, retirement and redundancy costs and membership of pension schemes I can confirm that the school will be subject to the same rules and considerations as all other maintained schools in the borough.

The LA applies the same rules regarding pension membership, redundancy payments and liability payments to all maintained schools (including Trust and VA Schools).

Should the trusts status change in the future and any of the schools in the trust move to academy status then the LA would no longer be responsible for any payments in relation to any employment matters.

Yours sincerely

A handwritten signature in black ink, appearing to read "A. Collinge", with a long horizontal line extending to the right.

Andy Collinge
Head of School Support Services

working for a co-operative borough
www.oldham.gov.uk

Eii Letter to Chair of the DLP Trust Board and Response Received



Friezland Primary School

'A Family Committed to Making a Difference'

Church Road, Greenfield,
Oldham, OL3 7LN.

Tel No: 01457 872601

E-Mail: info@friezland.oldham.sch.uk

Website: www.friezlandschool.co.uk

Headteacher: Miss R Swaby B.Ed (Hons) PGCE

22.03.22

Mrs S Newton
Diggle Primary School
Sam Road
Diggle
Oldham
OL3 5PU

Dear Sarah,

I am writing to you as Chair of the Trust Board for the Dovestone Learning Partnership.

As you are aware Friezland School is currently consulting on becoming a Foundation School and formally joining the Dovestone Learning Partnership, having been an associate partner since October 2019.

Please could you confirm that the Trust is supportive of us joining the Dovestone Learning Partnership, subject to a successful consultation process.

This will be discussed at our Determination Meeting on 26th April 2022, when a final decision will be taken by Governors whether to change our designation and to formally request to join the Trust.

Yours sincerely,

J Goodwin

Jane Goodwin
Chair of Governors



Jane Goodwin
Chair of Governors
Friezland Primary School
Church Road
Greenfield
Oldham
OL3 7LQ

Dear Jane

Thank you for your letter expressing your interest in formally joining the Dovestone Learning Partnership.

The Trustees are pleased to confirm their agreement to you formally joining the Trust subject to a satisfactory outcome to your consultation processes. Please let us know the outcome of your Governing Body Determination Meeting.

You will be aware that the school has two representatives on the Trust Board. The usual protocol is that this is the Headteacher and the Chair of Governors but this is flexible should you wish to appoint someone else.

The Board would also need to formally appoint two foundation governors who represent the Trust. This could be undertaken at our May meeting should your decision be to proceed with joining the Trust. We will be happy to hear your nominations.

I also attach our Articles of Association for you to circulate to your governing body.

Please do not hesitate to contact me should you need any further information.

Best wishes

Yours sincerely

S Newton

Sarah Newton
Chair of the Dovestone Learning Partnership Board

STRONGER TOGETHER

