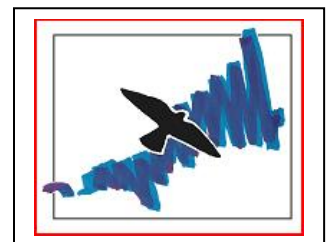


WORKING TOGETHER



Diocesan Recommendations on Partnership working for Church Schools

**Diocesan Boards of Education
Diocese of Exeter
& Diocese of Truro**



With deepest thanks to the Diocese of Exeter for preparing this document

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Introduction

“No school can meet the needs of all its pupils alone. Delivering the Pupil and Parent guarantees will require schools to work in partnership with other schools and with wider children’s services, in order to offer more by working together than any one partner could alone and to provide better value for money”

‘Your child, your schools, our future: building a 21st Century Schools System’ DCSF
June 09

The aim of this document is to create a strong position paper and guidance document to provide staff and Governing Bodies of Church of England VA, VC and Foundation schools in the Dioceses of Exeter and Truro with an overview on the subject of Collaboration, Management Partnerships and Federation from the Diocesan perspective and should be read in conjunction with the Local Authorities guidelines. This paper does not outline in detail the process necessary for setting up Management Partnerships and Federation but draws instead on a need to provide more detailed guidance and support on those aspects of working together which impact directly upon Church of England schools; and to give schools a clear Diocesan position and set out recommendations.

There is a range of partnership working models on offer to schools, from informal networks right through to amalgamation. The opportunities for partnership working, and in particular Federation, offer schools many challenges, changes and opportunities – but these are not without risk and cost. This document sets out to explore the different models and in particular those which have the greatest potential impact upon Church schools.

It must be recognised that some partnership structures open to Governing Bodies of Church schools may put at risk the very Christian foundation of the school and therefore the implications of the choices being considered must be fully understood from the outset.

Therefore this paper is recommended as initial reading for all Governors and Church school headteachers PRIOR to any decision to explore the many options open to schools – and in particular Management Partnerships – or Federation. In light of the recommendations in this paper, schools wishing to progress the option to explore Management Partnership, Federation, or amalgamation – are **required** to contact the Diocesan Education team IN THE FIRST INSTANCE to ensure that the full range of advice, support and guidance available from the Diocese is fully utilised.

The Diocesan Board of Education

Diocesan Boards of Education Measure 1991

(1991 No 2)

[as amended to the Education Act 2002]

A Measure passed by the General Synod of the Church of England to make provision as to Diocesan Boards of Education [25 July 1991]

1. Diocesan Boards of Education

(1) For every diocese there shall be a Diocesan Board of Education which shall have the functions assigned to it by this Measure and shall be responsible to the diocesan synod; and references in this Measure to 'the Board' shall be construed as referring to the Diocesan Board of Education for the diocese concerned.

(4) The bishop, after consultation with the Board, shall appoint a director of education for the diocese who shall act as secretary of the Board.

2. Functions of Board

(1) The functions of the Board shall be-

- (a) to promote or assist in the promotion of education in the diocese, being education which is consistent with the faith and practice of the Church of England;
- (b) to promote or assist in the promotion of religious education and religious worship in schools in the diocese;
- (c) to promote or assist in the promotion of church schools in the diocese and to advise the governors of such schools and trustees of church educational endowments and any other body or person concerned on any matter affecting church schools in the diocese;
- (d) to promote co-operation between the Board and bodies or persons concerned in any respect with education in the diocese;
- (e) the functions assigned to the Board by this Measure; and
- (f) such other functions not contrary to this Measure as are assigned to the Board by the diocesan synod, other than functions relating to church schools or church educational endowments.

(2) The Board shall have power to do all such things as are incidental or conducive to the discharge of its functions.

It is in the light of this measure that these recommendations are produced.

The National Perspective.

“Every school working in partnership: because no school can do it alone.”
DCSF Standards Site – Federation 2010.

The 2009 Government white paper ‘Your child, your schools, our future: building a 21st century schools system’ clearly states the intention to ask Governing Bodies to consider Federation as an option when a Headteacher vacancy arises: “We will continue to promote approaches to partnership which increase efficiency – including, for example, School Business Managers – and will require Governing Bodies to consider Federation or Executive Headship before appointing a new Head”

The paper also states that:

“At the same time, Federation and other partnership solutions will become central to tackling underperformance and extending the reach of the best leaders”

“.. to make clear that as well as making sure that their own pupils benefit from partnerships, schools should contribute to the good of other pupils, we are currently legislating to require schools to collaborate and we will go further to make it clear that schools have responsibilities for children across the area as well as those on their own roll. We will make clear that where schools wish to pool funds and resources to achieve better value, they can do so”

Cornwall LA’s Strategy for Change states that:

In order to respond to the challenges associated with succession planning, the Local Authority is actively exploring alternatives to traditional forms of school leadership. These include executive headship, where one headteacher is leading two schools. There are three examples of executive headship in place and a further two currently being finalised. Our experience to date has shown these to be very successful not only in addressing the issue of recruitment but as a positive model for future school leadership.

‘Strategy for change’ Cornwall’s Primary Capital Programme (2008)

Devon LA’s Strategy for Change states that:

“We will modernise and rethink and challenge traditional models of school leadership including patterns of place provision across Devon. The LA will use the competition process and broker local partnerships to create a diverse educational environment, which will include all-through schools (0-16) and formal collaborations. This will provide greater choice for families”

‘Strategy for change’ Devon’s Primary Capital Programme (2008)

Plymouth LA has also produced a booklet 'Collaborations - Moving towards a collaborative future' (2007) and collaboration is seen as an essential tool to improve services and outcomes for children young people and adults:

"Partnerships, networks, alliances and other forms of collaborative working ... deliver collaborative advantage. This means that something is achieved that could not have been achieved as well without the collaboration. ... Successful collaboration is a social activity with real purpose. Collaboration happens when groups of people with common values, interests and passions cooperate, share resources and learn with each other."

Models of Working Together

Collaboration

“Groups of people transform their collective thinking, learning to mobilise their energies and action to achieve common goals and drawing forth an intelligence and ability greater than the sum of individual members’ talents”

‘Schools that learn’ Peter Senge 2000

Collaborations are many and varied – schools often find these easy to operate within, as there are no fixed legal arrangements or structures, therefore allowing for easy networking and sharing.

Local Learning Communities (LLCs) in Devon, Cornwall and schools across Torbay and Plymouth, have set up many examples of strong collaborative working, and both the Dioceses of Exeter and Truro are supportive of initiatives and partnerships which foster stronger and closer working relationships with other schools.

Research is clear about the positive gains to be made through partnership working. Robert Hill (writing in ‘Better Together – Models of Collaboration for Small Schools’ DCSF 2009) suggests that collaboration:

- Builds knowledge – schools are too small to be self-sufficient as effective learning institutions for the staff who teach in them
- Adds capacity and supports efficiency by providing an economy of scale for undertaking key activities
- Widens curriculum choice and options for students as schools and colleges come together to provide access to each other’s courses and facilities
- Promotes the broader welfare of students by bringing together pastoral, health, careers, youth and other services to meet their all-round needs
- Supports school improvement by enabling schools and colleges to draw on the resources of other institutions to tackle problems, share expertise, raise expectations and address the needs of particular groups of students

For small schools the benefits can be even greater. Most small schools collaborate with others in many different ways:

- Networks for personal support
- Sharing expertise and resources
- Organising professional development
- Arranging joint pupil activities

“Informal collaborations have served small schools well, and have contributed greatly towards the richness and variety of children’s learning experiences.”
‘Better Together – Models of Collaboration for Small Schools’ DCSF 2009

As part of the Government’s policy to raise standards in schools, it is encouraging local competition to be complemented by strategic collaborations.

We would look to see how the planned partnership model intended to enhance the educational experience for all pupils; and how the partnership would improve standards and the quality of teaching and learning across all the schools involved, as well as how the schools would also continue to work collaboratively with other neighbouring schools and their wider learning community of schools.

The first two models outlined; informal networks and informal collaboration; do not require any change to leadership or governance, although schools may wish to consider how they will measure accountability, value for money and evaluate changed outcomes for pupils.

Informal Networks

Informal networks are usually established by individuals who find they have a common interest and believe they will benefit from working together. They may be able to draw on external funding to support particular activities.

The Truro DBE are working towards creating informal networks, including a network of RE co-ordinators meeting together in a particular area to share ideas and good practice and Learning Communities who will bring together the Church school Headteachers and staff to share resources and training, and the creation of a shared local ethos. These networks will be supported by your Diocesan Education Team.

Informal Collaboration

As the benefits of networking become clearer, partners may wish to establish a stronger framework for the way they operate together. This may involve creating an informal protocol or memorandum of understanding. These documents have no legal standing, but are an attempt to protect the collaboration from future breakdown. Each school retains its own Governing Body and there are no restrictions on how the collaboration may develop.

Formal Collaboration

A formal collaboration has legal standing, and can introduce a degree of joint governance. The partners make a formalised commitment to work together, but each maintains their own autonomy. For example, a joint committee of the Governing Bodies of more than one school could be established, without delegated powers, but with agreement on common goals through a protocol. The joint committee can make recommendations, but it is up to individual Governing Bodies to ratify decisions. There could be an agreement to share certain management positions or appointments, but they would need to have a contract that underpins commitment to the shared post [and should be subject to any agreement as to issues of employment]

Each school retains its autonomy, ethos and character through this process and the DBE can assist Church schools in ensuring that any committee established does not impact negatively upon the Church school ethos and distinctiveness.

If considering joint committee structures in a formal collaboration that involves schools of different categories and including VA schools and/or Trust or Foundation schools, it must be remembered that Governing Bodies of these schools have separate responsibilities with regards to premises and admissions issues. Joint committees in these areas of work may therefore be best avoided.

[With thanks to West Sussex LA for their guidance on Collaborative Working: 'Partnership Working from Networking to Amalgamation' 2009]

Both the Diocese of Exeter and the Diocese of Truro would be cautious of Church schools delegating any decision making which may impact upon the Christian ethos and distinctiveness. This could be a model however worth exploring as a way of formalising any partnership working across schools.

Management Partnership

“Partnerships are at the heart of the 21st Century schools vision and are essential to... widen the impact of our strongest school leaders, teachers and Governors, widen opportunities for collaborative professional development and deliver greater value for money”

DCSF Standards Site – Federations 2010

This is the partnership model where two schools share one Headteacher, normally referred to as the Executive Headteacher, who has the responsibility for the strategic leadership of both schools. Both schools remain completely separate and retain their individual Governing Bodies. The partnership is formalised through a contract and a joint committee of Governors oversee the arrangement. Management partnerships are usually short term or temporary structures. They are not the same as a Federation.

Management Partnership can be a useful tool in supporting a school through an interim period of leadership – particularly if a school has had difficulty in recruiting a new Headteacher – or is considering a different partnership model or Federation option and wishes to have ‘interim’ cover to allow time to consider all options. This model can also allow successful and experienced Headteachers the possibility to develop further and open the way for new opportunities and a more senior position of responsibility.

Schools should be aware of the extra burden of workload which can be a feature of a Management Partnership with twice the number of Governing Body meetings and paperwork which can often result; together with contractual and financial considerations.

Research from North Yorkshire of a recent study of three groups of ‘confederated’ schools [their terminology for a management partnership] shows that the positive outcomes are:

- Teaching and Learning overall in the confederations is good and in some cases very good.
- The leadership and management of the three Headteachers are good or better.
- The confederations work hard and effectively to provide good value for money.
- The confederations have seen new and varied opportunities for staff.
- Generally, parents and friends of the school are appreciative of the confederation structure and what that affords.

“Greater collaborative working between schools does offer schools greater opportunities for development and greater long term strength and stability”
‘A Quick Guide to Confederation and Federation’ North Yorkshire County Council
2008

In a Management Partnership the Governing Bodies retain their individual roles for each school, but can if they wish decide to delegate certain functions to joint committees. There must be a joint steering group of Governors from the schools created separately to hold the arrangement together and to oversee the role of the Executive Headteacher.

The Management Partnership can include any or all categories of schools – community, voluntary controlled (VC), voluntary aided (VA) and foundation. Each school retains its own status, ethos and character.

The legal agreement drawn up allows for any school to withdraw from the arrangement after giving an agreed period of notice; and the agreement defines the specific length of time of the Management Partnership, including built-in review points.

Schools that share an Executive Headteacher may have at least some staff working at both school sites, or have staff with responsibility for an area of work in both schools. Likewise, schools which share an Executive Headteacher may develop collaborative governance arrangements. In all types, the schools remain separate legal entities –with, for example, their own admission arrangements and their own budget share.

Appointment of the Executive Headteacher

The DBE will be engaging in discussion with Cornwall Local Authority regarding the Job Descriptions and Person Specifications recommended for the posts of Executive Headteacher and Head of Teaching and Learning. The basic principle to be upheld should be that the post-holders are able to support and uphold the Christian distinctiveness of the Church schools in a Federation; **however there are complications to be considered for Church schools entering a 'mixed economy' Federation or Management Partnership.**

It is important to recognise that there are two possible employers - the Local Authority (LA) for community and voluntary controlled (VC) schools, and the Governing Body for voluntary aided (VA), Foundation and Trust schools. This applies to all staff working in those schools, not just the Headteacher.

At a voluntary aided school with a religious character, the Governing Body may give preference to any candidate whose religious faith and worship are in accordance with the tenets of the religious denomination of the school. Note: this also applies to other staff (teaching and non teaching) at a voluntary aided school. In practice our VA schools currently actively encourage the appointment of a practising Christian to lead the Church school and be able to promote and develop the Christian ethos of that VA school.

The law in respect of voluntary aided Schools is set out in the School Standards and Framework Act 1998 Section 60, and is amended as set out below by the Education and Inspections Act 2006:

Section 60(5) (a) of the 1998 Act allows preference on the grounds of denominational religious opinion, attendance at denominational acts of worship or willingness to teach denominational RE.

At a voluntary controlled school with a religious character, the Governing Body may take into account any candidate's suitability and ability to preserve and develop the religious character of the school.

The 2003 Regulations do not change the law in respect of Voluntary Controlled Schools. This is set out in the School Standards and framework Act 1998 Sections 58, 59 and 60. Section 60(4) permits Governors in appointing a Headteacher to have regard to "that person's ability and fitness to preserve and develop the religious character of the school".

It is important to note that **a community school may not give consideration to a candidate's religious opinions/belief.**

Where a Management Partnership or Federation is looking to appoint a new joint Headteacher and there is a **community school** in the partnership, it cannot give preference to the religious opinions/ belief of the candidates (as can be the case in a VA school) to the extent that the candidate appointed would also be the Headteacher of the community school and this would constitute unlawful discrimination and also be contrary to section 59 of the School Standards and Framework Act 1998.

This does not preclude the appointment of a Headteacher who agrees to preserve the religious character of the VC schools in the partnership, and would not necessarily mean that an appointment could not be made in the case of a VC school with a Community school, where the requirement is for the post-holder to be able to preserve and uphold the religious character of the Church school(s) in the partnership.

Where a Management Partnership or Federation is being considered between two or more schools and there are fewer Headteachers than there are schools in the partnership, then there are provisions in the Regulations to enable an existing Headteacher in the partnership to be appointed to one of the other schools in the partnership without the need to advertise the post if all those concerned are in agreement to this.

The Headteacher will have a revised contract to work across two or more schools. However, where one of the schools involved is a **voluntary aided** school this is not possible as there are two employers involved - the LA for community and voluntary controlled schools and the Governing Body for voluntary aided and foundation schools. It is not advisable for a Headteacher in these circumstances to have two contracts of employment. Therefore the Headteacher will need to have one contract with one or other of the employers and there will in addition be an agreement between the employing school and the other school(s) relating to the sharing arrangement.

Reserved Headteacher – VC schools

Section 37 of the Education and Inspections Act 2006 removes the prohibition on Headteachers also being Reserved Teachers. Since the regulations in respect of Reserved Teachers are the same as those for teaching staff in VA schools, this allows their use for the Headteacher in a VC school, provided that the Governing Body has formally agreed that the Headteacher post (when it becomes vacant) should be so treated.

The National Society advises that VC schools should as a matter of course make all future Headteachers also Reserved Teachers in the interests of strengthening the school ethos and thus enhancing the wide educational outcomes of the pupils. Where a Governing Body believes that an existing Headteacher would be readily willing to accept the change, they should also implement it for Headteachers in post. They must not however impose any pressure on existing Headteachers over this. Such conduct would be both improper and illegal.

Section 60(3) permits the provisions of Section 60(5) to be used in the appointment of any “Reserved Teacher”. These are the VA religious criteria and there is a provision for dismissal on grounds of “incompatible” conduct. The Education and Inspections Act 2006 opens this provision to the Headteachers of VC schools, who were hitherto specifically excluded.

Section 58 sets out the other regulations in respect of “Reserved Teachers”. These are teachers selected to deliver Religious Education in accordance with the school’s Trust Deed or denomination. Sections 58(5) and 58(6) set out the specific powers of the Foundation Governors in respect of the appointment and dismissal of “Reserved Teachers”. They must agree to the appointment and may require dismissal if his/her teaching is not “efficient and suitable”. These powers will also apply to Headteacher appointments if the Headteacher is also to be a Reserved teacher under the provisions of the Education and Inspection Act 2008.

Support for Executive Headteacher interviews

At a voluntary aided school the Local Authority (LA) is normally accorded attendance at appointment proceedings to give advice. At voluntary controlled and community schools the LA has a statutory right of attendance.

At a voluntary aided school, the DBE should be accorded the same advisory rights in relation to the appointment, engagement or dismissal of teachers at the school as that enjoyed by the LA. At a voluntary controlled school the Governing Body of the school normally agrees to accord the Diocese advisory rights so that it may support

the Governing Body in making an appointment appropriate to the religious character of the school.

In practice both VA and VC schools generally work closely with the LA and the Diocese on appointments.

We would recommend that the person appointed to the role of Executive Headteacher is a substantive Headteacher with proven experience, preferably with Headship experience in more than one school. We would also strongly advise that such an appointment is made through an advertisement and appointment process; with a formal interview.

At interview we would look for a candidate who can demonstrate strong elements of strategic leadership, and the ability to manage a large and diverse workforce, someone who is a creative and innovative thinker, who has a good understanding of the wider local and national educational agendas. We would look for someone who is able to demonstrate inspirational and motivational leadership, with excellent financial acumen and strong interpersonal skills, and who is able to demonstrate experience of collaborative and supportive partnership working with other schools.

Management Partnership Diocesan Recommendations

MP/ 1	<p>Whenever possible, Management Partnerships should be between VA>VA schools, or VC>VC schools.</p> <p>VC>Community school partnerships may also be possible, however VA>Community are not recommended by the DBE; and VA>VC schools would need careful consideration</p>
MP/ 2	<p>Management Partnerships should not be undertaken for longer than 2 years; they should be time-limited and have a clearly defined purpose, with defined parameters and measurable outcomes</p>
MP/ 3	<p>Management Partnerships should not be seen as a way of saving money</p>
MP/ 4	<p>Management Partnerships should not be undertaken lightly for VC schools working in partnership with Community schools, and the appointment of the Leadership staff must be carefully considered to ensure the Christian ethos of the school is maintained</p>
MP/ 5	<p>Management Partnerships should not be considered for VA schools working in partnership with Community schools, or VC schools unless there is no other alternative possible. The necessity of the Governing Body to renounce their ability to give preference to a candidate's religious opinion or beliefs should not be given away lightly and the distinctively Christian leadership of a VA school should be maintained whenever possible</p>
MP/ 6	<p>Whenever possible, the appointment of an Executive Headteacher for a Management Partnership should progress through a formal interview process, with full DBE involvement, to ensure that the candidate chosen is the most suitable for the schools concerned</p>

Federation

“School Federations enable us to share best practice, facilities, expertise and to learn from the strengths of excellent teaching”

‘An Introduction to School Federations’ DCSF Innovations Unit web-site (2009)

Federation can support partnership working in a broad variety of contexts. It can provide the structure to support partnerships where one school supports another for the purposes of school improvement and raising standards. Rural and small school schools can benefit from the firm foundation that shared governance offers them as they develop joint leadership and shared service models. DCSF Standards web-site (2008)

Under this model a number of schools decide to operate under the support and challenge of a single Governing Body. **These are single legal entities, with a single Governing Body across all schools.**

This is in accordance with the Education Act 2002, section 24, and also the School Governance (Federations) Regulations 2007. These Regulations came into force on 25th May 2007 (replacing previous 2004 Regulations). They allow all categories of maintained schools to federate under one Governing Body, subject to the procedures stated in the Regulations.

Federations can be between two or more schools. They can have a single Executive Headteacher leading all of the Federation schools or a Headteacher for each school reporting to the Federated Governing Body. Most schools in a Federation with an Executive Headteacher also have a Senior Leadership team comprising a Head of Teaching and Learning for each school and may also have appointed a Business Manager.

Although there is only one Governing Body, each school in a Federation retains its separate legal identity in terms of its school category: Voluntary Aided, Voluntary Controlled, Foundation, or Community.

Federation works on the basis that all schools have their own particular strengths and advantages, which could be a combination of facilities, staff or resources. Regardless of the form of Federation adopted all schools:

- 1) Retain their separate identity;
- 2) Continue to receive individual school budgets;
- 3) Currently have separate Ofsted and for Church schools SIAS* inspections;
- 4) Report on performance individually.

* Statutory Inspection of Anglican Schools

This document provides markers for consideration, discussion and agreement along the journey to deciding whether Federation, in particular, is the correct route for your school. Whilst not irreversible, the decision to federate should not be taken lightly, and all of the implications of such a decision, particularly for a Church school; should be explored and understood prior to any decision to federate being agreed.

The potential for two or more VA schools to federate together or VC schools to federate with other VC schools is obviously a much simpler process with less 'cross-category' issues to consider. With more complicated 'mixed economy' Federations the context of the Trust Deed and the current Instrument of Government, together with the complexity of the role and purpose of the Church school must be taken into account more deeply. For VC schools federating with community schools, there are issues to consider, most notably the upholding of the Christian tradition and ethos of the VC school, the appointment of the Headteacher, and the continued role of the parish and church in the life of the school.

For VA schools however, federating into a 'mixed economy' of VC and/or community schools, the issues are pressed into much sharper relief. Such a decision, therefore, must not be taken lightly or easily.

One outcome is the undoubted potential diminution of the presence – and therefore the influence – of the Foundation Governors on the Governing Body, alongside the necessity on Headteacher appointments to renounce the ability of the Governing Body to give preference to a candidate's religious opinion or beliefs.

The decision to federate lies ultimately with each individual Governing Body; the role of the Diocese is to give advice and support to Church schools. It is intended that this document will give a clear position and framework for understanding the Diocesan position and strong recommendations for schools considering federation.

Schools are also directed to ensure that they are conversant with the requirements of the DCSF document 'Making Changes to a Maintained Mainstream School (other than expansion)' (2008). This guide provides information on the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007. It contains both statutory guidance (i.e. guidance that must be followed) and non-statutory guidance on the process for making changes to school provision.

Basic Information

Which Schools Can Federate?

Federation can involve any type of school including those with Foundation Status. Federated schools will not be subject to a change in category.

Clearly, where there is more than one type of school, the Local Authority and Diocesan Board of Education will need to work closely together. For VC and VA schools it is **imperative** that the DBE is involved from the very first stage of consideration; and certainly before any decisions or wider consultation has taken place.

What Doesn't Change Under Federation?

Federated schools continue to operate as individual schools. They retain their existing character and category including their religious affiliations. Admission to each school continues to be determined by the appropriate admission authority, i.e., the Local Authority for community and voluntary-controlled schools and the Federated Governing Body for foundation and voluntary-aided schools. Published admission numbers and designated areas will not be affected.

Currently, schools will continue to be inspected as single establishments and will publish individual test results. There are instances where schools recently have been inspected by OFSTED either concurrently or consecutively if they are in a Federation; and SIAS Inspections will endeavour to follow this framework.

Schools retain their individual budgets but there is also flexibility to use budget allocations across all of the schools within a Federation. A clear audit line must be maintained, especially when a Federation involves different categories of school, e.g. VA schools which receive their capital funding through a different route from VC and Community schools, and whose Governing Bodies must contribute 10% of the cost of all capital funded projects.

What are the benefits?

There are many potential benefits to schools from Federation. Clearly, the most important benefits are those which may be derived by the pupils on roll. Federated schools may increase opportunities for widening inclusion and encouraging diversity for their pupils more effectively than smaller individual schools. Pupils are able to establish larger friendship groups which can help small schools address the difficulties of gender imbalance.

There are clear social advantages for children of small schools to work and play with pupils of a similar age if transport and distance permits.

Pupils benefit from accessing a greater range of resources, broadening their curriculum opportunities such as sports equipment and e-learning initiatives. Pupils at different schools can be brought together for specific events, such as music, IT, drama and team games, or shared sports teams.

Federated schools are likely to find it easier to deliver Extended Schools and Services activities and may be able to engage more fully in collaborative partnerships with business, industry and higher education.

Federated schools may benefit from streamlined working practices and the appointment of joint staff (such as SENCO, ICT Co-ordinator or Subject Leader), all of which leads to shared accountability and consistent/coherent performance management objectives.

Schools may be able to establish improved strategies for meeting pupils' special educational needs, ranging from behaviour difficulties to providing challenge for gifted pupils.

Schools may also establish enhanced purchasing power, gaining economies of scale from single rather than multiple maintenance contracts for buildings and grounds, ICT equipment, school catering and caretaking, etc.

Federation can ease the feeling of isolation among teachers who are working in a rural setting. Teachers can provide support for one another in terms of collaborative planning, induction and training and covering absence. A larger team of teachers can provide a greater pool of expertise and can create additional opportunities for personal development and promotion. Staff remain on contract to their school; however new staff can be appointed to the Federation.

The workload for some Headteachers at small schools can be excessive. Federation is likely to cause less duplication of certain duties, allowing Executive Headteachers to concentrate more of their time on leading and management as well as monitoring and improving standards. This can, in itself, present a more attractive post when a future vacancy arises.

The role of Head of Teaching and Learning has already proved a valuable means of training and mentoring middle management and offering opportunities for career development. Additionally the Executive Headteacher role offers enormous opportunity for further promotion and enhancement for an already successful and established Headteacher. Benefits taken in part from Somerset LA 'An Introduction to School Federations in Somerset' 2007.

What are the costs / risks?

Schools engaging in a Federation should also be clear what the costs and risks may be – and in particular the issue of the potential diminution of the Foundation Governor role must be explored and discussed – and wherever possible the majority number should be protected. The appointment of the leadership of both the Federation and schools within must also be considered.

The Leadership models outlined do not necessarily bring with them any financial savings; in fact for two small primary schools the costs involved may actually be prohibitive. It is likely that a model of 3-4 medium sized (80-120 pupils) primary schools may find that cost savings can be made, and different models of leadership can be explored. Some Federations have been able to afford a Business Manager role within the Senior Leadership Team, and other shared staff opportunities can also be considered. Federation however should never be considered solely as a cost-cutting or financial exercise, and should never be entered into for these reasons alone.

Schools in a Federation continue to be individual schools, and the required RE Curriculum, acts of Collective Worship and Christian ethos remain individual for each school. For VA schools, the finance and buildings also remain separate, as does the appointment of staff and Admissions, and a 'mixed economy' Federation Governing Body must be able to recognise and understand these differing issues and address each individually as required and as per the school's Trust Deed. They must also be able to support the SIAS Inspection process.

Federation should not be considered merely as a means to addressing a Headteacher recruitment issue; however we are aware that nationally over 50% of our Headteachers are over 50 years old, and that in consequence many of our schools face a change of leadership in the coming years. In addition, workload pressures continue to be an issue.

Falling pupil numbers also are an important factor to consider in providing quality of education for pupils. This will cause funding to reduce and affect what can be provided for pupils. This situation should cause schools to think whether they can continue to offer a broad and balanced curriculum to pupils or whether an improved offer could be made if schools were to collaborate informally or more formally through federation.

By planning ahead and considering the options, better outcomes can be achieved for pupils that can help to preserve the school in its community. The DBE strongly supports the need for Church schools to be sustained whenever possible; choice

and diversity are key issues for all concerned; and many of our Church schools are providing an excellent education and are strong features of our local communities.

The DBE strongly favours schools working together collaboratively by choice – and does not wish to see schools forced to work in partnership – or even federate – with other schools against their preference. The Diocesan Schools team liken this to a marriage, with the need for a long courtship and the chance to assess compatibility alongside non-negotiable elements of the potential partnership. We would not want to see schools forced into a collaborative or formal arrangement against their wishes – likewise the DBE will also play a role in both supporting schools – but also challenging robustly – any planned arrangements which seem to contradict the DBE recommendations.

Changing category and becoming a VA school

Schools wishing to seek VA status can move to statutory consultation as a result of a simple vote of the Governing Body and formal proposals are then published. The Local Authority is consulted on any such proposals, and can raise objections, but ultimately the decision rests with the school's Governing Body (or the DFE;s Schools Adjudicator, should objections be raised). VA schools differ in a number of important ways: the Foundation Governors are in the majority on the Governing Body; and the Diocese generally owns the land and assets. The Governing Body employs the school's staff, sets the school calendar and decides the admissions arrangements for the school, within the national code of practice, and it should be noted that moving to VA status takes the school into a different funding regime as far as Capital Funding is concerned.

Changing category should also demonstrate the educational benefits arising for the pupils of the school as a direct result of the change in status and that such a change will contribute to the core aims of improving school effectiveness and raising pupil achievement.

This may be a solution to some of the issues which surround the mixed-economy models of Federation; with the opportunity for open discussions to be held with schools wishing to partner with VA schools that are not currently of VA status, but would be willing to consider this change of status in order to allow a VA>VA Federation to occur.

More information can be found on the National Society web-site <http://www.natsoc.org.uk/downloads/vctova.html> and from the Diocesan Schools' Team.

In principle, the DBE would always support a school wishing to change to VA status, particularly if it is already a VC school.

Leadership

Federation models usually involve sharing an Executive Headteacher, although options are possible where all schools in the Federation retain their own Headteacher. However, this limits any potential financial flexibility to achieve improvements or changes elsewhere. Sharing a high quality Executive Headteacher means that the schools involved benefit from sharing expertise and leadership. Usually this arrangement means that the Executive Headteacher has more non-teaching time (or even no teaching commitment) so they are better able to do the job and to provide leadership and support to other staff. As teaching and learning responsibility points could also then be offered in the school, it would provide teaching staff with more career progression opportunities – something currently lacking in many small schools. The supporting roles of Head of Teaching and Learning in each school also allow opportunity for leadership experience for middle leaders, within a supportive and mentored environment.

The issues surrounding Church schools and the appointment of Leadership staff to the Federation are the same as for Management Partnerships and you are requested to view the earlier section of this paper for more information on this area. VA schools in particular should be extremely cautious of this model, with the necessity of the Governing Body to renounce the ability on Headteacher and Executive Headteacher appointments to give preference to a candidate's religious opinion or beliefs; thereby relinquishing the ability to be able to appoint a practicing Christian into the leadership role of a VA Church school.

The Heads of Teaching and Learning appointed should reflect the VA or VC nature of the school appointed to, as if they were appointed as a Headteacher. This will also ensure that the distinct Christian ethos is maintained, particularly in a 'mixed economy' federation, where the Head of Teaching and Learning is seen as the 'face' of the school. It is recommended that for a Community school appointment to a 'mixed economy' candidates are encouraged to show their willingness to recognize and uphold the Christian distinctiveness of the other school(s) in the Federation, recognizing that such staff may well be asked to work in, or cover at, the other school(s).

Governance

Church schools considering Federation must give due weight to the legal requirements contained within their Trust Deed and to the ethos statement within their Instrument of Government.

Careful consideration must also be given to the change of composition of a federated Governing Body and the potential for the strong diminution of the Foundation Governor element, even the loss of the current majority status held in a VA school. This is a particular issue for VA schools contemplating a Federation with other categories of school. In VA schools the Foundation Governors would in most cases go from being the majority on the Governing Body to a minority and that would bring about a fundamental change in the balance of the Governing Body.

The strong recommendation from the DBE and their legal advisors is that VA schools should only consider federation with another VA school(s) whenever possible.

If it is not possible or suitable for a VA school to partner with another VA school, then serious discussion should be entered into, in conjunction with the DBE, as to the merits, and consequences, of federating with a VC (or Community) school.

In all cases the VA school should try whenever possible to maintain the Foundation Governor majority on any planned 'mixed economy' Federation model. The guidance on the regulations states that "Federations involving voluntary aided schools... may wish to have more than the minimum number of parent and Foundation Governors" and this would allow for a greater number of Foundation Governors than the DCSF recommends. The VA school would however have to accept that they may well end up with a reduced 'minority' of Foundation Governors, with the resulting diminished Church school voice that would be present to all future decisions made by the Federation, and the impact that may have upon the VA school.

For VC schools the statutory Federation guidelines on the composition of the Governing Body do allow for the more than the minimum number of Foundation Governors as the guidelines state [for example] 'at least two Foundation Governors' thereby allowing the potential for 'more than' two.

Ex-officio Foundation Governor

The DBE strongly believes in the role of the Ex-officio Foundation Governor; the relationship with the local parish and the incumbent is vital to the life of a Church school; and is central to the work of a parish and church community. The role is

recognized in both the school's Trust Deed and also reflected in their Instrument of Government; the parish priest or vicar is on a Governing Body by right of office, by appointment by the Bishop of Truro; and should play a key role in the life of a Church school.

The DCSF guidelines do not make mention of the distinct nature and role of the Ex-officio Foundation Governor on a Governing Body; and does not name the role within the governance guidelines, even though technically the Governing Body could elect to have more than one Ex-officio appointed.

The strong recommendation from the DBE and their legal advisors is that all Church schools in a Federation ensure that the planned governance model includes the Ex-officio Foundation Governor as a distinct role, as a right of office.

The DBE would not support a proposed composition of the Governing Body which did not recognize the Ex-officio Foundation Governor position.

The new Federation Governing Body may also decide to elect Associate Members of the Governing Body and this may allow the opportunity, for example, for another local parish priest to be elected as an Associate Member (in addition to the Ex-officio Foundation Governor) allowing them to work alongside their local Church school(s). They would also receive copies of all the Governing Body minutes and associated paperwork; and have the right to attend the Full Governing Body meetings. This would further strengthen the voice and presence of the Church and the Church school(s) in the Federation.

Early discussions with both the potential partner schools and also the DBE are strongly recommended and all governance issues considered and decided upon PRIOR to the publication of any proposals or consultation.

Leaving a Federation

The School Governance (New Schools) (England) Regulations 2007 also allow for a federated school to leave a Federation, or a Federation to be dissolved. This would be the decision of the Governing Body of the Federation. For more advice on this issue please speak to your Diocesan Education Officer.

Governance Models including VC schools

The national DCSF guidelines consider sufficient Foundation Governor Provision in a **VC and Community combined** to be as follows:

The Governing Body ... shall consist of the following:

- One third or more shall be parent Governors. Each of the federating schools should have one parent Governor on the Governing Body
- At least two but not more than one third shall be staff Governors
- At least two but not more than one fifth shall be LA Governors
- At least two shall be community Governors

At least one shall be a Foundation Governor

The Governing Body may in addition appoint up to two sponsor Governors (four where the federation contains secondary schools only).

In an '**all VC**' federation the guidelines are as follows:

- **At least two but not more than a quarter shall be Foundation Governors**

Current VC school regulations state that Foundation Governors should 'number at least two but no more than a quarter of the total number of Governors'

The DBE strongly recommends that in a VC federation combined with a Community school **there should be at least TWO Foundation Governors of which one should be an Ex-officio Foundation Governor.**

For a Federation involving all VC schools the DBE recommends **there should be at least THREE Foundation Governors of which one should be an Ex-officio Foundation Governor.**

Governance Models including VA schools

The national DCSF guidelines state that the Governing Body of a **VA and VC and/or Community combined** should be comprised as follows:

- At least one parent Governor from each school
- At least two but not more than one third shall be staff Governors
- At least two but not more than one fifth shall be LA Governors
- At least two shall be community Governors
- **At least two shall be Foundation Governors** (or partnership Governors in the case of a foundation school without a foundation)

The Governing Body may in addition appoint up to two sponsor Governors (four where the federation contains secondary schools only).

The guidelines also state: “federations involving voluntary aided schools... may wish to have more than the minimum number of parent and Foundation Governors.”

In an **‘all VA’ federation** the guidelines are as follows:

- **There must be enough Foundation Governors to outnumber by two all the other Governors**

Current VA schools regulations state that the Foundation Governors must outnumber all other categories of Governor put together by a majority of at least two. In practice this means that most VA Governing Bodies have seven or eight Foundation Governors, including the Ex-officio Foundation Governor.

The strong recommendation from the DBE and their legal advisors is that VA schools should only consider federation with another VA school(s) thereby ensuring that the majority foundation governance model is preserved.

Ethos

All VA and VC schools with a religious character have an ethos statement in their Instrument of Government, and this ethos statement should be protected and upheld. The SIAS Inspection framework and SIAS toolkit support schools in promoting the distinctly Christian ethos of a Church school, working in partnership with the local parish, Foundation Governors, Ex-officio Foundation Governor and the Diocese.

Governors should:

- Ensure their school maintains and develops their Christian distinctiveness
- Supports and challenge the school's vision of academic and spiritual excellence
- Provide the bridge between the local church and the whole school community
- Enable the church to be embedded in the school and the school in the church
- Be the gardener for the 'seed bed'

In all considerations and discussion surrounding Federations, let us remember that Church schools should be:

- Places which delight children
- Communities where the whole school community can experience what it is to be a child of God
- Places where (rightful) expectations are frequently exceeded – places where dreams can, and do, come true.

'Every Child Matters to God' taken from First Federation article on Governance (2009)

The Diocesan Board of Education should be involved in conversations and discussion with schools and Governing Bodies as early as possible, and can offer advice, support and guidance on all matters pertaining to Federation or other partnership collaborative models, working in partnership with the Local Authority.

Federation

Diocesan Recommendations

Structure and Format

Fed/ 1	VA schools should only consider federation with another VA school(s) whenever possible
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Fed/ 2	VC schools should consider federation with another VC school whenever possible, and may also consider federation with Community schools in consultation and agreement with the DBE
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Fed/ 3	All Church schools considering federation should contact the DBE in the first instance and work in partnership with the Diocesan Schools Team to ensure they receive all the support and advice available to them
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Fed/ 4	Any planned model of federation in a 'mixed economy' (especially VA>VC or VA>Community) should be discussed and considered at length by the Governing Body in conjunction with the DBE, and all other options explored first
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Fed/ 5	The DBE must be included in the formal Consultation process for any planned Federation
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Leadership

Fed/ 6	Federations should not be undertaken lightly for VC schools working in partnership with Community schools, and the appointment of the Leadership staff must be carefully considered to ensure the Christian ethos of the school is maintained
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Fed/ 7	Federations should not be considered for VA schools working in partnership with Community schools, or VC schools unless there is no other alternative possible. The necessity of the Governing Body to renounce their ability to give preference to a candidate's religious opinion or beliefs should not be given away lightly and the distinctively Christian leadership of a VA school should be maintained whenever possible
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Fed/ 8	Whenever possible, the appointment of an Executive Headteacher should progress through a formal interview process, with full DBE involvement, to ensure that the candidate chosen is the most suitable for the schools concerned
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Fed/ 9	The Heads of Teaching and Learning appointed to each school in the Federation should reflect the VA or VC nature of the school (as appropriate) as if they were a Headteacher appointment, and the appointment to a Community school in the partnership should be a candidate willing to recognize and support the VA or VC nature of the other schools in the partnership. We recommend a formal interview process for these roles. This DBE recommendation would also be appropriate for Management Partnership appointments
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Governance

Fed/ 10	VA schools should preserve their Foundation Governor majority whenever possible
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Fed/ 11	VA schools should only consider a diminishment of the foundation majority after discussion and support from the DBE in cases where a VA school cannot federate with one or more VA schools within a reasonable distance
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Fed/ 12	The planned governance model for all Federations including a Church school should include the Ex-officio Foundation Governor named distinctly as a right of office
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Fed/ 13	VC schools should ensure that there are at least TWO Foundation Governors (including the Ex-officio) named in a Federation involving a Community school, and THREE Foundation Governors (including the Ex-officio) named in an all-VC Federation
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Fed/ 14	The Instrument of Government should be drawn up in consultation with the DBE
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Ethos

Fed/ 15	It is strongly recommended that all church VA and VC schools joining a Federation set up their own individual Ethos Committee
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Trust schools

A maintained school, collaboration or federation may wish to develop a more formal partnership arrangement with other organizations by forming a Trust, joining perhaps with a University, business partner or another school, maintained or independent.

There are impediments to Church schools being formally involved in being a full member of a Trust:

A Church school cannot become a full member of a Trust – as they already have a foundation and under the Charity Commission guidance cannot have more than one foundation in place.

Church schools can however become associate members of a Trust – which would enable them to potentially gain advantages from partnership working and alliance with the other Trust schools – but they would not have full voting rights and would need to be careful of the extent to which they have ‘joined’ the Trust – for example – a Church school could not ‘sign away’ its land to the Trust.

Trust schools remain Local Authority maintained, but are supported by a charitable foundation or a trust. This can introduce new expertise and extend innovation in the leadership and management of the partnership through the sharing of best practice. Trust schools have additional flexibility to manage their assets and admissions criteria and employ their staff directly.

The White Paper, Higher Standards, Better Schools for All, published in October 2005, sets the framework for the Trust School provisions in the Education and Inspections Act 2006. The policy objective is to strengthen the leadership and ethos of schools by enabling them to form long-term sustainable partnerships with charitable trusts which will be able to appoint a majority of the Governors, where the existing Governing Body wishes. The aim is to bring in experience, energy and expertise from new partners as a lever to raise standards, and to take existing collaboration a step further.

Definition of Terms: “Trust” “Trust School” and “Foundation”

Trust Schools are foundation schools with foundations. Trusts are the foundations of such schools.

Foundations are defined in section 21 of the School Standards and Framework Act 1998 (SSFA 98). The statutory purpose of a foundation is to hold land on trust for

one or more schools; they may also appoint Foundation Governors to those schools where the school's instrument of government so provides.

The Education and Inspections Act 2006 (EIA 2006) puts in place safeguards around the acquisition of a Trust and defines particular characteristics required of Trusts, including the charitable purpose of advancing education and a duty to promote community cohesion in furthering such purpose.

The Governing Body of a Trust school may record on their instrument of government the decision to allow for the Trust to appoint a majority of Governors to the Governing Body. Similar arrangements already exist in voluntary aided schools, and are often a key factor in shaping a strong ethos for the school.

It will be for individual Governing Bodies to decide whether to have this recorded in their instrument of government - there will be no compulsion. However Trust Schools now have the opportunity to adopt governance arrangements previously limited to voluntary aided schools where this is thought by the Governing Body to be in the best interests of the school.

The term "acquiring a foundation majority" means acquiring an instrument of government whereby the school's Trust has the power to appoint a majority of Governors on the Governing Body.

DCSF: 'Trust School Proposals – A Guide for Governing Bodies and Local Authorities'

Trust Schools

Diocesan Recommendations

TS /1	A Church school cannot become a full member of a Trust – only an associate member.
TS /2	Church schools should carefully consider what the advantages – and disadvantages of partnership with a Trust school may be
TS /3	Church schools should take legal advice before entering into any formal contract with a Trust and gain the advice of the DBE prior to any agreement or formal consultation

Amalgamations

“Amalgamations take place when two or more schools come together as a single school with one Headteacher, one budget, one SEF and a single Ofsted and SIAS inspection. This may be appropriate, for example where small schools serving adjacent communities face falling rolls or infant/junior or first/middle schools come together as a single primary school. National and local research provides evidence that where pupils change schools part way through a key stage it can have a measurable negative impact on educational progress.”

‘Partnership Working from Networking to Amalgamation’ West Sussex LA 2009

There is a strict framework to be followed to amalgamation which will differ depending on the scenario adopted in the amalgamation. The detail and complexity (depending on an individual scenario) cannot be adequately explained in this document and therefore if you are interested in pursuing this possibility, please contact the Diocesan Education Team in the first instance.

Further support and advice

Any school wishing to consider partnership working options – which may include Federation – are asked to contact the Diocesan Board of Education (DBE) at a very early stage in their discussion and thinking. The DBE will provide an officer to support the school throughout the process, r For clarity, schools should be aware that the DBE are not against Federation per se, and are supportive of ‘like with like’ Federations.

At all stages of decision making and negotiation it is strongly recommended that the DBE are fully engaged in the process and can offer support, advice and guidance to schools and Governing Bodies as required.

The Local Authority will generally support schools wishing to federate where it would benefit pupils and it is felt to be appropriate.

References and Research

- DCSF / Children's Plan: 'How Hard Federation can help your School' 2009
- DCSF: GUIDANCE ON THE SCHOOL GOVERNANCE (FEDERATIONS) (ENGLAND) REGULATIONS 2007
- DCSF Innovations Unit: 'An Introduction to School Federations' 2005
- DCSF Standards web-site (2010)
- DCSF June 2009 'your child, your schools, and our future: building a 21st Century Schools System'
- Devon Local Authority: 'Exploring Federation - A Toolkit for Schools' 2007
- Devon Local Authority: 'Strategy for change' Devon's Primary Capital Programmed (2008)
- 'Every Child Matters to God' taken from First Federation article on Governance 2009
- Diocese of Exeter: 'Church school Strategy Implementation Plan - Collaboration & Federation Task Group Report' 2008
- Dorset Local Authority: 'Federation of Governing Bodies - A Dorset Governor services guide' 2008
- General Synod of the Church of England: Diocesan Boards of Education Measure 1991 (1991 No 2) [As amended to the Education Act 2002]
- Robert Hill 'Better Together – Models of Collaboration for Small Schools' DCSF 2009
- National Society web-site 2009
- NCSL: 'A Study of Hard Federations of Small Primary Schools' 2006
- NCSL: 'New Models of Headship – Federations' 2006
- Plymouth Local Authority 'Collaborations – Moving towards a Collaborative Future' 2007
- Peter Singe 'Schools that learn' 2000
- North Yorkshire County Council 'A Quick Guide to Confederation and Federation' 2008
- Somerset Local Authority: 'An Introduction to School Federations in Somerset' 2007
- West Sussex Local Authority guidance on Collaborative Working: 'Partnership Working from Networking to Amalgamation' 2009

May 2010 Version