

**Enterprise Cooperative Trust**  
(A mutual schools' co-operative education trust)  
**Proposal Consultation Information Pack**



**The Reason for the Consultation:**

*The Governing Body for West Lea School* are proposing to change their legal school category from community to foundation and, at the same time, acquire charitable status as a shared co-operative Trust; to be known as **Enterprise Cooperative Trust**.

**This publication provides information about our Proposal including how we are planning to develop and improve our school - and why we think that setting up a co-operative education Trust will help us to achieve this.**

Copies of this information are available at our schools as well as electronically from our website.

**What we would like you to do**

We would like to know what you think of our proposals so we invite you to take part in our public consultation. You can do this by:

- a) Reading this information and asking for further information if you need any.
- b) Attending one of the consultation meetings, details of which are shown below.

**You can respond to the consultation: -**

**By completing the Proposal Consultation response forms, which are available from our schools.**

**By sending comments or requests for further information in writing to: "Consultation" at the school address, shown above.**

**By sending comments or requests for further information by email to: [WestLea@csnetwork.coop](mailto:WestLea@csnetwork.coop)**

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### Section 1: Summary

- 1 The Governing Body and the leadership team of our school have been considering how best to plan for the long-term future, in the light of changes happening in the public education service.
- 2 We want to ensure that we continue improving the service we offer to our children and young people by establishing a charitable trust, both supporting and extending the work of our school.
- 3 In addition, we have the opportunity to become part of a values-driven regional and national network of like-minded schools and partners that can help us to deliver that ambition.
- 4 To take this plan forward, we are proposing that the school will change school category from community to foundation and that the school will establish a co-operative education trust, which will be called Enterprise Cooperative Trust.
- 5 The proposed date of implementation (i.e. the date on which any legal change of category would take place and we would set up the Trust) would be 1<sup>st</sup> January 2020.
- 6 The process of change will not result in noticeable day to day differences for our school, but we believe that setting up this partnership will allow us to formalise arrangements with a group of like-minded education providers and learn from the shared expertise and experience they offer.
- 7 Further information is provided below – we would be pleased to hear what your thoughts are (and invite you to become a member of the Trust so that you can contribute to its work if we do go ahead).
- 8 You are invited to comment on these proposals at any time from now until the end of the statutory consultation period, which runs from **4<sup>th</sup> September to 2<sup>nd</sup> October 2019**

### Section 2: The Vision and Values of our Proposed Education Trust

#### The background

- 9 West Lea School has been working closely with a number of partners for some time and we are now planning to formalise this partnership so that it remains in place to serve all of our learners for the foreseeable future. The legal partnership created would secure and strengthen the working relationships we currently enjoy.
- 10 Having carefully considered the option of academy status, we do not feel that this is right for our school at this point in time.

One of the main attractions of the cooperative trust model is that it will enable our school and partners to continue to work in the same way as we currently do and retain our individual character.

The model is low cost but high impact: there is a commitment to contributing time and expertise and to securing funding where necessary for new work from partner contributions or grant allocations.

There is no intention to appoint a chief executive or other highly paid officer for the trust.

The Headteacher, staff and governors will remain in charge of the school and will still be accountable to their young people, parents and the local community, with a representative governing body.

The role of the Trust will involve collectively supporting all of our children in having the best possible education and extending their life opportunities through partnership working.

The trust will be a not for profit organisation, in which members will be mutually responsible but not liable for each other.

The trust will be a legal entity, a model for schools recognised as such by the local authority and the government.

### **Shared Vision**

9 Our vision is to achieve substantial and sustained improvement of standards across a dynamic learning community where the young people we serve in West Lea and those in any partner schools or organisations have their needs met and their opportunities extended.

We believe that local schools should remain accountable to local people; should there be other schools joining us in the future, this will be the case for all schools in the trust.

As part of this strong partnership, we want to:

- Build life-changing communities and raise aspirations and opportunities for pupils in Enfield
- Provide a holistic approach, focusing on young people's development beyond just academic achievement
- Strengthen existing partnerships and encourage reciprocal effort in order to develop a sustainable self-improving schools' system and long-lasting relationships in the community
- Ensure that local schools remain accountable to local people

Together, our work will focus on:

- Further improving the quality of learning and teaching
- Promoting the wellbeing of our young people
- Building on the advantages of sharing resources and expertise
- Improving value for money and economies of scale in a time of real terms reduction in funding
- Supporting and enhancing training opportunities and personal development for current and future leaders

These strategic goals will be addressed through our Trust Strategic Plan which will be based on regular audits of strengths and areas for development within the Trust.

We believe that the values of a co-operative schools' trust match our existing values but also enables us to be part of a wider national network of schools with complementary values. This ensures we are outward looking, in our drive to make all our local schools the very best they can be for the young people we serve.

## Shared Values

10 The members of the proposed partnership will agree to abide by the principles established by the Nolan Committee for those in public life.

These are: selflessness; integrity; objectivity; accountability; openness; honesty; and leadership.

Both the concept of working in partnership and the Nolan Committee principles are compatible with the Co-operative values, which will underpin the way in which we work together.

The Co-operative values are:

self-help; self-responsibility; democracy; equality; equity; and solidarity.

As members of the Enterprise Co-operative Trust, we would work to embody these values at trust and school level.

As a Trust we would therefore:

- Give equal value to all our members and all our young people. (Equality)
- Have a responsibility to help other schools. (Self-help)
- Be accountable for our own actions. (Self-responsibility)
- Abide by democratic principles and give a voice to the West Lea community and young people. (Democracy)
- Have to make a positive contribution to the trust and local community. (Equity)
- Have to support and improve all our schools by working together. (Solidarity)

Within the daily work of the school we would continue to:

- Ensure we are inclusive in our practice and that we teach respect and tolerance. (Equality)
- Encourage independence in our children's problem-solving skills. (Self-help)
- Ensure our children understand the balance of rights and responsibilities. (Self-responsibility)
- Ensure we listen to our children, our School Councils, our parents and carers, our staff and our local community, and help our young people to experience democratic process. (Democracy)
- Encourage children to recognise the need to contribute to, as well as benefit from, school. (Equity)
- Encourage all our community to work together and our children to work as a team, supporting one another and taking pride in the achievements of individuals and the school. (Solidarity)

### **Section 3: List of Consultees**

We want to consult widely about this Proposal to ensure all interested parties have their say.

We are actively seeking the views of the following groups of people:

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

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

During the consultation period, a series of consultation meetings have been arranged and will take place as follows:

**WEDNESDAY 18<sup>TH</sup> SEPTEMBER 2019**

1.30 pm	Trade Union
2.30 pm	Student representatives
3.30 pm	Staff
5.00 pm	Public
6.00 pm	Parents and Carers

We will also be discussing our ideas and the Proposal with our children and young people, to see what their views are in the same week.

### **Section 4: Further information about the proposed Trust**

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

- 11 The purpose of a Co-operative Education Trust is to support the best possible school performance and learning outcomes, by developing a strong, values-driven partnership of one or more schools.
- 12 Under the **2006 Education and Inspections Act**, schools have the power to change their legal status to become Trust (or ‘Foundation’) schools, subject to consultation. Elements of the 2006 Act were updated by the **Education and Adoption Act 2016**.
- 13 The Trust (or Foundation) provides a supporting, strategic partnership alongside the continuing governance and professional leadership of the school or schools – as happens with faith schools, e.g. VA and VC schools with a Church of England Foundation.
- 14 Trust Schools continue to teach the National Curriculum and are inspected by Ofsted at appropriate times.
- 15 A Trust school becomes its own admissions authority and employs its own staff, but with

regulations guaranteeing continuity of service and employment arrangements.

*Decision making responsibilities for any change of status*

- 16 The process for a change of school status is set out in the **SOPAM Regulations (2016)** (Statutory Order for Prescribed Alteration to Maintained schools)
- 17 **The Decision Maker is the Governing Body** – there is no requirement for the Local Authority or the DfE to endorse or approve a proposal to create a Co-operative Trust.
- 18 When considering this process, the Governing body is required to notify the Local Authority that they will be meeting to discuss a possible change of category, e.g. from community maintained school to foundation category (maintained sector).

*The Decision Making and Consultation process*

- 19 Decision making begins with a formal vote by governors to consult on a proposal for a change of status. The publication of a proposal in draft form is a required part of the consultation process.
- 20 The consultation process – at least four weeks, but usually around half a term - allows all interested parties to express a view.
- 21 Governors have the responsibility to consider all views, including external advice where this is commissioned and to make a final decision to go ahead (implement); or to defer; or to not proceed.

*People Management and Employment: what happens to staff?*

- 22 The Governing Body of a Foundation school becomes responsible for pupil admissions and will work with the Local Authority to provide pupil places under the requirements of the National Schools Admissions Code.
- 23 The Governing Body of a Foundation School is the employer for staff with effect from the date of the legal change to the school's status.
- 24 This is not such a major development as it may seem: all schools have undertaken the key tasks of the employer since 1989. Maintaining existing HR and Payroll support services will provide Head teachers and Governors with support and guidance, as at present.
- 25 All employees employed by the school immediately before the transfer irrespective of their length of service have entitlement to continuous employment.
- 26 This is **not a transfer to a 'new employer'** within the regulations determined in the Transfer of Undertaking (Protection of Employment) (TUPE) Regulations 2006. No formal TUPE process is required **as the employer is not changing** under the legislation, this is a re-organisation within the maintained sector schools public service: a 'TUPE-like' consultation is organised to ensure full consultation.
- 27 All employees will transfer with entitlement to retain existing terms and conditions of employment and there is no break to the employees' continuity of service.
- 28 Teaching staff will automatically continue to have access to the National Pension Scheme. For support staff a formal confirmation by local authority resolution is required; Governors will ensure that this is secured during the process.

*Management of Land and assets*

- 29 As soon as the Trust is established land and buildings transfer to it automatically. There is no right of veto from the Local Authority or any other body. The land and buildings are held on trust (for nil payment) for the duration of the trust for the educational purposes/benefit of the school in accordance with the Trust's legal constitution as set out in the Articles registered at Companies House.
- 30 The legal conveyancing work can take some time, however. For example, more complex arrangements will apply where there is dual usage; on site accommodation; a PFI (Private Finance Initiative) or other agreement already in force.
- 31 In all cases, the final agreement involves a process of negotiation and agreement between the legal team acting for the Trust and the Local Authority.
- 32 Trust school governing bodies have very similar responsibilities for buildings maintenance and generally manage major aspects of this through a service level agreement, often with the Local Authority.
- 33 The management of Health and Safety for premises will require access to and sensible usage of a professional service, as is normally the current arrangement.

*Maintenance funding and major incident responsibility*

- 34 Trust schools remain local authority maintained and are funded in the same way as all other maintained schools. Therefore, funding for buildings remains the same.
- 35 The Local Authority has a responsibility to maintain schools to provide education within the community; as with all maintained schools, the local authority has an obligation to fund major costs towards keeping this provision, e.g. roof damage, health and safety issues due to asbestos or unsafe heating systems.
- 36 If the school is currently buying into a service level agreement with the local authority or pays the local authority to maintain buildings, this arrangement may be able to continue so that the responsibility on the governors for the land and buildings remain the same.
- 37 Should the Local Authority or the DfE wish to use a part of the site or building for other things then agreements can only be made in discussion with the Trust. The Trust cannot make decisions against the will of an individual Governing Body to part with or use their school's land, but the Trust can act to support the school and prevent any unwanted usage e.g. a free school being built or occupying part of the school site.

*The Trust and Trust Partners*

- 38 A Co-operative trust is a variation of trust that is co-operative in its nature and supports the core cooperative values of *self-help, equality, equity, democracy, solidarity and self-responsibility*.
- 39 The Co-operative Trust model usually includes at least one partner who holds the same values and a membership arrangement through which parents, pupils, staff and other stakeholders can be involved and have a say in how the trust is run.
- 40 Partners in the Trust can include the Local Authority, Further or Higher Education; local businesses or other community organizations; the common factor is a commitment to contribute to a successful learning community.
- 41 The Proposed Co-operative Trust will be built around the schools as the key partners. Other schools can consider becoming a full or a partner member of the Trust at a later stage if they wish to. If they do join the Trust, they will be full contributors to and beneficiaries of the work of the Trust.
- 42 Other partners can be invited to join the Trust to add to the strength of the Trust and the range of experience and opportunities it can provide.
- 43 The full list of initial partners is shown here:

Schools (consulting schools in bold print)	Other Partners already committed to the West Lea Trust
<b>West Lea School</b>	<b>Learning for Life Charity</b>  <b>London Borough of Enfield</b>  <b>CSNET: co-operative schools network</b>

Information about these partners and the work they do:

- **Co-operative Schools Network**
- The Co-operative Schools Network is the delivery arm for the national family of co-operative schools and provides a range of support services and considerable educational expertise to a schools in our region and across the country. The involvement of CSNET will support us in developing a co-operative, values-driven ethos across the whole curriculum and bring national and international links with other co-operative educational institutions and organisations.

- **Learning for Life Charity**
- The Learning for Life Charity is a newly formed and growing charity. They want to help bring about a world, where children and young people with learning difficulties and special educational needs, or who have been affected by illness, disability or poverty, play their full part and have the best possible chances and choices to live full lives. A world where they are valued for what they can do rather than disregarded because of what they cannot. The Charity supports this mission by providing chances for young people to work, make friends, explore, learn and fundamentally make a difference in the community. The involvement of the Learning for Life Charity will help us in further developing opportunities within the community for our young people. ([www.learningforlifecharity.co.uk](http://www.learningforlifecharity.co.uk) )
  
- **London Borough of Enfield**
- The London Borough of Enfield is the local authority, which has responsibility for oversight of maintained sector schools in the area. They provide a number of services to the school and have strategic responsibility for coordinating special educational needs provision.

- 44 Over time, the Trust will explore links with other partners from the public, voluntary and commercial sectors that can help to further its aims. Charitable status and existing partnerships will help significantly in identifying suitable partners.

### *How the Proposed Trust can help in practical terms*

- 45 At a time when Local Authority services are diminishing and schools increasingly find themselves working alone, the Trust provides a means of joining together with other schools to serve a common purpose and achieve more together.
- 46 Examples can include shared training for staff, sharing of knowledge, experience or expertise, particularly in areas such as best practice in SEND provision – which is a sector strongly represented within the co-operative education movement.
- 47 There are also opportunities to make better use of our funding and resources, using the significant collective bargaining power of the Co-operative Schools Network in negotiations with suppliers of goods and services.
- 48 This will enable us to secure best value and prioritise funding for teaching and learning. In short, the Trust will allow our schools to pool expertise and resources with others to enable them to maximise the benefits for staff and children.

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

- 49 The Trust will offer membership to parents, children, employees and local community groups and individuals and may well provide benefits for each of these groups, while also enlisting their support in achieving the aims of the Trust.
- 50 The Trust will automatically become a charitable, not for profit, organisation meeting the legal and other requirements of the Department for Education (DfE).
- 51 It will carry out its duties in relation to schools as set out by the DfE, specifically by appointing a minority (two) governors to the Governing Body of any supported school and by holding the land and assets in trust for the school community.
- 52 The Trust will be legally established and regulated as an exempt charity by the Secretary of State for Education and registered as a company limited by guarantee with Companies House.
- 53 Trustees (representatives) will not be able to earn an income from the Trust, but the Trust may become an employer as it develops its work. Any income generated by the Trust must only be used to support its charitable aims.
- 54 Trustees (representatives) will meet a minimum of 3 times a year. Each school will have 2 representatives at such meetings, each external partner organisation will have one.

### *Governing Body changes*

- 55 In September 2012 the Government changed the arrangements for appointing Parent, Community, Local Authority and Staff Governors.
- 56 These proposals are designed so that changes should be as minimal as possible when compared with the current composition of the governing body, which will have a minority of governors (probably the legal minimum of two), appointed by the Trust. This helps to ensure that there is a strong link between the Trust and the school Governing Body.
- 57 The governing body of a foundation school with a 'minority' Trust as its foundation, which is what we are proposing, has to be composed as follows:
- The Head teacher;
  - One staff governor;
  - At least two parent governors;

- One Local Authority governor;
- As many co-opted governors as the governing body considers necessary. The total number of co-opted governors who are also eligible to be elected as staff governors must not exceed one-third of the total membership of the governing body, you must also count the Head teacher's position in this figure.
- At least two, but no more than 45% of the total, foundation Trust governors; in our case we are proposing the legal minimum of two; and will reconstitute our Governing Body accordingly.

### *The structure of the Trust and the involvement of Trust members in the work of the Trust*

- 58 We plan to develop a Trust structure which will be properly representative of all members and stakeholders, will represent external partners appropriately and will enable all of our schools to be represented equitably.
- 59 We would establish a Trust Forum, within 18 months, representing parents, staff and the local community, elected from the various membership types. The Trust Forum will help to hold the Trust to account, to shape policies and would appoint 2 trustees. Our children and young people would also have a voice through supported or mediated representation.
- 60 In putting this together, we intend to build on existing governance arrangements whilst creating a structure which is realistic. We have no wish to create an unwieldy and bureaucratic structure that is not fit for purpose.
- 61 The diagram below represents the relationships in the proposed Trust between the membership, the Trust schools and their Governing Bodies and the Trust's initial additional partners.

<b>Trust Membership</b>		
(including)		
Parents and Carers	Staff	Children
Community Organisations and Individuals		



**Trust Forum**  
 Elected representatives of membership  
 Meets at least 3 times a year  
 Reflects issues across community  
 Holds the Trust to account  
 Nominates 2 Trustees to attend Board Meetings.



**Schools:**  
 West Lea School  
 (Others may join at a future date)

**Enterprise  
 Cooperative Trust**

**Trustees (Board)**

**PARTNERS\*:**  
 Co-operative Schools Network  
 Learning for Life Charity  
 London Borough of Enfield

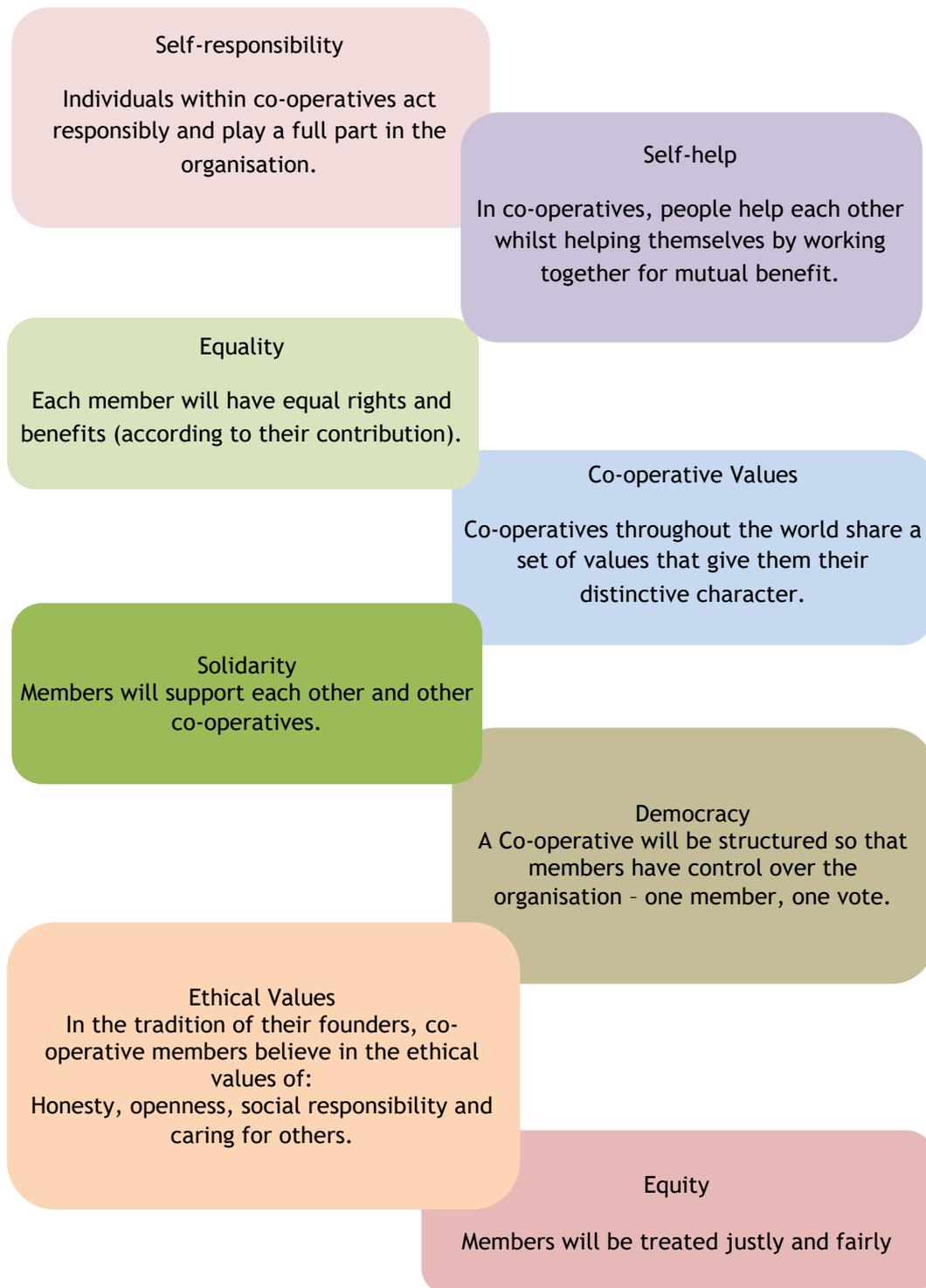
**\*Each partner will appoint one trustee to the Board**

**\*\*Each school will appoint two trustees to the Board (being the Head teacher and a Governor).**

**Section 5: Further information about Co-operative Values and Principles**

The Values and Principles embraced by today's worldwide Co-operative Movement have evolved from the ideas of the early co-operators of the 18<sup>th</sup> and 19 centuries.

They are embodied in the statement of Co-operative Identity published by the [International Co-operative Alliance](http://www.ica.coop/al-ica) (<http://www.ica.coop/al-ica>)



*The co-operative principles are guidelines by which co-operatives put their values into practice.*

<p>1<sup>st</sup> Principle: Voluntary and Open Membership</p>	<p>Co-operatives are voluntary organisations; open to all persons able to use their services and willing to accept responsibilities of membership, without gender, social, racial, political, or religious discrimination.</p>
<p>2<sup>nd</sup> Principle: Democratic Member Control</p>	<p>Co-operatives are democratic organisations controlled by their members, who actively participate in setting their policies and making decisions. Men and women serving as elected representatives are accountable to the membership. In primary co-operatives members have equal voting rights (one member, one vote), and co-operatives at other levels are also organised in a democratic manner.</p>
<p>3<sup>rd</sup> Principle: Member Economic Participation</p>	<p>Members contribute equitably to, and democratically control, the capital of their co-operative. At least part of that capital is usually the common property of the co-operative. Members usually receive limited compensation, if any, on capital subscribed as a condition of membership. Members allocate surpluses for any of the following purposes:</p> <p>Developing their co-operative, possibly by setting up reserves, part of which at least would be indivisible; benefiting members in proportion to their transactions with the co-operative; and supporting other activities approved by the membership.</p>
<p>4<sup>th</sup> Principle: Autonomy and Independence</p>	<p>Co-operatives are autonomous, self-help organisations controlled by their members. If they enter into agreements with other organisations, including governments, or raise capital from external sources, they do so on terms that ensure democratic control by their members and maintain their co-operative autonomy.</p>
<p>5<sup>th</sup> Principle: Education, Training and Information</p>	<p>Co-operatives provide education and training for their members, elected representatives, managers and employees so they can contribute effectively and strengthen the Co-operative Movement by working together through local, national, regional and international structures.</p>
<p>6<sup>th</sup> Principle: Co-operation among Co-operatives</p>	<p>Co-operatives serve their members most effectively and strengthen the Co-operative Movement by working together through local, national and international structures.</p>
<p>7<sup>th</sup> Principle: Concern for Community</p>	<p>Co-operatives work for the sustainable development of their communities through policies approved by their members.</p>

### **Statutory Notice**

**Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that:**

the governing body of **West Lea School** intends to make a prescribed alteration to **West Lea School** which is a Community Special School located at West Lea School, Haselbury Road, Edmonton, London, N9 9TU

The proposed alteration is to:

- Change school category from Community Special to Foundation Special and;
- Together with one or more of the proposed partners to acquire a trust established otherwise than under the School Standards and Framework Act 1998.
- The proposed name of the foundation will be *Enterprise Cooperative Trust* and the proposed implementation date is 1<sup>st</sup> January 2020

The partners in the proposed trust are:

- Co-operative Schools Network
- Learning for Life Charity
- London Borough of Enfield

In addition, learners at the school, parents, staff, members of the local community and local community organisations will be able to become members of the Trust. The Trust will have a Forum composed of members, which will be able to appoint 2 of the Trust's trustees. As the Trust develops the Trust will welcome other schools and partners joining the Trust.

The rationale for acquiring the Trust, the contribution it will make, and the direction it will provide to the schools can be summarised as follows:

The Trust will build on the existing relationship between local schools and support the schools in seeking to:

- Further improve the quality of learning and teaching
- Promote the wellbeing of our young people
- Build on the advantages of sharing resources and expertise
- Improve value for money and economies of scale in a time of real terms reduction in funding
- Support and enhance training opportunities and personal development for current and future leaders

This notice is an extract from the complete proposal. Copies of the full proposals can be obtained from the schools by writing to or e-mailing the Governing Bodies at the addresses above.

Within four weeks from the date of publication of this proposal any person may object to or make comments on the proposals by sending them by email or in writing to the Governing Body of the appropriate school (address above).

**Jeannette Knights, Chair of Governors, West Lea School**

**Date: 4<sup>th</sup> September 2019**