

Oakwood High School

An Arts, Technology & Sports College

Minutes of an extraordinary meeting called by the Governors on 25-03-10 to consider the outcomes of the Trust consultation phase, which lasted for five weeks.

Present:

Chair of the meeting- Eddie Lewis,

Mike Hymanson, Gillian Collinson, Christine Finch, Anthea Darlington, Mike Appleyard, Deborah Brooks, Jenny Fraser, Janis Triska

Apologies:

Laurence Cooper and Councillor Morris

In addition to the above were members of the SLT and Sean Rogers from the Cooperative College.

Introduction

Sean Rogers highlighted the executive summary report, which Mr Appleyard had collated and this was presented at the meeting for consideration by the governors. Mr Rogers commented there had been a very good response to the questionnaires, and governors had received additional written responses, which had been included in the document.

The governors have three choices to consider-

1. Go ahead with the application for Trust status.
2. Amend the current proposal and seek legal advice from Cobbetts
3. Decide not to proceed and stay as we are

As a Foundation Trust the governors become responsible for all admissions, and become the employer of all staff members. In addition to this, they hold land and assets of the property. This is similar to VA schools.

As a Co-operative Charitable Trust, the Co-operative holds the land and assets within the Trust. Sean reaffirmed this meeting is not a ballot or referendum. The decision is decided on merit. The governors would have to consider is there anything that would cause any future problems. Mr Rogers went through the twelve executive summary points in the document. (See page 1 of booklet)

Some of the main issues:

1. The role of 1 to 1 workers currently employed by the Local Authority.
2. The long service award, and whether this would continue to be recognised by Salford Authority
3. The negative attitude of the Local Authority and Council Members. The governors discussed the letter from Councillor Warmisham and many of the misleading statements within it.
4. The 85 rule and whether this would continue to be recognised for non-teaching staff members.

The support staff have currently been through the job evaluation exercise. It was explained to the governors comparisons are made against other staff in the Local Authority and within Salford County Council. Occasionally this can cause problems, as it is generally not like for like when comparing

Oakwood High School

An Arts, Technology & Sports College

jobs. As a Trust/Foundation school it would give the governors more flexibility on salary grades and equal pay. This can only apply to staff employed at Oakwood. This is something the support staff, currently at Oakwood would wish to explore further.

The Chairman Laurence Cooper, Janis Triska and Mike Appleyard attended a meeting with Jill Baker early in February 2009. The purpose of the meeting was to inform Jill, it was our intention to put an Expression of Interest (EoI) to the DCSF. Surprisingly, throughout the meeting Jill's concern remained with the impact on Chatsworth School. At no point was any reference made to the families and pupils at Oakwood. When asked why we were exploring this option, we explained, no recognition had been given to the governors and staff members on their remarkable achievements as a Salford school and we felt it was an important step to the future development of our school and firmly embed our work within the wider community. The staff and governors would have appreciated the support of the Local Authority in many of our endeavours. As we were leaving, Jill asked the question, "What can we do to stop you?"

The Local Authority was formally notified at the beginning of June, of our intention to proceed. The DCSF automatically notifies the Local Authority the school has put in an expression of interest. Therefore, in June 2009, Salford LA were aware of our intentions to put in a formal EoI.

Later, Mr Rogers was approached by a member of the Governor's Service in Salford requesting information regarding the Co-operative Trust, as he had to prepare a research paper for the LA Leadership Team. To date the Council are currently pursuing a citywide trust.

Chatsworth's concerns:

Pupils are currently admitted to the school via the statementing process, and this will continue. Chatsworth appear worried that Oakwood will bring in other children from neighbouring authorities. In their opinion, this will mean we will ration the number of children attending Oakwood, from Salford schools. There is also the assertion that in becoming a Cooperative Trust, we will somehow take money from other special schools and fragment the special needs sector. As the governors are aware this is untrue. Our relationship with the LA and other Salford schools will remain the same. The main concern from the governors at Chatsworth is the proposed changes to land and assets. Just before the Easter holidays Mike Appleyard and Janis Triska met with Martin Hanbury (HT of Chatsworth) to reassure him of our intentions and answer any of his concerns. This meeting went well. Mike Appleyard and Sean Rogers offered to meet with the Chairman of Chatsworth's Governors during the Easter break. This offer has not been taken up.

We know Local Authorities up and down the country are being targeted regarding their inclusion agenda. It is no surprise that special schools are costly and judged to be too expensive. However in Salford, the governors will remember from our benchmarking exercise that we are not the most expensive special school in Salford. In fact, Oakwood is in the lower quartile compared to other Salford special schools, which feature in the highest quartile for their funding.

If the governing body, make the decision to go ahead, this needs to be advertised in the local newspaper, on the school gate, and on the school website. There is a model letter, which just needs minor adjustments.

Considering complaints against Co-operative Trust status

Oakwood High School

An Arts, Technology & Sports College

Firstly, there are two options for making a complaint.

1. If by attaining college status it adversely affects standards in the school
or
2. If the consultation process is proved to be flawed

The Local Authority and Chatsworth's concerns about the site, land and assets cannot be referred to the school's adjudicator.

Appendix E of the booklet

Mr Rogers will liaise with the Director of Children's Services and HR to ensure staffs' protection. This is not TUPE process, which means a new employer can alter the pay and conditions of employment. The Trust ensures the present conditions and services of all staff. Continuity of service and employment is secure. The budget, pay and conditions and the job stays the same for all staff members.

Other issues

1. Any tribunal awards, legal costs and compensation will continue to be paid by the Local Authority, provided HR haven't warned the school about the validity of the case, or if the school hasn't followed due process.
2. There is no change to the school budget. The current Salford agreement remains the same.
3. There is no worsening of conditions for support staff. The Local Authority has no choice but to agree that all staff can stay in LGPS and other support staff have the right to join.

The Co-operative Trust is accountable to its members. It is totally transparent and is a mutualisation society. Trust binds the present conditions and service of all staff. The school is in a stronger position been part of the Co-operative Trust group.

Appendix C

The letter each of governors received from Councillor Warmisham, although late will be included in the minutes.

The Council seem to be giving mixed messages. The Local Authority is currently pursuing the idea of having one large citywide Trust, yet they oppose Oakwood's application. Councillor Warmisham mentions the Accredited Schools Provider role. Oakwood is currently exploring this option within the Greater Manchester Challenge and partner special schools.

In a meeting with Kevin Wolstencroft and Amanda Peet, held immediately after the formal consultation evening it was mentioned the school would need to find £400,000 to vary the PFI contract. Sean Rogers pointed out a contract wasn't going to be changed and under DCSF regulations the school could not be financially penalised by applying for Trust status. Under the PFI regulations there is supposed to be a five year review of the contract. Partnership for Schools built this into the process, and as five years have now lapsed, if there are to be any changes needed in the contract, this would be an opportune time to do so. The governors were not aware of this five-year review within the PFI contract. Mr Rogers was quite clear all costs would be met from the Local Authority funds. Councillor Warmisham's letter confirmed this.

Following on from this meeting with Kevin and Amanda, Sean met with Bob McIntyre and Ian Sheard (legal). At this meeting, they didn't understand where the figure of £400,000 had come from.

Oakwood High School

An Arts, Technology & Sports College

This had been previously stated in a special meeting with the Chairman, Anthea Darlington and Janis Triska and various Local Authority officers. Minutes from this meeting are available and will be included at the end of this document. Again, Sean discussed the process, and in particular, the timeline for dealing with the transfer of land and assets.

Sean Rogers had undertaken a series of e-mail exchanges with the Chairman of Chatsworth School and clearly explain the process and the purpose of the consultation period.

To summarise, Sean Rogers, could not see any grounds for objection and recommended the Governors take this forward to the next stage.

Vincent King is the lead on PFI in Salford. Mr Rogers was informed Jill Baker had left no records of any meetings or correspondence with Janis Triska.

Recommendations

A statutory notice to seek Trust status will be issued from 22nd April 2010 until 20th May 2010 and will be placed in the local paper, school gate, local library and school website.

This proposal was unanimously agreed by all present at the meeting.

The new Instrument of Governors

2 Foundation Governors

4 Parent Governors

1 Local Authority Governor

3 Staff Governors

2 Community Governors

12 in total

This was agreed by all present.

Date and time of the next full meeting: Monday 24th May 2010 @ 6.30pm

Purpose: To make a final decision based on comments from the statutory consultation period.