



## Formal Proposal for the St Hilda's Moorland Schools Federation



11<sup>th</sup> February - 2021

### **Formal Proposal of the Governing Bodies of Danby Church of England Voluntary Controlled Primary School ("Danby") and Egton Church of England Voluntary Aided Primary School ("Egton") (together "the Schools")**

#### **INTRODUCTION**

This proposal has been drafted after a period of informal stakeholder consultation, individual Governing Body discussion (at both Schools) and consideration by a joint working party comprising governors from each of the Schools and the Headteacher.

At each of the separate full Governing Body meetings on 28<sup>th</sup> January 2021 (Egton) and 4<sup>th</sup> February 2021 (Danby), Governing Bodies of both of the Schools supported the proposal to enter formal consultation around the potential for the Schools to become a federation to be known as St Hilda's Moorland Schools.

Note: These proposals are made in the context of the parallel consultation on a proposal for Danby to publish statutory proposals to change category to a Voluntary Aided School (please see separate consultation documents). However, it is not necessary for this proposed change of category to take place for the proposed federation to be formed.

#### **Context of schools**

##### ***(a) Danby Church of England Voluntary Controlled Primary School***

Danby is a rural Church of England primary school in the Diocese of York serving the village of Danby and the surrounding area. It caters for children between the ages of rising 5 and 11 years. The school currently has 28 children, with an expected intake of 4-6 children in September 2021.

At the last OFSTED (Office for Standards in Education) inspection in May 2018, the school was judged to have been 'Requires Improvement'. At the last SIAMS inspection (Statutory Inspection of Anglican and Methodist Schools) in June 2018 the school was judged to have been "Good." Since April 2018 Danby School has had a substantive Headteacher in post who has led a programme of significant improvements across the school. In May 2019 the school was reviewed by North Yorkshire County Council who considered that 'that there

has been a significant amount of progress since the inspection and as a result of this, the school will move from Priority 3 (Requires Improvement) to Priority 2 (Good).’ The school currently self-evaluates itself as ‘Good’ in all areas.

Danby currently works in close collaboration with Egton Church of England Voluntary Aided Primary School (“**Egton**”) and the Headteacher has been leading both Schools since 1<sup>st</sup> April 2018. At the same time as this consultation, Danby is also consulting to change category from a Voluntary Controlled to a Voluntary Aided school (please see separate consultation documents).

### **(b) *Egton Church of England Voluntary Aided Primary School***

Egton is a rural Church of England primary school in the Diocese of York serving the village of Egton and the surrounding area. It caters for children between the ages of rising 5 and 11 years. The school currently has 57 children, with an expected intake of 8 children in September 2021. At the last OFSTED inspection in February 2017, the school was judged to have been ‘Good.’ At the last SIAMS inspection in July 2015, the school was judged to have been “Outstanding.”

Egton currently works in close collaboration with Danby and the Headteacher has been leading both Schools since 1<sup>st</sup> April 2018.

### **Context to the federation proposal**

The opportunity to consider the option of federation has resulted from the successful and mutually beneficial collaboration - facilitated through shared Headteacher arrangements - between the Schools for the past two years. The Governing Bodies of the Schools have been looking at ways of working more closely together to maximize the impact of the collaboration on educational provision for children in each of the Schools. The Governing Bodies of both Schools believe that building upon this existing close working will ensure continuity and stability, providing the best education for our children whilst maintaining each School’s distinctive culture and ethos.

Federation allows partner schools to work together and combine the strengths of schools through sharing a Governing Body, Headteacher and other resources. This would give greater opportunities to children in terms of the breadth of what is taught, having access to well-qualified specialist teachers and the social opportunities open to them.

The detailed proposal is set out below.

### **What is Federation?**

When two or more schools work together under a single Governing Body, this is called a federation. A federation is a formal arrangement, governed by

regulations, between two or more local authority maintained schools which enables them to work in partnership with a view to raising standards, finding new ways of improving teaching and learning, and building on the strengths of each school.

The existing Governing Bodies are dissolved and a new Governing Body comes into being for the federation.

Federation is not an amalgamation of schools and does not involve the closure of any school. In the proposed federation, the Schools would remain separate Schools each retaining their own budget and buildings. The current individual school uniforms would remain the same.

## **PROPOSAL**

Both governing bodies have considered each School's strengths and weaknesses. They have had on-going discussions as part of the earlier steps of the process and are confident that the vision of a partnership of each of the Schools within a Federation will be successful.

This proposal covers the following key areas:

1. The names of all the governing bodies wishing to federate together and proposed federation date
2. The proposed name of the new federation
3. Details of the proposed size of the federation's governing body
4. The identity of the admissions authority for the schools within the proposed federation
5. The date, not less than six weeks after the publication of the consultation proposal, by which written representations must be returned to the governing body and the address to which they should be sent
6. The nature and scope of the formal consultation process
7. A draft Instrument of Government for a Federated Governing Body
8. The proposed governance structure for the federation
9. The proposed leadership structure for the federation and its impact on the schools (including key Human Resources issues arising from this)
10. The nature of the engagement with the local authority
11. The financial implications of federating.

## 1. Governing bodies wishing to federate

The governing bodies of Danby Church of England Voluntary Controlled Primary School (“Danby”) and Egton Church of England Voluntary Aided Primary School (“Egton”) are proposing to form a federation following a period of formal consultation as outlined in the sections that follow, to take effect from 1<sup>st</sup> September 2021.

## 2. Name of the proposed federation

The proposed name of the new federation is St Hilda’s Moorland Schools

## 3. The size of the proposed federation’s governing body

The proposed federation governing body consists of fourteen governors as follows:

	Total
Headteacher of the Federation	1
Parent governors elected from across the federation	2*
Local Authority Governor	1
Foundation Governors Foundation governors are governors with special responsibility to secure that a Church of England school’s religious character is preserved and developed and that (where applicable) the relevant school is conducted in accordance with the school’s trust deed.	8
Staff Governor from across the federation	1**
Co-opted governors from across the federation (co-opted governors can include parents of pupils at the schools, staff at the schools and other members of the community and are appointed on the skills required by the governing body)	1
	14

\* The number of Parent Governors is fixed at 2 by regulation.

\*\* Whilst a federation can only have one staff governor under the regulations, where this is permissible under the regulations we will expect to appoint another staff member as a co-opted governor, to allow for each School to have a staff member on the Governing Body.

It is likely that existing governors from the Schools would express an interest in transferring to the federated Governing Body. A skills audit will be used to identify those who have the most relevant skills to contribute to the effective governance and success of the federation to make the strongest possible Governing Body to oversee the Schools. Final decisions on Foundation Governors will be made by the Diocesan Board of Education based on recommendations from the schools (i.e. the usual arrangement for the appointment of Foundation Governors)

The Governing Body also has the ability to appoint associate members who may serve on committees and attend governing body meetings as required. Associate members are not governors and therefore do not have a vote in Governing Body decisions, but may be given a vote on decisions made by committees to which they are appointed. The federated Governing Body may seek to retain additional skills from current Governors through the use of associate members.

#### **4. The admissions authority**

The proposed federated Governing Body would become the admissions authority for Egton, in place of the current Governing Body.

North Yorkshire County Council (NYCC) will remain the admissions authority for Danby if Danby remains a Voluntary Controlled School. If Danby changes category to a Voluntary Aided school in line with current proposals, the federated Governing Body would also become the admissions authority for Danby.

Admissions to each School would continue to be made separately in accordance with the published admissions arrangements for the relevant School and the local authority's coordinated admissions arrangements.

#### **5. The dates for formal consultation and how you can provide feedback**

This consultation will remain open for at least 6 weeks, to enable written representations to be made to the respective governing bodies.

Governing body meetings at which these proposals were approved took place on 4<sup>th</sup> February 2021 (Danby) and 28<sup>th</sup> January 2021 (Egton).

Date(s)	Action
Prior to 11 <sup>th</sup> February 2021	Obtain relevant Diocesan and site trustee consents
11th February 2021 – 25th March 2021	Public consultation on proposals to become a federation (minimum 6 weeks)
15 <sup>th</sup> April 2021	Both Governing Body meetings to consider consultation responses and make a formal individual decision whether

	to enter federation
June – early July 2021 – 4 term-time weeks	TUPE consultation with staff and Unions (change of employer with all staff transferring on their existing terms and conditions)
June- July 2021	Governing Body proceed to implementation, including: <ul style="list-style-type: none"> <li>● Draw up and obtain approvals for federation Instrument of Government</li> <li>● Form new federated Governing Body</li> </ul>
1 <sup>st</sup> September 2021	Federation commences

We have provided a form as part of this pack as a way of gathering feedback. Please fill out the form and return to the relevant School. This can be returned by:

- (a) Handing the form into the relevant School; or sending a hard copy to:
- Egton - Egton CE VA Church of England Primary School  
Egton  
Whitby  
YO21 1UT
- Danby – Danby CE VC Church of England Primary School  
Ainthorpe Lane,  
Whitby  
YO21 2NG
- (b) Emailing [admin@danby.n-yorks.sch.uk](mailto:admin@danby.n-yorks.sch.uk) (Danby) or [admin@egton.n-yorks.sch.uk](mailto:admin@egton.n-yorks.sch.uk) (Egton)

Alternatively, if you want to provide additional substantive feedback, the email or postal addresses above can be used.

The local authority and Diocese can also provide further information. Please contact:

- (a) Matt George, Strategic Planning Officer - [Matt.George@northyorks.gov.uk](mailto:Matt.George@northyorks.gov.uk).
- (b) Claire Graham-Brown, Deputy Director of Education - [claire.graham-brown@yorkdiocese.org](mailto:claire.graham-brown@yorkdiocese.org).

## 6. Nature and scope of formal consultation

6.1. Each Governing Body is committed to meaningful stakeholder engagement throughout their respective consultation periods. The consultation process is supported by the York Diocesan Board of Education and the Local Authority.

6.2. Although the timing of the formal consultation is synchronised between the Schools, each consultation is discrete to each School. As such, any written representations should be made to the relevant Governing Body and will be considered at this local level in order to maintain impartiality and reach a decision that is right for each School community.

6.3. In each School, the formal consultation will consist of:

- Publication of this proposal on the website of each School.
- Hard copy letters to all parents outlining the consultation and signposting to the full proposal online (including advice on how to obtain a hard copy by request and advice on how to make written representations).
- Hard copies of this proposal document and covering letter sent to all staff employed to work at the Schools.
- A scheduled parents' consultation evening in each School (as tabled below). Parents of each School will be welcome at any parent's consultation evening but we will need to ensure it is clear whether any questions are addressing a particular School. The parents' consultation evenings are also open to members of the community.
- A scheduled staff consultation meeting (as tabled below). Additional detail surrounding this will be provided separately.

**Please note:** due to the current Pandemic, these meeting will be taking place via Zoom. Please contact the school directly to obtain the appropriate meeting link.

School	Date	Audience	Time	Venue
Danby	11 <sup>th</sup> March	Parents and Community	5pm	Zoom
	11 <sup>th</sup> March	Staff	4pm	Zoom
Egton	11 <sup>th</sup> March	Parents and Community	6pm	Zoom
	11 <sup>th</sup> March	Staff	4pm	Zoom

*If possible please ensure any questions for the meetings have been sent in by Friday 5<sup>th</sup> March to ensure that the meetings are as productive as possible.*

- Copy of this proposal document and covering letter forwarded to all main teaching and support staff trade unions and trade union representatives invited to staff meetings.
- Copy of this proposal document and covering letter sent to the Secretary of State, the Local Authority, the Diocesan Authority, site trustees, the Parochial Church Councils, local Parish Councils and the

local district and county councillors at the start of the consultation period (11<sup>th</sup> February 2021).

- Carefully planned child involvement to involve children in the rationale and impact on them.

## **7. Draft instrument of Government**

A draft of the Instrument of Government for the new Federation Governing Body can be found at Appendix 1 of this proposal.

## **8. Proposed governance structure**

The federation shall have one overarching Governing Body with governance responsibility and accountability across the Schools.

The Governing Body will set up sub-committees as required including a Finance and Premises Sub-committee. Each committee shall have delegated responsibility and accountability across the Schools, as set out in our Terms of Reference.

The Schools will maintain their existing school status and their Church of England designated school status.

Each School will continue to be inspected by OFSTED on an individual basis and each School would continue to have their own SIAMS inspection (Statutory Inspection of Anglican and Methodist Schools).

## **9. Proposed leadership structure**

The federation shall have one Headteacher who works across all schools. The Headteacher will be employed by the Governing Body of the Federation. The Headteacher would have full time responsibility for each of the Schools working part of each week at each site to oversee the day-to-day running.

On federation, staff in Egton will automatically transfer from the former School Governing Body to the federated governing body under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). In the event that Danby remains a Voluntary Controlled School, staff in Danby will continue to be employed by North Yorkshire County Council under the direction of the federated Governing Body and the Headteacher. If Danby changes category to a Voluntary Aided school, staff from Danby will automatically transfer from the local authority to the federated Governing Body under TUPE. There will be no change to employment conditions of service for staff at any School without the normal consultation process.

Current staff will continue to work at their present site, though they will, on occasion, have the opportunity to work across the Schools for their own development or to share expertise. However, future appointments may be contracted to allow some element of employees taking on roles across the Schools. It is the vision of each Governing Body to create 'shared' posts across

the Federation in the future where it provides opportunity for improved outcomes for pupils or improved efficiency.

All staff, teaching and non-teaching, would benefit from shared training opportunities and open, professional dialogue in sharing best practice.

## **10. Engagement with the local authority and diocese**

The Schools have worked closely with appropriate representatives from North Yorkshire County Council (“the LA”) and the York Diocesan Board of Education (“the YDBE”) throughout the informal consultation process.

The LA and the YDBE have provided advice and guidance on the federation process itself as well as contributing to the discussions around the potential school improvement benefits that such federation could bring. The YDBE must approve any plans for a Church of England school to join a federation and will do so only where the necessary protections for the school’s foundation are protected.

The LA has agreed to support the appointment of an LA governor to the federated Governing Body. The YDBE will also work with the Schools to identify which foundation governors will transfer to the federated Governing Body.

The Governing Bodies have brokered specialist HR and Pay advice and will continue to do so if the proposal progresses towards implementation following consultation.

## **11. The financial implications of federating**

Although federation will mean a single governance structure across the Schools, each School will remain separate in terms of funding allocation from the LA. Budgeting, reporting and monitoring of expenditure will still be managed for each School as separate entities.

It is anticipated that there will be some potential cost savings achieved through joint procurement of services, goods and training. In this case, savings made will be reinvested in the Schools.

As maintained schools, the LA retains overall responsibility for the financial viability of each School. In year and carry forward deficits or surplus remain with the individual Schools.

The Federation Governing Body would be responsible for ensuring that the budget for each School would balance and would not use the budget of one School to disadvantage the other. It may decide to ‘pool’ a small proportion of each School’s individual budgets if it meant that all Schools would get better value for money.

**Thank you for your support in considering this important decision for our Schools**

**NORTH YORKSHIRE COUNTY COUNCIL**

The School Governance (Federations) (England) Regulations 2012 (as amended by The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016)

**INSTRUMENT OF GOVERNMENT**

1. The name of the federation is: St Hilda's Moorland Schools
2. The names and categories of the schools in the federation are:

<b>Name</b>	<b>Category</b>
Danby Church of England [Voluntary Controlled][Voluntary Aided] <sup>1</sup> Primary School	[Voluntary Controlled][Voluntary Aided]
Egton Church of England Voluntary Aided Primary School	Voluntary Aided

3. The name of the governing body is: The Governing Body of the St Hilda's Moorland Schools Federation.
4. The governing body shall consist of the following:

<b>Category of Governor</b>	<b>No of Governors in each category</b>
Headteacher	1
Parent governors	2
Local Authority Governor	1
Foundation Governors	8
Staff Governor	1
Co-opted governors	1

5. Total number of governors is fourteen (14).
6. Foundation governors are appointed by:-
  - (i) The York Diocesan Board of Education, after consultation with the Parochial Church Council of the parish in which Danby Church of England Voluntary [Aided][Controlled] Primary School is situated (3)
  - (ii) The York Diocesan Board of Education, after consultation with the Parochial Church Council of the parish in which Egton Church of England Voluntary Aided Primary School is situated (1)
  - (iii) The owners for the time being of the school premises of Egton Church of England Voluntary Aided Primary School (2)
7.
  - a. The holders of the following offices shall be foundation governors ex-officio;
    - (i) The Principal Officiating Minister of the Parish in which Danby Church of England Voluntary [Aided][Controlled] Primary School is situated.
    - (ii) The Principal Officiating Minister of the Parish in which Egton Church of England Voluntary Aided Primary School is situated.
  - b. The Archdeacon of Cleveland shall be entitled to appoint a foundation governor to act in place of an ex-officio foundation governor whose governorship derives from the office named in (a) above, in the event that the ex-officio foundation governor is unable or unwilling to act as a foundation governor, or where there is a vacancy in the office by virtue of which his or her governorship exists.
8. The Archdeacon of Cleveland is entitled to request the removal of any ex-officio foundation governor and to appoint a substitute governor.
9. The ethos of the Schools is as follows:

“Recognising its historic foundation, the school will preserve and develop its religious character in accordance with the principles of the Church of England and in partnership with the Church at parish and diocesan level.

The school aims to serve its community by providing education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith, and promotes Christian values through the experience it offers all its pupils”.

**10.** This instrument of governance comes into effect on the 1<sup>st</sup> September 2021

**11.** This instrument was made by order of North Yorkshire Local Authority on

\_\_\_\_\_TBC\_\_\_\_\_.

**12.** A copy of the instrument must be supplied to every member of the governing body (and the Headteacher if not a governor), any trustees and to the appropriate religious body.