

## THE GOVERNING BODY OF SPRING COMMON SCHOOL

Minutes of a meeting of the governors (the “**Governors**”) of the above governing body held at Spring Common School on 1 December 2016 at 5pm.

Present Anne Aldred (in the chair)

---

In attendance Jay Browning, Lynda Adam, Carol Steedman, Mary Anne Bolton, Kim Taylor

---

### **1 Preliminaries**

- 1.1 It was confirmed that due notice of the meeting had been given and that a quorum was present.
- 1.2 Apologies were received from the following:- Judy Ward, Kirstie Dolan, Christine Gilder and Stacey Rose

### **2 Declaration of Interest**

Each Governor present declared the nature and extent of his interest in the business to be transacted at the meeting or confirmed he had no such interest which he was required to disclose.

### **3 Minutes from Previous Meeting**

The Directors considered the minutes of the previous meeting dated 11 November 2015 and **IT WAS RESOLVED THAT** the Chair sign the minutes as a true record of such proceedings in relation to Academy.

### **4 Conversion**

- 4.1 It was noted that Spring Common School (the “**School**”) intended to convert to an academy under the Academies Act 2010 (the “**Conversion**”), the target date for conversion being 1 January 2016.
- 4.2 It was noted that a company limited by guarantee, Spring Common Academy Trust (the “**Academy Trust**”) had been incorporated and would be responsible for running the school after the Conversion.

- 4.3 It was noted that on Conversion the School's post conversion name would be Spring Common Academy ("the **Academy**").
- 4.4 It was further noted that it would be necessary for the Academy Trust to enter into a Master Funding Agreement and a Supplemental Funding Agreement with the Secretary of State relating to the running of the school as an academy, (the "**Funding Agreements**"), draft of which were produced to the meeting.
- 4.5 The proposed articles of association of the Academy Trust were also produced to the meeting (the "**Articles**").
- 4.6 In order to effect the Conversion, it was necessary for the Governing Body of the School and/or Local Authority ("LA") to transfer the School's assets, contracts and employees to the Academy Trust. Accordingly, it was proposed that all contracts and assets used in the running of the School be transferred to the Academy Trust (in return for the Academy Trust agreeing to assume various liabilities and obligations) under a commercial transfer agreement to the Academy Trust the Governing Body of the School and the LA (the "**Commercial Transfer Agreement**"), a draft of which was produced to the meeting.

## 5 Consultation

- 5.1 The Head Teacher set out the outcome of the consultation exercise which ran between 14 November to 15 December 2014 (the "**Consultation Exercise**"). Letters were sent to:-
- 4.1.1 parents of pupils at the School
  - 4.1.2 staff at the School;
  - 4.1.3 the Local Authority;
  - 4.1.4 Trade Unions
- Parental replies of feedback and further three attended the briefing on Monday 1 December 2014.

- Teachers briefing on 17 November 2014, Teaching Assistant briefing on 19 November 2014 and Support staff 27 November 2014. Governors received 5 feedback letters from including one as a Joint union response from Spring Common School.
- Governors Surgery conducted on 18 November, 1 December 2015 which resulted helped to resolve individual queries related to overseas visa, agency staff moving to permanent contract 1 January and reassurance to staff there are no measures on Academy conversion.
- Governors provided staff and parents and carers progress updates in termly newsletters and weekly newsletters to staff.
- TUPE meeting for all staff with EPM Ltd, Union rep representing all unions from NASUWT, HR from Cambridgeshire Local Authority and Head Teacher, Spring Common School on 19 November 2015 following copy letter to Service Director for Learning for Cambridgeshire Local Authority and letter sent by the school with advice from EPM Ltd our Personnel provider.

**The main themes raised by consultees were as follows:**

*1. Period of funding instability and challenge.*

Governing Body explain that future funding for schools is a national issue. Noted intention to develop wider range of services as an Academy vision.

*2. Corporate sponsorship and impact on educational provision.*

Governing Body confirmed no intent to seek a corporate sponsor for the Academy. Head Teacher has strategic impact and that will spread with wider system leader role as part of an Academy.

*3. Impact of career progression for existing staff and pay progression in line with Teaching Standards.*

Governing Body stated becoming an Academy will have no detrimental impact on existing members of staff.

4. *Selective entry with focus on a particular type of SEND.*

Governing Body stated the school intention to convert 'as is' and have commitment to retain the character of the Area special school.

5. *Focus on outreach and therefore reduce standards for pupils in the school. How the changed management structure can still guarantee strong support for staff and pupils in the school.*

Governing Body said they would keep the leadership and management structure under review to support the changing needs of the school irrespective of Academy conversion.

6. Mechanism for quality assurance once the Local Authority not performing this role.

Governing body intent to purchase impartial quality assurance.

7. *Recruitment of new Head teacher and who would provide impartial quality assurance*

Governing Body reassurance that when Head Teacher decides to leave that appropriate advice would be purchased.

8. *Sufficient number of governors to fulfil responsibilities.*

Governing Body awareness that they will recruit trustees with a range of skills.

9. *Continuity of service of therapist who work with families at home and school.*

Current service delivery by health, social care and CAMH and access to services continue.

10. *Increase in administration and cost of a new staffing structure.*

Administration has already been expanded and governors will keep under review.

*11. Staffing plan for Academy*

Governing Body stated no change on conversion but may review later if needed.

*12. Recruitment of staff for Academy*

Governing Body stated retention of quality staff a priority but do not anticipate an issue with

*13. Long term impact for managing staffing costs after the TUPE period and pay and conditions for staff.*

14. Governing Body stated the school will convert without measures on conversion. They intend to recruit quality staff and offer good terms and conditions ahead.

15. Improve the quality of education.

Governing Body stated a commitment to maintain an outstanding special school for all pupils.

**5.2 Governing Body's discussion on Consultation outcomes**

Governors discussed every question raised and replies sent to all queries by Chair of Governors on 5 January 2015. An open dialogue with staff, parents and Trade unions continued. Governors decided to apply for Academy order which was granted and communicated to parents and carers, staff, Local Authority and HR provider and Unions.

Governors replied to Joint Union letter of 10 March 2015 on 17 April 2015 and stated that adequate insurance and quality assurance systems would continue in the Academy.

Governors replied to Joint Unions at Spring Common School on 8 July 2015 following their letter on 30.06.15. The Chair Governors summarised that the success of the new Academy would depend on

the whole staff team and services would be purchased to support pupils. The decision to proceed towards Academy conversion after consideration of another Joint Union Letter.

Governing Body met on Thursday 18 June and by majority vote accepted the resolution to convert for Academy on 1 January rather than 1 September to provide the school with more time so the process was not rushed. The Chair of Governors communicated this decision to Parents and Carers and staff and the Head Teacher contacted the Local Authority and HR provider to alert other stakeholders with the school.

## 6 Impact Assessments

### 6.1 Equality

6.1.1 The Governing Body acknowledged their legal obligation to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it - this includes having due regard to the need to:
- (c) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (d) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of those who do not share it;
- (e) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low; and,

- (f) foster good relations between people who share a relevant protected characteristic and persons who do not share it - this includes having due regard to the need to tackle prejudice; and
- (g) promote understanding with regard to the relevant protected characteristics of age; disability; gender reassignment: pregnancy and maternity; race; religion or belief; sex and sexual orientation.

6.1.2 The Governing Body considered the likely impact of the proposed academy conversion on equality issues in general, and the matters which they were required to have due regard to, in particular, and concluded that the proposed academy conversion was unlikely to have any equality impacts.

6.1.3 Further, the Governing Body **RESOLVED** that the school's current policies relating to equality issues; [name policies], should be adopted by the new Academy Trust. [If required add : The Governing Body also **RESOLVED** that the school's current policies should be expanded by the new Academy Trust to ensure that they fully embraced the obligation to deal with the new protected characteristics introduced by the Equality Act.]

## 6.2 Admissions

6.2.1 The Governing Body noted that the Academy Trust will be its own admissions authority, and as such will set its own admission arrangements including its PAN and will need to run its own admissions appeal panels. It will be bound by the Admissions Code and the Admissions Appeals Code

## 6.3 Exclusions

6.3.1 The Governing Body noted that the position in relation to exclusions was no different as between a LA maintained school and an academy. Accordingly, the Governing Body

concluded that the proposed conversion to Academy status would have no impact in this regard.

## **7 Financial Position**

7.1.1 The Head Teacher has considered in detail the financial implications of conversion with support from the School Bursar.

7.1.2 A report was presented to the Governing Body on 4 November Academy Workshop for Governors. The school listed all the services and contracts required for Academy related costs and compared that to the current financial position of services. Governors made the decision to maintain as much continuity of services to the school as possible as recommended by the Head Teacher and voted to approve new bank account, Accountant and Financial toolkit. A list of all contracts were approved by Governors. Having regard to the financial information which had been provided, the Governing Body concluded that conversion to academy status would be in the best interests of the pupils who attended the school.

## **8 Conversion and Academy Documentation and Formal Proposal to Convert to Academy Status**

8.1 The Governors **RESOLVED** that having considered:-

8.1.1 the outcome of the Consultation Exercise;

6.1.2 the impact of the Conversion on equality, special needs, admissions and exclusions policies; and

6.1.3 the financial implications of the Conversion

it was in the best interests of the School to convert to academy status in accordance with the Academies Act 2010. The Governors considered the terms of the Master Funding Agreement, the Supplemental Funding Agreement, the Articles and



the Commercial Transfer Agreement (the “**Conversion Documents**”) and **RESOLVED** that it was in the best interests of the School to approve and any Governor was authorised (where relevant) to execute the Conversion Documents on behalf of the Governing Body and the Head Teacher was authorised to approve any further amendments deemed necessary on behalf of the Governing Body.

9     **AOB**

10    **Close**

There being no further business the meeting then closed.

.....  
Governor