

Sustainability Strategy



Annex 1 – December 2022



Sustainability Strategy

Introduction

Surrey has a range of diverse schools, urban and rural, academy and maintained, faith and non-faith. We have 28 infant or junior schools which have less than 90 pupils, 45 primary schools with less than 210 pupils and 4 secondary schools with less than 600 pupils.

Surrey County Council is committed to working with schools to develop innovative solutions that enable small and rural schools and communities to continue to thrive and flourish. By working **in partnership** with setting, school and college leadership teams, regardless of their legal status, the local authority aims to secure sustainable settings and schools and continue to provide secure high-quality provision. Changes to the way settings and schools are funded, a falling birth rate, recruitment and retention issues, a changing role for the LA and a new Ofsted framework are combining to create very real challenges for all schools but especially our smaller settings and schools. Proactive collaborative solutions will provide resilience against many of these challenges and reduce the risk of poor inspection outcomes and potential sponsored academy orders.

The government has also set out their ambition for all schools to join a strong and effective Multi Academy Trust and this was set out by the Secretary of State in a speech in 2020 and subsequently in [Opportunity for all - Strong schools with great teachers for your child \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) .

This strategy sets out the Council's approach and commitment to ensuring the sustainability of all our settings and schools. It provides details of the policy and principles which will guide and underpin proposals for school organisational changes.

The LA encourages self-determination and respects the autonomy of individual schools and trusts whilst at the same time seeking to work with you to address the challenges. However, we encourage genuine, open and transparent collaboration with other schools in the area as whilst it could be of vital importance to your own school, it could also impact and be important to neighbouring schools. It is for individual schools and trusts to formulate a strategic plan supported by the LA and Diocese where appropriate.

This strategy provides a range of creative opportunities for leadership teams within maintained schools and trusts to consider in order to sustain the provision of sufficient, high quality school places and schools of viable size. It also provides very specific advice and guidance in respect of leadership, governance, school improvement, finance and recruitment and retention that will prompt and challenge schools to form robust models of school organisation. The LA will work with all settings and schools to facilitate innovative solutions based on a collective responsibility to meet the needs of the children, young people and their families in Surrey.

Desired Outcomes

We want to:

- Increase the number of schools in Surrey that are rated as either Good or Outstanding under the 2019 Inspection framework
- Promote schools working together to develop curriculum and pedagogy

- Ensure that we have sufficient local places for children and young people
- Promote inclusion and improve outcomes for vulnerable and disadvantaged learners
- Ensure value for money and sustainable use of the limited available resources
- Ensure that every school has a sustainable budget and a sustainable offer that meets the needs of all their learners
- Create resilience in the system

Context

The School Organisation Plan sets out our place planning principle and methodology for the period 2022-32. It highlights the contrasting challenges in the school age population of Surrey, from a falling birth rate and surplus primary places to the peak birth rate from 2012 entering the secondary sector. The plan summarises Surrey's school place planning principles and goes on to illustrate on a district and borough basis how these will be applied to demographics in that borough. Furthermore, it also details how place planning for children who require a specialist educational placement is undertaken and gives details of the nuances of this across the county.

Primary

In October 2021, there were 301 infant, junior and primary schools in Surrey (181 primary, 78 infant and 42 junior) educating 88,909 pupils aged between four and eleven (year groups Reception to Year 6). Of these 301 schools, there are:

- 45 primary schools with fewer than 210 children on roll (25% of primary schools)
- 28 infant or junior schools with fewer than 90 children on roll (23% of infant and junior schools)

Of these there are 73 schools with falling rolls:

- 29 schools are academies
- 27 are voluntary aided
- 12 are community
- 4 are voluntary controlled
- 1 is a foundation school

Secondary

In October 2021, there were 57 secondary schools in Surrey educating 65,152 pupils between eleven and eighteen (year groups Year 7 to Year 13).

Of these 57 schools, there were 4 schools with fewer than 600 pupils on roll. 3 of these schools are academies, and 1 is voluntary aided.

Small schools: The DfE defines small primary schools as having fewer than 210 pupils on roll and fewer than 600 for a secondary school.

Rural Schools: The DfE has for many years has been particularly concerned about schools serving rural communities. Certain primary schools, in England, are designated as rural primary schools for the purposes of section 15 of the Education and Inspections Act 2006. Section 15 of the Education and Inspections Act 2006 requires that when either a local authority or governing body of certain schools formulates proposals for the discontinuance of a rural primary school it has regard to specific factors. These factors include the likely effect of discontinuance on the local community and any alternatives to the discontinuance of the school. Before publishing proposals for discontinuance, the local authority or governing body must consult certain persons, including parents and, where the local authority is a county council, any district and parish councils. The Department for Education (DfE) uses the Office for National Statistics' rural and urban area classification to identify rural schools as being located in towns and fringe areas, villages or hamlets and isolated dwellings.

The Challenges

The challenges faced by small schools come under the following headings:

- Leadership and governance
- Resilience
- School Improvement including curriculum offer
- Finance, recruitment, and retention

Leadership and Governance

- Strong, effective leadership is central to school improvement as the senior leadership team set the strategic direction for the school with their governing body.
- Leadership does not need to rest with a single stand-alone headteacher, there is increasing evidence that leadership of a school may be better served when the school is connected to a partnership, federation or MAT. The infrastructure of the organisation then provides for wider leadership, opportunity for succession and sustainability. Guidance to Federation and Collaboration arrangements in schools and Executive Headships is outlined in annex A.
- In some of our smaller schools the Headteacher holds additional responsibilities for example DSL and/or SENCo.
- From looking at models locally and nationally, it is apparent that small schools do not need to operate with a single headteacher.
- For a school to be effective there is a need for governors to be strategic and have the right experience and skills set to hold leaders to account. A full complement of governors is vital to this. Recruitment of governors in some schools remains a challenge.
- Under models such as federations and MATs this allows for governance to be strengthened with a pooling of collective expertise to support school improvement.

Resilience

- Small schools are affected to a greater degree by unexpected and unplanned costs i.e. long-term absence.
- Where a HT also has significant other responsibilities i.e. DSL and SENCo there is less capacity when a focussed improvement plan needs to be implemented - multiple roles can also affect the welfare of staff.
- The pandemic saw our smaller schools needing greater support in terms of decision-making around staff absence and risk assessment and support of individual pupils.
- Small schools by their very nature have a small DSL team and this can make creating and maintaining an effective safeguarding culture challenging.

School Improvement

- Since 2019 small schools have disproportionately had poorer Ofsted outcomes.
- Where partnerships and federations have been formed or where there is a MAT infrastructure, subject leadership is being shared and distributed across one or more school and this is leading to greater capacity and resilience.
- The Ofsted framework that came into effect from 1st September 2019 placed at its heart the quality of education and curriculum. This relies on subject leaders really knowing their subjects and the progression of skills exceptionally well. This is more challenging for leaders who are responsible for multiple subjects as is the case in stand-alone small schools.
- Small schools often have to consider mixed age teaching, and this brings additional demands on teaching staff in terms of planning.
- Meeting the needs of vulnerable learners is often complex and needs leadership capacity and expertise. The challenge in small schools is the capacity to keep up to date with safeguarding training as DSL lead, ensure a safeguarding culture is embedded, implement and monitor EMHWP strategies and meet the SEND statutory duties.
- In a larger school, MAT or federation the role of the DSL can be more widely shared and/or distributed and created opportunities for reflective supervision.

Finance, Recruitment and Retention

- During the financial year 2021-22, the number of small, maintained schools setting in-year deficits (i.e. placing reliance on surpluses brought forward from prior years) was:
 - 57 - maintained primary schools with under 210 number on roll
 - 1 - maintained secondary school with under 600 number on roll.
 - Of these, 2 primary schools predict a cumulative deficit for March 2022.

- In partnerships, federations and MATs there can be more opportunities for central functions to be developed, shared staffing, bulk purchasing and collective bargaining power.
- In recent years, small schools, or schools with falling rolls have found it more challenging to recruit a substantive Head teacher and governing bodies have looked at other options to secure leadership. Recent federations/partnerships such as Clandon and Shere have created both stability and greater capacity with the appointment of one Headteacher for both schools and shared CPD and effective practice.
- Succession planning is key to sustaining high quality provision, with opportunities for CPD and for staff to take on additional responsibilities. When leadership rests with one or two colleagues the school is more vulnerable if a leader leaves the school or is off for a long period of time. Interim arrangements are usually expensive and often create uncertainty.
- Recruiting and sustaining a Special Educational Needs Co-ordinator (SENCo) is a national issue that is a challenge for many schools. It is increasingly difficult in the context of a small school to retain a SENCo with a high level of teaching commitment but also to enable them to discharge their responsibilities effectively.
- Small schools often have less opportunities for staff professional development, shared learning and career development unless part of a MAT, partnership or federation.

Guiding Principles

Set out below are the guiding principles that will be applied in agreeing the most appropriate model of organisation/proposal for small schools seeking change. Central to the local authority's approach is that any changes are based on improving schools and raising standards.

- Prioritise the needs of children and high-quality education.
- Support the work, well-being and development of headteachers and staff.
- Assume collective responsibility to work together to raise standards.
- Work supportively with communities to develop understanding of the need for change.
- Respect for the school's autonomy to make decisions about how to continue to improve outcomes for the children and young people.
- Value the important role that rural schools play in their local community.
- Parental preference is a key consideration and ability to access a school place close to home within the local community is an important factor.
- Securing the sustainability of schools is best achieved working in partnership.
- Solutions and partnerships should not be limited to maintained schools supporting maintained schools and academies supporting academies exclusively. Schools should work together as part of an effective mixed economy of schools whereby the need and focus for change dictates the best provider placed to help deliver the change.
- Good financial health as essential for achieving educational excellence.
- School ethos, vision and values are a key determinate of school-to-school compatibility.
- Closure of small schools which are no longer viable is a last resort.

The responsibility for delivering the strategy rests with everyone - Surrey schools, maintained and MATS and diocesan partners working together with the local authority.

Diocesan Boards of Education are an important partner since many of our small schools are faith schools.

Working in partnership with Diocesan Boards, the local authority will:

- Consult and engage Diocesan Boards at an early stage and understand their preferred model of MATs, federations or other forms of working together.
- When a school wishes to convert to an academy, commit to working with small schools and Diocesan Boards to find the best MAT.
- Respect that Diocesan Boards have advisory rights in relation to the appointment of headteachers and thus are able to advise governors, alongside SAfE as the LA representative.

The local authority and Schools Alliance for Excellence will work together to:

- Offer advice to schools and governing bodies about what to do when a leadership post becomes vacant: encouraging small schools to consider the most appropriate arrangements. Specifically, advise Governing Boards to satisfy themselves that their plans to recruit a head teacher, senior/middle leaders are affordable and sustainable.
- Provide data and information to help broker partnerships and encourage the coming together of schools for training and sharing best practice.
- Support Executive Headship and Governance.
- Provide effective oversight arrangements that give early warning of problems through statutory functions delivered by SAfE.
- Provide information to schools and Governing Bodies on collaborative ways of working and models of organisation including working with or in a MAT. Encourage schools to consider their options both for the short and long term.
- Encourage larger schools and MATS to offer support and collaborate with smaller schools as part of a development of a strong family of schools.
- Support federation, collaboration and MAT arrangements

The local authority will:

- Continue to link decisions about capital investment in the school estate with raising standards, supporting curriculum intent and implementation, remodelling schools to support inclusion and intervention, address security and safeguarding issues in schools, support class organisation models.
- Ensure there is effective financial management of the school.
- Continue to link school organisation proposals with capital investment decisions. This includes school premises issues where accommodation seriously impacts upon learning.
- Help schools to complete the sustainability survey to understand short, medium- and longer-term risk.
- Monitor the implementation of this strategy and review annually.

Policy

Schools with fewer than 90 children on roll for Infant and Junior and less than 210 for Primary.

There are currently 73 infant, junior or primary schools with fewer than 90 or 210 children on roll. Maintained schools will receive a joint bi-annual due diligence review by the local authority and SAfE that looks at the following aspects of the provision:

- School Improvement
 - Finance and Personnel
 - Buildings and premises
1. If the headteacher position becomes vacant, we would expect governors to consider other models of leadership.
 2. The local authority will not support the decision of a governing body to recruit a standalone substantive headteacher when the three year pupil planning numbers and business plan show that there are financial risks as a result of the appointment.
 3. If any senior or middle leadership role becomes vacant in the school, the governing body and the headteacher are asked to discuss and consider potential shared roles at either a local, cluster or hub level. It is also possible that this tier of leadership is brokered from a larger establishment.
 4. Where there are vacancies in terms of finance or site management, the governing body and headteacher are asked to look at localised options including operating finance and administration from a larger Primary, Secondary or Multi-Academy Trust.
 5. All schools should consider with the LA Early Years Foundation Stage (EYFS) whether there is capacity to lower age range and consider an integrated EYFS Nursery and Reception. This will be dependent on facilities, local pre-school providers and capacity within the area. This will be important also to meet our ambitions around the take up of Free Entitlement for Two year olds (FEET). FEET remains a key part of our strategy to ensure that no one is left behind.
 6. Where the local authority is concerned that a school is not engaging with others to ensure a financially and educationally sustainable model, the local authority would need to raise these concerns formally with the governing body. The local authority may subsequently use some of its statutory powers to appoint additional governors, withdraw the delegated budget and in exceptional circumstances consider issuing a warning notice and an application for an IEB.
 7. Examples of these triggers are as follows:
 - The bi-annual review demonstrates serious weaknesses in school performance, safeguarding and infrastructure that makes the school vulnerable in terms of the quality of education.
 - An external review identified serious concerns re quality of provision and /or safeguarding.
 - The school cannot demonstrate a financially sustainable 3-year budget forecast or recovery plan from deficit.
 - The school's first preference and offers data are exceptionally low i.e. well below the Planned Admission Number (PAN).

- The School Organisation Plan data indicates that demand from pre-school age children in the planning area is insufficient to sustain demand equal to PAN.
- The school draws less than 50% of children on roll who are resident within 2 miles from home to school (direct line distance). This will differ for rural faith schools.
- The school is judged by Ofsted to be Inadequate or Requires Improvement.

Schools with fewer than 180 on roll for Infant and Junior fewer than 420 for Primary and 600 for Secondary

In addition to the 73 schools above, there are currently 113 schools with between 90-180 on roll for infant or junior schools, 210-420 on roll for primary and fewer than 600 on roll for secondary.

1. If the headteacher position becomes vacant, we would expect governors to consider other models of leadership including joining a Multi-Academy Trust, partnership with a local maintained school (Primary, Special or Secondary) or Federation (with partnership as a potential prelude to this).
2. If the governing body move towards the recruitment of a substantive headteacher, the governing body would need to be assured that the structure they are proposing is sustainable for the subsequent 3 years financially, that the Ofsted judgement of the school is not at risk and that standards will be maintained. This should take the form of a formal strategic plan.
3. If any senior or middle leadership role becomes vacant in the school, the governing body and the headteacher are asked to discuss and consider potential shared roles at either a local, cluster or hub level. It is also possible that this tier of leadership is brokered from a larger establishment.
4. Where there are vacancies in terms of finance or site management, the governors and Head teacher are asked to look at localised options including operating finance and administration from a larger Primary, Secondary or Multi-Academy Trust.
5. All schools should consider with the EYFS team from the Local Authority whether there is capacity to lower age range and consider an integrated Early Years Foundation Stage Nursery and Reception. This will be dependent on facilities, local preschool providers and capacity within the area. This will be important also to meet our ambitions around the take up of Free Entitlement for Two year olds (FEET). FEET remains a key part of our strategy to ensure that no one is left behind.

All Other Schools

SAfE, the Diocese and the local authority will always look at approaching schools, no matter what their designation is, in supporting other schools within the system. Governors and Trust Boards are asked to be open-minded to the potential role that schools have in supporting system wide improvement. We will approach maintained schools and Multi-Academy Trusts to provide strategic leadership for either the short or long term. We will always be mindful though of ethos alignment and geography when making any approaches and ultimately this is a decision for individual governing bodies and Trust Boards.

School Organisation Change Opportunities

Governing Bodies and Trusts should consider whether there are innovative solutions which will enable small schools to be sustained.

In recent years there has been a small number of schools moving towards partnerships, federations and joining Multi Academy Trusts (MATs). In recent months, this number has increased. The local authority is supportive of this approach and the benefits delivered through effective collaboration between schools and diocesan boards.

There are a number of options for small schools to consider but they can be a positive and constructive way to deliver high quality education. The following list provides guidance on the types of models of leadership that could be considered when a substantive Head resigns:

- Partnership of two or more schools with an Executive Head.
- Federation of two or more schools with an Executive Head.
- Service Level Agreement between small school and larger school to provide strategic leadership.
- School joins or becomes affiliated to a Multi-Academy Trust.

Operationally this might involve:

- Creating a SLA with a MAT/maintained school to provide some core functions that are easier to deliver centrally: finance, personnel, Safeguarding, SENCo, specialist subject delivery.
- Shared appointments of key personnel including Business Managers, Site Managers and SENCo's.
- Development of shared subject leadership across a number of small schools or outsourced from a larger school to smaller schools.
- Development of shared resources and SLAs across a number of small schools to provide better value for money.

Links to other Strategies and Stakeholders

- School Organisation Plan
- Childcare Sufficiency Assessment
- Schools Capital Programme
- Schools in Financial Difficulty (SIFD)

DfE List of Designated Rural Schools (2021) - Appendix 1

Establishment Name	Type of Establishment	Status	Phase	Postcode	Urban/Rural Indicator
All Saints CofE Aided Infant School	Voluntary aided school	Open	Primary	GU10 2DA	(England/Wales) Rural hamlet and isolated dwellings
Bagshot Infant School	Community school	Open	Primary	GU19 5BP	(England/Wales) Rural town and fringe
Beacon Hill Community Primary School	Community school	Open	Primary	GU26 6NR	(England/Wales) Rural town and fringe
Burstow Primary School	Foundation school	Open	Primary	RH6 9PT	(England/Wales) Rural town and fringe
Charlwood Village Primary School	Community school	Open	Primary	RH6 0DA	(England/Wales) Rural village
Chilworth CofE (Aided) Infant School	Voluntary aided school	Open	Primary	GU4 8NP	(England/Wales) Rural village
Clandon CofE Aided Primary School	Voluntary aided school	Open	Primary	GU4 7ST	(England/Wales) Rural village
Dormansland Primary School	Community school	Open	Primary	RH7 6PE	(England/Wales) Rural town and fringe
Ewhurst CofE Aided Infant School	Voluntary aided school	Open	Primary	GU6 7PX	(England/Wales) Rural town and fringe
Godstone Primary and Nursery School	Foundation school	Open	Primary	RH9 8NH	(England/Wales) Rural town and fringe
Kingswood Primary School	Community school	Open	Primary	KT20 7EA	(England/Wales) Rural town and fringe
Lingfield Primary School	Community school	Open	Primary	RH7 6HA	(England/Wales) Rural town and fringe
Milford School	Foundation school	Open	Primary	GU8 5JA	(England/Wales) Rural town and fringe
Newdigate CofE Endowed Aided Infant School	Voluntary aided school	Open	Primary	RH5 5DJ	(England/Wales) Rural village
North Downs Primary School	Community school	Open	Primary	RH3 7LA	(England/Wales) Rural town and fringe
Nutfield Church CofE Primary School	Voluntary aided school	Open	Primary	RH1 4JJ	(England/Wales) Rural town and fringe
Puttenham CofE Infant School	Voluntary aided school	Open	Primary	GU3 1AS	(England/Wales) Rural village
Scott Broadwood CofE Infant School	Voluntary aided school	Open	Primary	RH5 5JX	(England/Wales) Rural village
Send CofE Primary School	Voluntary aided school	Open	Primary	GU23 7BS	(England/Wales) Rural hamlet and isolated dwellings
Shere CofE Aided Infant School	Voluntary aided school	Open	Primary	GU5 9HB	(England/Wales) Rural village
St James CofE Aided Primary School	Voluntary aided school	Open	Primary	GU8 6DH	(England/Wales) Rural town and fringe
St John's CofE Aided Infant School	Voluntary aided school	Open	Primary	GU10 2JE	(England/Wales) Rural village
St Mary's CofE Aided Infant School, Frensham	Voluntary aided school	Open	Primary	GU10 3DS	(England/Wales) Rural village
St Mary's CofE Voluntary Controlled Infant School	Voluntary controlled school	Open	Primary	GU8 6AE	(England/Wales) Rural village
St Matthew's CofE Aided Infant School, Cobham	Voluntary aided school	Open	Primary	KT11 3NA	(England/Wales) Rural hamlet and isolated dwellings
St Michael's CofE Aided Infant School	Voluntary aided school	Open	Primary	RH5 6EW	(England/Wales) Rural hamlet and isolated dwellings
St Peter and St Paul CofE Infant School	Voluntary aided school	Open	Primary	CR3 5BN	(England/Wales) Rural hamlet and isolated dwellings
St Peter's CofE Infant School	Voluntary aided school	Open	Primary	RH8 9NN	(England/Wales) Rural village
The Chandler CofE Aided Junior School	Voluntary aided school	Open	Primary	GU8 5PB	(England/Wales) Rural town and fringe
Tillingbourne Junior School	Community school	Open	Primary	GU4 8NB	(England/Wales) Rural town and fringe
Valley End CofE Infant School	Voluntary controlled school	Open	Primary	GU24 8TB	(England/Wales) Rural hamlet and isolated dwellings
Witley CofE Controlled Infant School	Voluntary controlled school	Open	Primary	GU8 5PN	(England/Wales) Rural village
Wonersh and Shamley Green CofE Aided Primary School	Voluntary aided school	Open	Primary	GU5 0RT	(England/Wales) Rural village
Wood Street Infant School	Community school	Open	Primary	GU3 3DA	(England/Wales) Rural town and fringe
Worlesdon Primary School	Community school	Open	Primary	GU3 3NL	(England/Wales) Rural town and fringe

Annex A –

Federation and Collaboration arrangements in schools and Executive Headships

Introduction

What is a Federation?

A federation is where Community, Voluntary Aided, Voluntary Controlled or Foundation schools come together under one governing body. The schools' individual governing bodies are disbanded and a new single over-arching governing body is formed with a new Instrument of Governance. This becomes the accountable body for all the schools and sets the strategic direction for the group. Each school in the federation remains a separate entity and receives its own delegated budget and is inspected separately.

The statutory context for federations is the Education Act 2002, The School Governance (Federations) (England) Regulations 2007, The School Governance (Federations) (England) Regulations 2012 and The School Governance (Constitution & Federations) (England) (Amendment) Regulations 2016.

These set out what a federation and its management should look like, how schools may join and leave and how a federation may be dissolved. Sections 24, 25 and 26 of the Education Act 2002 set out the different ways in which governing bodies may work together, ranging from joint committees and joint governing body meetings to a single governing body.

Section 24 specifically defines a federation as two or more schools operating under a single governing body. Although initially limited to five schools. The School Governance (Federations) (England) Regulations 2007 removed the upper limit of schools that can federate.

Federations enable schools to:

- Work together efficiently and sustainably to raise standards
- Improve services and increase opportunities for pupils and staff
- Share resources, staff, expertise and facilities
- Create a more resilient structure and
- Share good practice and a common ethos – Schools who are at risk may join a federation with a high performing school

Funding

Each school in the federation remains a separate entity and is funded according to the funding formula. However, the federated governing body can use funding across the schools in the federation but must account for each school budget separately.

What is a Collaboration?

Collaboration is a less formal arrangement in which the governing bodies remain separate but may establish a joint committee(s) for a specific purpose. They may also share a headteacher or staff. Collaborations can deliver excellent benefits. Collaborations may be permanent or temporary, e.g., where a school agrees to collaborate with another school and share a headteacher for a year whilst recruitment is made arranged through a memorandum of understanding.

Benefits of a Collaboration may include:

- Increased opportunities to work together efficiently and sustainably to raise standards
- Increase of staff development opportunities
- Secure better value for money by pooling resources and expertise
- Greater resilience to the impact of falling rolls and tightening budgets

Benefits of Federations (in addition to those in a collaboration):

- Formalising collaboration within a manageable framework of one governing bodies
- Providing opportunities for different leadership and management models, such as an Executive Headteacher or other shared staff
- Maintaining the unique character of each school within the local community
- Increasing the number of opportunities for maximising the sharing of resources
- Building a strong foundation for schools to be resilient to future financial and other pressures

Executive Head Teachers

Often schools in a federation will share a Headteacher as the lead professional, but this is not compulsory. Similarly, it is possible for two or more schools to share a headteacher but not be in a federation. This is referred to as an Executive Headteacher (EHT). An Executive Headteacher takes a strategic role in the schools that they are leading. When considering whether to employ an EHT, it is helpful to consider some of the following points:

- What aspects of Leadership will the EHT responsible for and might be divided with other leadership roles, (such as Head of schools if appropriate), (e.g., strategic leadership; day-to-day operation; recruitment, training and management of staff; teaching, learning and curriculum; use of data to monitor, evaluate and improve performance; community engagement and partnership working.)
- How many days is the EHT in each school? Will this change over time?
- How will the backfill of staff in each school be organised and what will the staffing structure look like? How will this be agreed?
- Who will run Senior Leadership team meetings?
- How will the governing body work with the EHT and any Head of School?

Federation: An example process

This process has been put together based on the DfE Guidance: [the Governance of Federations](#). Some aspects of this process will not be relevant for collaborations, but it is recommended that schools follow a similar process when entering into a formal collaboration agreement.

Initial plans about becoming a Federation or joining a collaboration	
	Federation or Collaboration
<p>The initiative to federate should come from the leadership team of the school.</p> <p>The governing body instigating the federation consider the collaboration and/or federation with potential partner schools.</p> <p>All governing bodies agree informally to explore this option</p> <ul style="list-style-type: none"> ○ What mutual benefits can be brought to each school taking part? ○ How the whole school community can be engaged when entering the agreement? <p>The governing bodies of all schools taking part should understand the context of the partner schools they are looking to join with and the impact it might have on their own school. (Due diligence)</p>	Both
Inform the local authority and Diocese (if appropriate) of intention to join federation or collaboration agreement and seek their advice.	Both
Staff and professional associations should be notified of intention to join federation or collaboration agreement.	Both
Set up a joint governance working group with representatives from governing bodies of all schools involved who will produce a report covering the following areas. This report should then be shared with all governors.	Both
Design a new governance structure that will fit the new structure for the joint governing body as well as a name for the federation.	Federation
<p>Details of the proposed staffing arrangements –</p> <ul style="list-style-type: none"> ▪ What are the arrangements for the post of Headteacher? – will there be an Executive Headteacher in charge of more than one school or will schools retain an existing head? ▪ If there will be an Executive Headteacher – what is the scope of this responsibility and who will manage each school on a day-to-day basis? ▪ Will staff need to alter their current working arrangements by working across different sites? 	Both
If an Executive Headteacher is to be appointed – will it be an existing member of staff? Is there more than one person to be considered for the post? – If a recruitment process is required, follow the DfE guidance to ensure the appointment is done fairly.	Both

Engage with the local authority and Diocese about the possible Human Resources and legal implications arising and take appropriate advice and guidance to resolve these issues.	Both
Examine the financial benefits/implications of a Federation to ensure that the proposal will be financially secure. Consider a 3-to-5-year business plan.	Both
The Report must be an agenda item at a meeting of which 7 days' notice has been given where each governing body must decide whether to proceed with a formal proposal.	
Creating a Proposal	
<p>Create a formal proposal signed off by all governing bodies concerned. This proposal will be shared with all stake holders and needs to be written in a way that parents will understand what the changes will mean for them and their children. The proposal may need to be customised for each school if they will be affected in different ways.</p> <p>The proposal should explain the rationale for this change and invite them to share any concerns that they might have so that these can be considered and addressed. If appropriate, it should also include details of the size and composition of single governing body, staffing arrangements and other changes.</p>	Both
Consultation	
<p>Once finalised, the proposal should be sent to the Headteachers, staff, parents, the LA, unions, the diocese (if appropriate) and foundation governors or trustees of any school that has a foundation and any other stakeholder that the school might engage with that the governing body feels it appropriate to include. Governing bodies should also send the proposal to the secretary of state.</p> <p>The consultation should have a deadline of at 6-8 weeks for stakeholder feedback to be received and compiled. It is good practice to exclude holidays from this deadline.</p>	Both
Organise consultation events for stakeholders to explain the rationale for joining a federation, the benefits and provide the opportunity to voice any concerns so that these may be addressed.	Both
Arrange a formal meeting with staff and professional associations to explain the impact any changes will bring and address any concerns staff may have with appropriate HR support.	Both
Governance	
Prepare a draft Instrument of Governance for all schools who are taking part in the federation which gives the name of the federation and the constitution of the governing body – Check with SAfE Governor Services for model Instrument of Governance and to ensure it is compliant with all applicable statutory provisions.	Federation only

For Voluntary Controlled or Voluntary Aided schools, the Instrument of Governance should be sent to the Diocese first for approval before being sent to the local authority.	
Once SAfE Governor Services have confirmed the Instrument of Governance is compliant, it is shared with all governors.	Federation only
End of Consultation	
Following the conclusion of the consultation, governors from all governing bodies, having considered feedback from parents, staff and other stakeholders, decide whether to proceed with the federation or collaboration.	Both
If one or more governing bodies do not wish to proceed, the proposal is reconsidered with appropriate changes being made and the consultation is relaunched.	Both
If all governing bodies are in agreement, the move to federation or collaboration will proceed. The governing bodies will give notice to parents, staff, professional associations and any other stake holders. Any necessary TUPE consultation and/or HR process should begin.	Both
Incorporation of the new governing body for a federation	
A list of governors who wish to remain part of the federated governing body is produced –If there are surplus governors refer to The Constitution of Governing Bodies of Maintained Schools 2017 B.3 Surplus Governors (regulation 15). For VA, VC and Foundation schools, check with Diocese for their input relating to foundation governors.	Federation
The Clerk to the federated governing body prepares for elections of parent and staff governors if appropriate <ul style="list-style-type: none"> ○ All staff and parents receive the same letter asking for nominations, but this comes from their own school and follows their standard process for election of governors 	Federation
Governor committees are agreed and membership is decided	Federation
Individual governing bodies must discharge their responsibilities <ul style="list-style-type: none"> ○ A written report to be created highlighting how these have been fulfilled ○ An inventory of assets in each school must be prepared for the new federated governing body ○ Land and property held by individual schools to be transferred to the federated governing body ○ Rights and liabilities that existed before the federation are transferred to the federated governing body 	Federation
For VA and Foundation schools, the employer may change from the respective governing bodies to the federated governing body.	Federation
The new federated governing body is formed.	Federation

Governors are identified for EHT performance management (if appropriate) or targets for existing Headteachers are reviewed.	Federation
Business plans and budget setting are completed.	Federation
The first meeting of federated governing body is held.	Federation

FAQs

Q Can Maintained schools federate with Voluntary Aided, Foundation or Voluntary Controlled schools?

A Yes but this is subject to approval of local authority and Diocese and specific advice should be sought.

Q Can schools from Surrey federate with a school from another local authority?

A Yes but it is recommended specific advice be taken from both local authorities. A decision will need to be made over which local authority will have responsibility for the instrument of governance.

Q Does federation affect who is the Admissions authority for each school?

A Federating will not typically have an effect on this. The admission authority for each school will continue to be the LA for C&VC schools; the governing body for foundation and voluntary aided schools; or the Governing Body or Academy Trust for academies (subject to whether or not responsibility for admission has been delegated to the GB by the Academy Trust. The admission authority will continue to have responsibility for consulting on and determining admission arrangements and for making admission decisions for the school.

Q What is TUPE?

A TUPE stands for the Transfer of Undertakings (Protection of Employment) Regulations and its purpose are to protect employees if the business in which they are employed changes hands. Its effect is to move employees and any liabilities associated with them from the old employer to the new employer.

References

Governance in Federations

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The Constitution of Governing Bodies of Maintained Schools 2017

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<https://www.nga.org.uk/whats-in-a-name.aspx>

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<https://dioceseofyork.org.uk/uploads/attachment/3567/federation-guidance-sept-17.pdf>