

REPORT TO THE EXECUTIVE



DATE	28 April 2009
PORTFOLIO	Leader
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Burnley Education Trust

PURPOSE

1. To seek approval for the Council becoming a member of the new Burnley Schools' Education Trust.

RECOMMENDATION

2. The Executive are recommended to:
 - a) Approve the Council becoming a member of the newly proposed Burnley Schools' Education Trust.
 - b) Delegate negotiations on any matters in relation to the finalisation of the Memorandum of Understanding and Articles of Association to the Chief Executive in consultation with the Leader of the Council and the Head of People and Law.
 - c) Recommend to Full Council that the Burnley Schools' Education Trust is added to the Council's Outside Bodies List and that the appointment of the Council's representative(s) is decided at the Annual Council Meeting on 14 May 2009.

REASONS FOR RECOMMENDATION

3. Both the Department for Children, Schools and Families (DCFS) and Lancashire County Council feel that the new Trust will be a key tool in improving educational attainment at the 3 National Challenge Schools in the Borough. The Council has a strategic priority to improve education and skills in the Borough and can make a significant contribution to this priority by becoming involved in the Trust. The Trust meets a number of the Council's criteria for being added to the Outside Bodies List.

SUMMARY OF KEY POINTS

4. **Background**

In 2008 Lancashire County Council developed proposals for a Burnley Schools' Education Trust. The proposed Trust will provide a new way of working to support schools to improve their performance on GCSEs, with the aim of ensuring all schools in Burnley, are

above the threshold of at least 30% A* - C GCSEs, including mathematics and English by 2011, and continue on an improvement path thereafter.

5. The new Trust represents a new Governance Model for Burnley's High Schools, which did not meet the Government's National Challenge Standards, namely Shuttleworth, Sir John Thursby and Unity College. The proposed aims of the Trust are:

- To advance the education of the pupils at Unity, Shuttleworth and St John Thursby Colleges,
- Improve the standards and achievements of the students of the colleges,
- Enhance the opportunities and aspirations for the students,
- Through the partnership working of Trust members and others to improve the health, wellbeing and education of students and their families and so raise the life chances and employability in the local community,
- To promote, where appropriate, high quality staff development that enhances the teaching and learning,
- To commission research relating to improving the educational outcomes for young people in the Burnley area.

6. Each school will retain its own Governing Body. However, the Education Trust would appoint the majority of Governors. The Trust would allow a wider range of public and private sector partners to be involved in driving school improvement and would also lever in additional funding from the DCSF of up to £750,000 per year for the three National Challenge Schools in the Borough.

7. **Current Position**

Lancashire County Council has undertaken negotiations and discussions with local High Schools as well as potential partners for the Education Trust. The three Schools are supportive of the new Trust. In addition, the following partners have also indicated that "in principle" they will be members of the Trust. It should be noted that DCFS have provided guidance on who should be members of the Trust. So far the proposed partners are:

- Three lead education partners:
 - Thomas Whitham Sixth Form
 - Blessed Trinity Catholic College
 - Burnley College
- Lancashire County Council
- Burnley Borough Council
- UCLAN
- East Lancashire PCT
- Aircelle
- Prince's Trust

8. It is proposed that the Trust will be a company limited by guarantee and will be registered by the Charity Commission. The Trust will be held together and operate in line with an agreed Memorandum of Understanding and Articles of Association.

9. The first informal meeting of Trust partners took place on 9 March and a draft Memorandum of Understanding and Articles of Association were tabled at the meeting. There are no issues of major concern.

10. At the same time as the new Education Trust will be established, the three National

Challenge schools will also be moving to foundation status. The target date for these schools to achieve foundation status is 1st September 2009. Once the schools become foundation schools, they then become employers of the staff at the schools and can set their own admissions criteria.

11. Appointment of Trustee(s)

Now that the full Trust membership has been agreed in principle, each Trust member has been asked to appoint a Trustee and Lancashire County Council have indicated that ideally, they would like this to be a senior executive officer within the relevant organisation, rather than a non-executive postholder. The Council has requested that it should have two Trustees (both the Chief Executive and the Leader of the Council) and whilst this issue is under active consideration, there are significant constraints in legislation which means this may be difficult to accommodate. In particular, the number of local authority Trustees is limited to a maximum of 20% of the total Trust Board.

12 In line with the Council's Policy on Outside Bodies, it is appropriate for the Trust to be added to the list of Outside Bodies as it meets the following criteria:

- The appointment would make a direct and significant contribution to the Council's Strategic Objectives,
- There is not significant cost and resource implications for the Council set against any benefit accrued,
- That having considered the balances of risk, there would be a detrimental effect on the Council were it not represented.

13. It is therefore recommended that that the Burnley Education Trust is added to the Council's Outside Bodies List and that the appointment of the Council's representative(s) is decided at the Annual Council Meeting on 14 May 2009.

14. Next Steps

Once the Memorandum of Understanding and Articles of Association have been agreed, and Trustees appointed, the next stages are to:

- Send information to Companies House (DCSF advise this happens after the governing bodies have taken their formal decision to proceed)
- Complete Registration if necessary with Charities Commissioner
- Appoint foundation governors at the schools

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

15. None arising directly from this Report, with the exception of the Chief Executive's time in attending the Trust meetings.

POLICY IMPLICATIONS

16. The proposal could result in greater improvement in educational attainment which is a key priority both within the Borough's Community Strategy and the Council's Strategic Plan.

DETAILS OF CONSULTATION

17. Lancashire County Council.

BACKGROUND PAPERS

18. Briefing notes and Proposals on the Trust from Lancashire County Council

FURTHER INFORMATION

PLEASE CONTACT: Mick Cartledge

ALSO: