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## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 23 January 2008**

**SUBJECT: Garforth Schools Trust**

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### EXECUTIVE SUMMARY

#### 1. PURPOSE OF THE REPORT

- 1.1 To inform Members of the formation of the Garforth Schools Trust and associated implications as outlined in the 'Main Issues' section of this report.

#### 2. BACKGROUND INFORMATION

- 2.1 The Education and Inspections act (2006), and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations (2007) provide new flexibility for schools to work together under a shared Trust in partnership with external organisations (such as Universities, Business Foundations and Community Groups).
- 2.2 In line with these regulations, Garforth Community College has led the development of proposals to form a Trust called The Garforth Schools Trust ("the Trust") with effect from September 2007.

#### 3. MAIN ISSUES

##### 3.1 Governance

A Trust school remains a local authority maintained school that is funded on the same basis as other local authority maintained schools, and funding will be delegated to the governing body, not the Trust. There will be no additional funding from the local authority for a Trust school, and there is no expectation that the Trust will provide the school with additional funding. They could, however, bring in additional *resources* in terms of professional expertise, knowledge and vocational opportunities.

A Trust school governing body is the employer of the staff much like in an aided school, but must comply with the national School Teachers' Pay and Conditions Document.

### **3.2 Asset transfer and capital implications**

The freehold land and buildings which the schools occupied for the purposes of the schools were transferred from Leeds City Council (“the Council”) to the Trust on the 1 September 2007 for nil consideration by virtue of the Education and Inspections Act 2006. and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007. The land and buildings will be held in trust by the Trust for the duration of the existence of the Trust.

A detailed report specifying the detail of the terms of transfer, and specifically documenting the land in question was noted by Leeds City Council Asset Management Group on 7 September 2007 and can be made available by the Estate Management team upon request.

### **3.3 Insurance**

Legal advice has indicated that as the Council is responsible for maintaining foundation schools under the School Standards and Framework Act 1998 it maintains an insurable interest in the schools and can therefore legally continue to provide buildings, contents and employers liability and other insurance on behalf of the schools (including covering any excess) and recharge the cost of premiums. This is consistent with arrangements for all schools.

### **3.4 Staff transfer**

In accordance with the legal provisions in relation to foundation schools the governing bodies of the schools concerned became the employers of the staff on 1<sup>st</sup> September, with staff being transferred on the same terms and conditions that were in place with the City Council at the time of transfer.

### **3.6 Implications for the future**

The Scrutiny Board for Children’s Services has conducted an inquiry into the implications of trust status for the Council and published its report in May 2007.

## **4. RECOMMENDATIONS**

### **4.1 The Executive Board is asked to:**

- note the implications of the formation of the Garforth Schools Trust;
- note the transfer of staff to the Garforth Schools Trust;
- note the proposals to formalise the Asset transfer agreement outlined at 3.2.8; and
- agree to the proposal that Leeds City Council continue to provide buildings, contents, employers liability and other insurance on behalf of the schools (including covering any excess) and recharge the cost of premiums accordingly

