



Statutory proposals for Prescribed Alterations

Danby Church of England Voluntary Controlled Primary School Governing Body To change category from a voluntary controlled school to a voluntary aided school

Publication Date

Thursday 29th April 2021

Contact details

Proposal published in accordance with section 19(3) of the Education and Inspections Act 2006 by Danby Church of England Voluntary Controlled School Governing Body, Ainthorpe Lane, Whitby, North Yorkshire YO21 2NG to make prescribed alterations to Danby Church of England Voluntary Controlled School

Description of alteration proposed

It is proposed to change the category of Danby Church of England Primary School from voluntary controlled to voluntary aided from 16th September 2021.

This document forms the next stage of the statutory process and contains information for interested parties to make a decision on whether to support the proposed change.

North Yorkshire County Council is the decision-making body that must consider and determine the proposals. Details of the decision-making process and how to comment on the proposals are included below.

Background to proposal

The Danby Governing Body resolved on 4th February 2021 to enter formal consultation around the potential for Danby to change category from a Voluntary Controlled School to a Voluntary Aided school.

There followed a 6 week consultation period during which all identified stakeholders including parents, staff, governors, Trade Unions/Professional Organisations and local councilors were provided with a consultation document outlining the proposals as well as offered the opportunity to attend a virtual public meeting.

On 15th April 2021 Danby Governing Body considered the responses and approved the publication of Statutory proposals to change category from voluntary controlled to voluntary aided.

There was 1 supportive comment received as part of this initial consultation process and no objections were received.

Context of the 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. The school currently self-evaluates itself as 'Good' in all areas.

Danby has for a number of years worked in close collaboration with Egton Church of England Voluntary Aided Primary School ("Egton") and the Headteacher has been leading both Danby and Egton since 1st April 2018.

Parallel federation proposals

These proposals were made in the context of the parallel consultation on a proposal for Danby Governing Body and the Egton Governing Body to federate as from 16th September 2021. The proposal to federate was approved by both governing bodies on 15th April 2021 and will see the two schools work together under a single Governing Body. This 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.

Reason for the proposal and objectives

The Governing Body believes that a change in category would be good for the children's education at Danby and good for the community. In summary, the changes would lead to:

1. Greater protection of, and the ability to further develop, Danby's Church school ethos.

For example, as a Voluntary Aided school, Danby would have greater formal links with the Diocese and local Church whilst maintaining a strong and effective relationship with North Yorkshire County Council, and would be able to enhance provision for Religious Education (RE) teaching and learning.

2. More effective joint working with Egton Church of England Voluntary Aided Primary School ("Egton") due to increased alignment.

It is felt that this would be enhanced should Danby become a Voluntary Aided School in line with these proposals due to greater alignment between the two schools. For example:

- The schools would have the same RE syllabus enabling greater shared provision;
- The federated Governing Body would be the single employer of staff, making shared staffing arrangements in appropriate cases easier; and
- The inspection processes under the SIAMS framework would be more aligned.

With greater similarities between the school, the Governing Body believe that even greater benefit can be obtained from this Federation

Further exploration of the impact of the proposals

As a Voluntary Aided school, the school would continue to be maintained by, and to have a strong and effective relationship with, North Yorkshire County Council.

A table setting out a summary of the key differences between Voluntary Aided and Voluntary Controlled schools can be found on the Diocese's website at–
<https://dioceseofyork.org.uk/uploads/attachment/4561/summary-of-key-differences-between-school-types.pdf>.

The key areas that are relevant in the Governing Body's decision to seek to change category are further set out below.

Ethos

As a Church of England school, Danby already has a strong Church of England ethos. A change to Voluntary Aided would help to make this ethos more secure into the future due to the additional Church School protections Voluntary Aided status would give.

Church involvement in governance structures

At present, Foundation Governors (Governors with special responsibility to secure that the school's religious character is preserved and developed and that the school is conducted in accordance with its trust deed) are in the minority on the Danby Governing Body. This will change in any case when Egton and Danby federate on 16th September 2021 as proposed, as in order to federate with Egton as a Voluntary Aided school, the joint Governing Body has to include a majority of Foundation Governors. In a Voluntary Aided school, Foundation Governors must outnumber all other Governors by two.

Collective Worship

There would be no change to Collective Worship at the school under these proposals.

Religious Education

At present, Danby uses the locally agreed syllabus for RE. This is the same syllabus used by community schools. As a Voluntary Aided school, the Governing Body would be able to adopt the Diocese of York's RE syllabus. This syllabus would continue to provide for the teaching of a range of religious and worldviews, but would make available increased support from the Diocese. This syllabus is currently used by Egton

and it is felt that it would bring further opportunities to develop learning and teaching in RE at Danby. Having the same syllabus as Egton would also strengthen the ability of the schools to collaborate on RE, strengthening learning and outcomes for children.

Inspection

As a Voluntary Aided school, Danby would continue to be inspected by Ofsted and under the SIAMS schedule. SIAMS would continue to evaluate the effectiveness of the school's Christian vision in enabling pupils and adults to flourish. The school would still receive an overall judgement, along with a specific judgement in respect of the impact of Collective Worship. In addition, there would be a specific judgement in respect of the standards of teaching and learning in RE - a Voluntary Controlled school does not receive this additional specific judgement. The Governors believe that increased accountability for RE under the SIAMS schedule would further improve learning and teaching in RE. The aligned inspection processes for Egton and Danby would also further support joint working and thereby improve learning and outcomes for children across the two schools.

Staffing

In a Voluntary Aided school, the Governing Body is the employer of all staff, rather than the local authority. Staff in Danby would automatically transfer their employment on their existing terms and conditions from the local authority to the federated governing body under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). Staff appointments would continue to be funded through the delegated budget the school receives from the local authority. As a Voluntary Aided school, the Governing Body would be able to use the provisions of the School Standards and Framework Act 1998: for example, Christian commitment could be taken into account in the appointment of the Headteacher and may be taken into account for other members of staff where appropriate.

Admissions

At present North Yorkshire County Council is the school's Admission Authority and as such is responsible for admissions at the school, including determining the school's admissions policy. Following the change of category, the Governing Body would become the Admissions Authority and therefore be responsible for determining the school's admission arrangements, with admissions applications continuing to be processed under North Yorkshire County Council's Co-ordinated admissions scheme. All Admissions Authorities must comply with the School Admissions and Appeals Codes and the law relating to school admissions including the duty to comply with infant class size legislation and the duty to consult on its proposed admissions

arrangements both periodically and (with very minor exceptions) in the event that it wishes to make changes to the policy. As a maintained school, this would also be subject to the oversight of the Schools Adjudicator. Admissions Appeals would continue to be heard by an Independent Appeals Panel. Any changes to the admissions policy in future would be subject to separate consultation and are likely to include the addition of a faith-based over subscription criteria. The Governing Body is committed to serving its local community and there are no plans to change the catchment of the school.

Buildings

The ownership of the school site would not change under these proposals. The school would continue to receive Devolved Formula Capital Grant (capital funding calculated on a formulaic basis for each educational establishment) in the same way as it does at present.

The local authority receives school condition allocation to invest in priorities across the schools for which they are responsible, including Voluntary Controlled Schools. As a Voluntary Aided school, Danby would not look to the local authority for this funding: instead, the Diocese receives school condition allocation to distribute based on an assessment of priorities across the Voluntary Aided schools in the Diocese. The Governing Body feels that being part of a smaller group of schools bidding for funding (with Danby there would be twelve Voluntary Aided schools in the Diocese) will enable us to have a stronger voice in stating Danby's case for access to such funding.

As a Voluntary Aided school the Federation Governors would be responsible for making a 10% statutory contribution to all capital works at Danby C.E funded from school condition allocation funding or Devolved Formula Capital. Governing Bodies cannot use their devolved formula capital to meet their 10% contribution, but they can use the revenue budget delegated to the school or money raised through fundraising events and other revenue generation. For example: commitment by the staff to Initial Teacher Training brings in additional revenue to the school which has been ring-fenced in preparation to meet the 10% needs should it be required. It is envisaged that there will be experience on the Federated Governing Body from this perspective as this has always been the position at Egton.

Effect on other Educational Establishments in the area

There is not expected to be an effect on other schools, academies and educational institutions other than to allow even closer working to take place between Danby and Egton

Project costs and indication of how these will be met, including how long term value for money will be achieved.

There are no direct project costs identified as part of this proposal.

Staff in Danby would automatically transfer their employment on their existing terms and conditions from the local authority to the federated governing body under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).

Danby would continue to be maintained by the Local Authority and the change to voluntary aided will not affect their revenue funding.

As stated above, as a Voluntary Aided school governors would be responsible for making a 10% statutory contribution to all capital works funded from school condition allocation funding or Devolved Formula Capital. Governing Bodies cannot use their devolved formula capital to meet their 10% contribution, but they can use the revenue budget delegated to the school or money raised through fundraising events and other revenue generation. The Danby Governing body are satisfied that they would be able to raise the necessary funding through the same methods which are employed at Egton CE VA Primary School which they will be Federated with from 16th September 2021.

Implementation of Proposals

Following the 4 week statutory representation period the final decision on whether Danby C.E VC Primary School will become voluntary aided will be taken by North Yorkshire County Council on 22nd June 2021.

If the proposal is approved then the governing body of Danby CE VC Primary School will implement the proposal with effect from 16th September 2021.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director-Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, by 5pm Thursday 27th May.