

**Sustainable leadership and governance.**

**Supporting schools, working together.**

**Collaborations**

Nottinghamshire has a strong record of schools working in partnership with each other. Schools can work together informally or they can choose to formalise their working together through a collaboration. In a formal collaboration, maintained schools may collaborate formally with other maintained schools, hold joint governing body meetings and form Joint Collaboration Committees (JCC). The regulations allow two or more governing bodies to arrange for any of their functions to be carried out jointly. They also allow those functions to be delegated to a Joint Collaboration Committee (JCC). Whilst the regulations leave much of the detailed arrangements for the schools concerned to determine, NCC Legal Services have provided a model policy for all maintained schools to use. This model policy can be obtained from Governor Services.

In a formal collaboration, individual governing bodies retain legal responsibility and corporate liability for all decisions made on their behalf by the Joint Collaboration Committee. The specific procedures (on clerking and membership of committees, for example) generally mirror those for individual school governing bodies and are detailed in a Collaboration Agreement and Terms of Reference document. Governing bodies must therefore make sure that they receive regular reports, including signed minutes, from any joint committees they agree to establish.

The full statutory guidance can be found at [The School Governance (Collaboration) (England) Regulations 2003 (legislation.gov.uk)](https://www.legislation.gov.uk/uksi/2003/1962/contents/made)

**Collaboration between academies and maintained schools.**

While the Collaboration Regulations do not permit maintained schools to share governance arrangements and form formal joint committees with academies, they may collaborate informally. For example, a joint working group may be established which is purely advisory in nature, making recommendations to the boards of both schools who retain decision making powers. Alternatively, a committee may be established with parallel dual identities – complying with both the requirements of maintained school regulations and the legal framework for academies.

A formal collaboration agreement is not required to be in place to have shared staffing arrangements, however this may be part of the arrangements for a collaboration between maintained schools.

**HR implications – regarding changes to staff structure**

* Some collaborations do not impact of the existing staff structure however, a formal collaboration can provide an opportunity to revise the staffing structures across the collaborating schools, in particular the senior leadership structure.
* There are various options available, with the most common approach being for schools to share Head Teachers or appoint an Executive Head Teacher and appoint Heads of School or Deputy Head Teachers. This will depend on the size of the collaborating schools and budget constraints. Consideration of affordability is, therefore, essential.
* A due diligence exercise should be undertaken to ensure that there is a clear understanding of the staffing structure for each school; the nature of **all** contracts (permanent/supply and temporary); staffing costs and commitments

**Staff consultation and contractual rights**

Early consultation with staff is critical. HR advice should be sought as soon as governors are considering their options. A timeline for the collaboration should be drawn up detailing the various stages of the process with guidance from HR.

Staffing structures, including revised job descriptions and contractual changes where necessary, will need devising and ratifying by the appropriate JCC/Governing Body, prior to the start of the collaboration.

All appointments/acting up arrangements should be made on a fixed term basis and confirmed in writing. The collaboration and staffing arrangements to serve the collaboration will need regular review. HR advice should be sought at each review with regards to the reasons for extending/ending fixed term contracts.

Consideration of the contractual rights of all affected employees, for example in relation to working on different sites, should be made. HR advice should be sought in regard to these matters.

**Leadership arrangements**

Some collaborations retain existing leadership structures (i.e. each school retaining their own Headteacher). However, other collaborations involve the appointment of an Executive Headteacher to work across some, or all of the schools in the collaboration.

The Executive Head Teacher’s (if one is appointed) salary should be calculated by temporarily revising the Individual Pay Range (IPR), taking into account the size (pupil numbers) and other circumstances of all schools within the collaboration. The Nottinghamshire Pay Policy contain guidance and forms to assist with this process.

**A separate temporary contract or secondment agreement should be issued, and an end date/review date specified. HR advice should be sought in regard to these matters**.

Appraisal arrangements for the Executive Head Teacher will need confirming by the JCC and should, wherever possible, be streamlined to cover responsibilities across the collaborating schools.

All other leadership posts in the new structure should have salaries determined based on the duties of the role. These contractual arrangements should also be set up as temporary contracts or secondment agreements and the Executive Head Teacher will become responsible for appraisal arrangements in all the collaborating schools. All temporary contracts must contain notice provision for the early termination of the collaboration should this be required.

A collaboration opens up the possibility for setting up joint staff groups around single development issues such as curriculum, teaching and learning, and assessment. The opportunity to provide shared, joined up Continuous Professional Development should also be explored once the collaboration is established.

**Finance implications**

The financial implications of a collaboration are:

* All schools in the collaboration will continue to manage their own budget, funded separately according to the funding formula.
* Schools can choose to make efficiencies by sharing staffing and combined purchasing decisions with advice from the Local Authority.

**School Improvement opportunities**

A formal collaboration between schools can generate a range of school improvement opportunities for the participating schools in terms of:

* sharing professional development available to different staff groups across all functions in the school
* sharing best practice and supporting areas of weakness with areas of strengths in other schools
* enhancing the curriculum on offer to pupils
* developing teaching and learning throughout the school
* moderating pupil assessments to build confidence and reliability
* improving pupil outcomes and raising standards

Schools in a formal collaboration may be led by a group of Headteachers, an Executive Headteacher or a team of School Leaders. Whatever the leadership structure, schools have the opportunity to create together:

**Sharing professional development**

A planned programme of shared Continuous Professional Development (CPD) which can draw on the shared expertise from the wider staff group. Shared staff meetings can draw on a wider range of skills and experience from a larger staff group. The combined CPD budget is more likely to be able to afford a wider range of expertise to lead sessions and school improvement programmes. Statutory training, for example, safeguarding, fire safety, first-aid, can be arranged more cost effectively by sharing costs and combining numbers across the schools. Longer term school improvement programmes, sometimes run by an external consultant, will be more cost effective.

Significant professional development opportunities often emerge when schools collaborate. Temporary secondments, promotions, acting-up roles, opportunities to change Key Stage or department are more easily identified and implemented. Mentoring for teachers in their induction years or on leadership pathways can be arranged by combining resources and using staff from different schools. The deployment of staff across schools, both teaching and support, can offer a wider range of professional development opportunities to existing staff members while retaining their skills within the collaboration.

**Enhancing the curriculum** **on offer to pupils**

Schools in a formal collaboration can work towards enhancing the curriculum on offer to pupils. Initially, ideas for focus days, off-timetable weeks, topics and projects can be shared. As the collaboration develops, the costs of specialist teachers can be shared. For example, a Leading Maths or English Teacher can impact very positively on each school in a collaboration; a primary modern language specialist may be able to improve the foreign language skills of many more children if working across more than one school; specialists in PE, art or music can also enrich the curriculum beyond their school as timetables, class and subject responsibilities can be negotiated between schools where collaborative working is the norm. The leadership of some subjects can be assigned across the collaboration where schools are smaller or expertise is lacking.

**Developing teaching and learning**

The planning, reviewing and evaluating of teaching and learning experiences is enhanced when undertaken collaboratively with staff working in teams. Schools working collaboratively are in a strong position to link teachers in the same year groups or key stages together to avoid the problem of isolation that can sometimes be a problem. Similarly, those carrying responsibilities like Special Educational Needs, English as an Additional Language, Pupil Premium achievement, etc will benefit from sharing experience and expertise across schools. Sharing some aspects of planning and resourcing lessons can both improve the learning experience and help save valuable time, contributing positively to the wellbeing of staff.

**Moderating pupil assessments**

Sharing assessment activities within a collaboration improves confidence and accuracy. Activities such as standardisation, moderation, work scrutiny and learning walks are greatly enhanced when undertaken across schools as comparisons beyond individual classes or schools can be made. The sharing of children’s work, assessment data and lesson observations deepens teachers’ understanding of how much children and young people are able to achieve and how their performance can be measured and quantified.

**Improving pupil outcomes**

Schools in collaboration can use joint collaboration committee meetings and joint staff meetings to discuss ways to improve pupil outcomes by drawing on the combined expertise and experience of more than one school. The openness that prevails when schools are working in genuine collaboration means the results of curriculum experimentation and trialling interventions and pupil groupings can be shared which will thereby speed up potential innovation. Expertise in one school in supporting one or more of the disadvantaged groups can be utilised across schools using lessons learnt to move more rapidly towards implementing strategies already known to be effective.

**A formal collaboration puts on a more formal footing what many teachers and governors say they appreciate – the chance to share ideas and problems with colleagues. A collaboration agreement can set out the relationships, opportunities, expectations and entitlements available to all staff and governors to ensure the benefits of collaboration are available to all.**

**How do we approach forming a formal collaboration?**

**Step 1**

A Full Governing Body would consider the idea of collaboration, with one or more schools, at a governing body meeting. The Governing Body may consider appointing a small working party of interested governors to explore the possible benefits of collaboration.

These may include:

* Reasons for the collaboration.
* Vision, Ethos and Aims for the schools.
* Potential benefits or drawbacks of working in a collaboration.
* Potential leadership structures for the schools.

The working party would report back their findings to the full governing body which agrees there is a need to establish a collaboration with an identified school, or to seek a governing body that shares the same vision/ethos and is looking to collaborate with another school. The working party might then be tasked with identifying potential partner schools.

If schools are already successfully working in partnership with another school, then the decision may be to collaborate formally with their existing partner school/s.

Once a potential partner is identified, a joint working party should be established comprised of members of the governing body of each respective school.

**Step 2**

A **joint** **working party** could be formed and would meet to agree the timeline for the collaboration and draft the aims and purposes of the collaboration within the collaboration agreement. The joint working party would begin to draft the collaboration agreement using the template provided including agreeing the aims and purposes of the collaboration as well as determining the timeline for the collaboration process.

The joint working party considers the type of joint collaboration committee it requires, which could be:

* an overarching joint collaboration committee to take decisions on strategic matters in accordance with an agreed scheme of delegation.
* a single-issue committee to deal with a specific issue on behalf of two or more governing bodies.
* a time-limited joint committee to consider and make recommendations for further formal collaborations or federations.
* ad hoc meetings to discuss and make decisions on matters of common interest.

Once the joint working party have agreed the remit of the joint collaboration committee this will be confirmed in the terms and references document included within the template collaboration agreement.

**Step 3**

The working party draws up proposals for the constitution of the joint collaboration committee, including its membership and terms of reference. This becomes the joint resolution which goes to each of the individual governing bodies for their consideration and approval. The resolution should be worded to reflect the reasons for collaborating in each case.

Informal parental and staff consultation in all schools, conducted at the same time, should be undertaken to ensure that parent and staff voices are heard during the collaboration agreement process.

It is good practice at this time to also consider what will happen if one or more of the governing bodies rejects the proposal. The working party may need a contingency plan to either reconsider the proposals in the light of any concerns raised or, if there are more than two schools involved, to go ahead with the proposals for those schools whose governing bodies are in favour.

The working party may also want to consider the clerking arrangements for the joint collaboration committee. The minutes will form a key part of the communication strategy between the joint collaboration committee and the governing bodies.

**Nottinghamshire County Council is able to provide a draft collaboration agreement and terms of reference and advises that the working party seek advice from Governor Services and HR during this process.**

**Step 4**

Each governing body in the potential collaboration considers the resolution to establish the joint collaboration committee and the terms of the collaboration agreement. This may be at a scheduled full governing body meeting or at a meeting called specifically to consider the collaboration (special governing body meeting).

If the response is positive, the minutes will record the decision of each governing body The draft collaboration agreement will then be sent to the Local Authority (and Diocese where appropriate) to check and will be returned for the signature of the chairs. Once all Chairs have signed the document it is then returned to the LA for the final signature. The final signed document will be provided to all parties by the LA (usually via the board’s GovernorHub pages) and should be brought to the next FGB to ratify and record in the minutes. The formal collaboration is agreed from the date specified in the agreement.

**Step 5**

The Joint Collaboration Committee is established and begins its work according to the agreed terms of reference. The JCC will need to appoint a chair and the committee should make regular reports to the governing bodies of the schools concerned, enabling the views of all governors to be considered.

**The governing bodies review the agreement, membership and terms of reference of the joint collaboration committee every year in accordance with the regulations.**

The joint collaboration committee can appoint Associate Members as required for a period of up to four years (not exceeding the length of the agreement), but no less than one year, re-appointing for further periods if required. These Associate Members are not members of the collaborating governing bodies. The collaborating governing bodies must determine the voting rights of Associate Members noting that Associate Members cannot vote on admissions, pupil discipline, individual pupil and staff matters (see Governors’ handbook) or the budget and financial commitments of the individual governing bodies. They can however make a valuable contribution to the work of the joint collaboration committee, especially in locality issues and partnership working.

The joint collaboration committee can also invite external expertise to give presentations to meetings on issues of interest. This can include members of the committee acting in a private capacity.

**Can we leave/dissolve a collaboration?**

Continuation of the collaboration should be reviewed on an annual basis as a minimum, usually by the joint collaboration committee, reporting to the collaborating governing bodies.

The collaboration would be dissolved if the recommendation from the joint collaboration committee is that there is no longer a benefit to either/any of the schools, or if an individual collaborating governing body determines by resolution at a full governing body meeting to give notice to leave the collaboration in line with the collaboration agreement. The final decision to withdraw from the collaboration will be made by the schools on an individual basis.

Where any school wishes to withdraw from the collaboration, the governing bodies must provide the notice as specified in the collaboration agreement. Contractual arrangements will then be put in place to end the collaboration agreement.

The following occurrences may trigger a review by the JCC:

* The aims and purposes of the collaboration are met.
* The aims and purposes of the collaboration are not being met.
* Monitoring and evaluation evidence from either school indicate that the collaboration is not of benefit to the pupils.
* Substantial evidence-based concerns from staff, parents or governors judged by the Executive Head (EH)/Headteacher(s) and Chairs of the Governing Bodies to be significant enough to warrant a review.
* Long term absence of the Executive Headteacher or turnover of staff in either school which may impact on the effectiveness of the agreement.

This list is not exhaustive but gives examples of occurrences which may lead the JCC to consider whether dissolution is appropriate.

On the dissolution of the collaboration, any affected staffing arrangements will be managed in line with secondment agreements or service level agreements.

Should the collaboration dissolve, a review will be undertaken by governors of the schools to ensure that staffing and management structures match the future needs of each establishment.

In the case of the collaboration being dissolved, any outstanding monies or credits owing will be reconciled between the schools and signed off by the JCC.

**Further information about Collaborations can be found here:**

[The School Governance (Collaboration) (England) Regulations 2003 (legislation.gov.uk)](https://www.legislation.gov.uk/uksi/2003/1962/contents/made)

Guidance on the School Governance (Collaboration) (England) Regulations 2003 - [5526\_Guidance (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/278077/Guidance_on_the_School_Governance_Collaboration_Regs_2003.doc.pdf)

[Effective school partnerships and collaboration for school improvement: a review of the evidence (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/467855/DFE-RR466_-_School_improvement_effective_school_partnerships.pdf)

**For further advice and guidance, please contact:**

**Governor Services:** Sinead Allan Sinead.Allan@nottscc.gov.uk or Carol Brierley Carol.brierley@nottscc.gov.uk