

THE AYLESBURY LEARNING PARTNERSHIP

(Referred to as ALPS)

CONSULTATION ON THE INTENTION TO PUBLISH A PROPOSAL TO REMOVE THE ALPS TRUST FROM MEMBER SCHOOLS

Rationale for removing the foundation and removing the category of foundation governors

ALPS was formed in 2013, in response to the then threat of the forced academisation agenda, and comprised of three schools with a shared co-operative and community focussed ethos. There has been minimal change to membership since 2013 with one of the founding schools leaving and another joining. Since its inception there have been three significant matters impacting the long-term viability of ALPS:

- Legislation has now moved on and membership of a foundation trust no longer protects individual schools from forced academisation within the current legal framework. In addition, the member schools are in a stronger position.
- The legal framework governing ALPS, as laid out in the Articles of Association, has proved cumbersome and unwieldy to the extent that ALPS is not able to comply with all the requirements therein. Concerns about the practical implementation of the Articles have been raised with, and acknowledged by, the Co-operative Trust many times during the lifetime of ALPS. The Co-operative Trust has stated that there is no intent on their part to review or amend the Articles although they are willing to consider amendments submitted by schools.
- The academisation agenda has progressed with more schools choosing academisation as a way forwards with the result that membership of ALPS has not grown as intended. A further obstacle to ALPS growth is considered to be the unwieldy and complex Articles of Association.

Whilst there remains a desire to continue to work together, for the benefit of staff and pupils, the support of the Co-operative Trust is no longer a strategic priority. This, coupled with the inability of ALPS to comply fully with its governing legal framework in a meaningful and effective way, renders the current arrangements unviable.

Trustees, and Governors, considered the options available to them, which included drawing up revised Articles of Association and possible alternative co-operative models, such as a memorandum of understanding, both of which would require significant staff time and investment to effect with little guarantee of an improved position.

Involvement of, and support from, the Co-operative Trust has been minimal over the lifetime of ALPS; Trustees and Governors saw no benefit in revising the Articles of Association to remain within the Co-operative Trust framework. The optimum solution for addressing the compliance issues with the current Articles of Association is to remove the foundation from the member schools.

As all member schools are intending, subject to the consultation, to publish proposals to remove ALPS as their foundation, ALPS will cease to exist.

Accordingly, the Governing Boards of the member schools named below, have determined to begin the process for the removal of the foundation and, consequently, the removal of the category of foundation governors. This consultation is the start of the process.

The member schools are:

- **The Grange School, Wendover Way, Aylesbury HP21 7NH** an 11 to 18 mixed secondary school.
- **Turnfurlong Junior School, Turnfurlong Lane, Aylesbury H21 7PL** a 7 to 11 junior school.
- **Turnfurlong Infant School, Turnfurlong Lane, Aylesbury, HP21 7PL** an EYFS to 7 infant school.

All schools changed from community schools to foundation schools on joining ALPS; the removal of the foundation body (ALPS) would change this; the schools would be foundation schools without a foundation body.

The member schools remain committed to working collaboratively together, consistent with their shared co-operative and community ethos and values, but would do so informally as they currently do with other schools within the community. Governors expressed some concern that, without a formal structure, the collaborative working would diminish however it was acknowledged that the current legal framework is not workable and is no longer relevant. Continued collaboration, outside of ALPS, would require the commitment and time of those involved as it does now.

Any future, alternative co-operative working arrangements would be considered separately by the Governing Boards outside of the foundation removal process.

Implications for staff, parents and children

If the proposal to remove the foundation is published and agreed there would be the following implications:

- **School Status:** The school will remain a maintained foundation school but without a foundation. The Governing Board remains the employer of the staff and the admissions authority for the school.

There will be NO CHANGE to the day-to-day operation of the schools and the experience of staff, parents and children at their respective schools.

Education and standards: No change. The schools will continue to comply with DfE legislative and curriculum requirements as they do currently. The three schools have worked together to develop a cohesive and compliant, sequential all-through curriculum from EYFS to KS4 (Age 16) to enable children to effectively build on their learning experiences, and develop the necessary skills, as they progress through the different stages of education. The schools are committed to maintaining this going forwards through the leadership teams within the respective schools.

- **Staff:** There is no direct impact on staff supporting the member schools as a result of the removal of a foundation.
- As all member schools are intending to remove the foundation ALPS will cease to exist and will be formally dissolved. In the context of ALPS there are two related staff positions:
 - The Company Secretary – role fulfilled by the Business Manager at The Grange School. No longer required; job description to be amended accordingly. No impact on remuneration.
 - Governance Professional – arrangement to be terminated with appropriate notice.
- **Admissions:** Whilst foundation schools are their own admissions authority, and have their own Admissions Policy, member schools have continued to commission Bucks Council to manage the admissions processes.

Separation from ALPS will impact the oversubscription criteria in relation to staff; specifically, the definition of staff for the purposes of 'Children of staff' will relate to

staff employed at **the school** and will no longer extend to ‘linked’ schools as these links will cease to exist.

- **Land:** The individual schools’ land will transfer from ALPS to the school (previously transferred from the Local Authority to ALPS).
- **Other Assets:** ALPS does not have any assets outside the school land and operates a small budget to fund shared costs associated with the operation of the Trust Board. Any surplus funds when ALPS is dissolved would be disbursed in the proportions that they are received.
- **Governance:** The Instrument of Government will be amended to remove foundation governors (as there would be no foundation to appoint them) and replaced with partnership governors appointed by the Governing Board of the school.

Proposed Implementation Date:

The proposed implementation date is: **1 September 2026**

Name of the Trust

The name of the trust that the Governors intend to remove from **1 September 2026** is the **Aylesbury Learning Partnership Trust**. The Governors also intend to alter the Instrument of Government of their Schools to remove the category of foundation governors and create the position of partnership governors in their place as explained in [The constitution of governing bodies of maintained schools](#).

Statement of Prescribed Alteration

The proposal would be to remove the foundation trust from the three foundation schools named herein. This would be a prescribed alteration under Regulation 3 of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The schools would not have a foundation if the proposal is approved.

Consultation

As part of the process for removing a foundation, schools are legally required to hold a consultation exercise before formally publishing proposals. This consultation allows parents/carers and pupils/students, staff and governors from local schools, the Local Authority, Councillors, residents and any other interested parties to understand what the schools are considering proposing and to share their views.

A joint consultation has been agreed as there is commonality in the factors and issues impacting the schools.

The Chairs of the Governing Boards of the three schools look forward to receiving, and considering, your views.

Format of the consultation process

We will be using several methods to ensure that we take all views into account from a wide range of stakeholders. We look forward to hearing from the local community in the coming weeks to help inform the Governing Board's decision at each of the schools.

You can provide feedback in the following ways:

- Clicking here to access our online questionnaire or head to our website at [Consultation on intention to propose removal of ALPS Foundation from member schools – Fill in form](https://www.turnfurlong-inf.bucks.sch.uk/)
<https://www.turnfurlong-inf.bucks.sch.uk/>
Attending our In-person events and consultations at the school itself.
- Submitting your views either on line or, if emailing, to:
 - Mrs Zena Sutcliffe; Chair of Governors at The Grange School
Email: zsutcliffe@grange.bucks.sch.uk
 - Ms Nidhi Mehta : Chair of Governors at Turnfurlong Junior School
Email: nmehta@tjs.org.uk
 - Mrs Charlotte Austin; Chair of Governors at Turnfurlong Infant School
Email: caustin@turnfurlong-inf.bucks.sch.uk

Written responses should be addressed to the Chairs of Governors and sent to the school.

Meeting Dates (To be held on-line or in school)

There will be an opportunity to meet with Headteachers and the Governing Board on the following dates.

The Grange School - Thursday 5th February at 5.00 pm

Turnfurlong Junior School – 15th January (staff)

2nd February at 4:30pm for parents

Turnfurlong Infant School – 21st January (staff)

2nd February at 6.00pm for parents

Start and end dates of the consultation

The consultation will start on the 15.1.26 and run until 13.2.26 after which we will publish the results of the consultation.

Consultation Questions

1. Please identify which school your response relates to (please tick at least one):

- The Grange School
- Turnfurlong Junior School
- Turnfurlong Infant School

2. Do you support the intention to remove the ALPS foundation from the school?

Yes/No

3. Do you have any further comments on the intention to publish proposals to remove the foundation body, ALPS, from the member schools?

- The Grange School:
- Turnfurlong Junior School:
- Turnfurlong Infant School:

4. Are you:

- A parent
- A pupil/student
- A member of staff
- A Trustee of ALPS
- A Governor at a member school
- A member of the local community
- An education provider
- A business owner
- Other

Frequently Asked Questions

Question	Answer
<p>What is a Foundation school?</p>	<p>A Foundation School is a Local Authority (LA) maintained school. All Foundation schools operate within the same frameworks as other maintained schools: they teach the National Curriculum, follow the School Admissions’ Code and are subject to OFSTED inspections. Teaching staff are employed under the terms of the School Teachers’ Pay & Conditions document. The LA will fund the school on the same basis as all other LA schools and retain its intervention powers if problems arise. The Governing Board has greater freedom in the running of the school. Foundation schools were set up under the School Standards & Framework Act 1998 to replace grant-maintained schools.</p> <p>Being a Foundation School gives parents, school administrators and stakeholders a greater say in what happens within the school gates and creates a level of independence from the LA.</p> <p>Foundation schools may choose not to be affiliated to a foundation body and may be foundations schools without a foundation.</p> <p>The school has 3 additional areas of responsibility compared to a community school;</p> <ul style="list-style-type: none"> - The Governing Board is the employer of staff rather than the LA - The Governing Board is responsible for setting arrangements for admissions (in accordance with the Law and Admissions’ code) - The Governing Board has day to day control of the school’s land and assets.

Question	Answer
	Except for the land, which transfers from the ALPS to the school, this remains unchanged with the removal of the foundation body. The school becomes a foundation school without a foundation.
Does the school have to remove the foundation body?	No – this is a voluntary decision for the current Governing Board, which has considered the benefits and disadvantages of being members of ALPS, in deciding to begin the process for removing the foundation body.
How will the school be funded?	Foundation schools are funded on the same basis as other maintained schools – according to the LA’s funding formula. They will be allocated their own capital money on the same basis as other schools. This remains unchanged with the removal of the foundation body.
Who owns the land assets for Foundation schools?	Currently these are held by ALPS but will transfer to the school with the removal of the foundation body. The school will own their own land and assets. There is a transfer of ownership from ALPS to the School Governing Board. The Secretary of State has the power to issue a direction in the event of any dispute in respect of such a transfer through an adjudication process.
Who controls the use of the premises of Foundation Schools?	The Governing Board controls the use of premises during and outside of school hours. Governing Boards are, however, required to have regard to the desirability of the school premises being used for community use outside of school hours.
How does removing the foundation body impact capital funding?	Foundation schools have the same flexibility as maintained schools to manage their own assets while remaining a full and equal part of the LA planning process for capital spending. This remains unchanged with the removal of the foundation body.

Question	Answer
Who is responsible if there is a problem with one of the buildings at a Foundation School?	<p>Foundation schools are maintained schools and remain supported by the LA.</p> <p>This remains unchanged with the removal of the foundation body.</p>
What does removal of the foundation body mean for staff?	<p>Staff are currently employed by the Governing Board and work under the relevant terms and conditions for Teaching & Support staff as apply in community schools.</p> <p>This remains unchanged with the removal of the foundation body.</p>
Who is responsible for employing staff in Foundation Schools?	<p>The Governing Board is the employer. As such, the Governing Board has the full range of employer responsibilities under employment law. The Governing Board can delegate responsibility for day-to-day staffing matters to the Headteacher.</p> <p>This remains unchanged with the removal of the foundation body.</p>
What liabilities may attach to the Governing Board in respect of employment matters?	<p>The Governing Board may, as the employer, in some circumstances appear at an Employment Tribunal to defend themselves, if, for example, candidates for a post at the school complain that a Governing Board's decision or procedure discriminated against them, or if an employee complains that they had been dismissed unfairly. In cases of dismissal, the LA must pay any compensation or legal costs awarded by an Employment Tribunal unless they can show that they have good reason to charge the school's delegated budget (e.g. if the LA had previously advised the Governing Board that an Employment Tribunal was likely to decide a dismissal was unfair).</p> <p>This remains unchanged with the removal of the foundation body.</p>

Question	Answer
How are the pensions of teaching and non-teaching staff affected by a school acquiring Foundation Status?	<p>Teaching staff would stay in the Teachers' Pension Scheme and would not be subject to any change. The LA would continue to be responsible for completing and signing off all the relevant documentation in relation to individual staff's pensions. Non-teaching staff at Foundation Schools are allowed to continue to be in the Local Government Pension Scheme (LGPS) if the LA, with the consent of the School Governing Board, has by a statutory resolution specified them to be eligible to belong to the scheme.</p> <p>This remains unchanged with the removal of the foundation body.</p>
What will happen to school admissions?	<p>The school will determine its own admissions arrangements. It will operate within the same legal framework as all other maintained schools, which means it will act in accordance with the School Admission Code. Foundation Schools will be required to play their full part in taking hard-to-place students, having fair admissions and working with other schools in admission forums and coordinated admissions arrangements. For Foundation Schools, the Governing Board is the Admission Authority and may determine the admission arrangements for the school.</p> <p>This remains unchanged with the removal of the foundation body. However, the definition of 'staff' in the context of the staff rule would be limited to staff at the school only; the linked school element would be removed.</p>
What statutory framework governs the admissions process?	<p>All Admission Authorities must have regard to the statutory guidance within the Schools Admissions Code of Practice and the School Admission Appeal Code of Practice. The admission Code of Practice provides guidance on acceptable oversubscription criteria.</p>

Question	Answer
<p>Who is responsible, under the relevant legislation, for Health & Safety issues at a Foundation School?</p>	<p>Statutory health and safety responsibilities fall to the Governing Board – as the employer – and on the Headteacher and staff – as employees. Under the Health & Safety at Work Act 1974 and related regulations, the Governing Board has a range of legal responsibilities, as the employer, including devising and implementing a Health and Safety policy for the school, allocating adequate resources, carrying out accident reporting and investigation, ensuring access to a ‘competent person’ to assist with the management of health and safety, implementing various monitoring procedures and keeping up-to-date with changes in the health and safety legislation.</p> <p>This remains unchanged with the removal of the foundation body.</p>
<p>Does Foundation status confer any additional liabilities on the School Governing Board?</p>	<p>The Governing Board already has additional liabilities related to its responsibilities as the employer of staff, the owner of the school land and buildings and as its own Admissions’ Authority. The Governing Board will need, therefore, to take out adequate insurance to cover its potential liability for negligence in carrying out these responsibilities. This can be either arranged by the Governing Board or through the LA. If the Governing Board makes its own arrangements, rather than buying into a policy arranged by the LA, the LA is entitled to check that the arrangements are adequate and, if they are satisfied that they are not, can charge the cost of additional insurance to the school’s delegated budget.</p> <p>This remains unchanged with the removal of the foundation body.</p>
<p>Are individual Governors personally liable for the Governing Board’s decisions and actions?</p>	<p>Because it is a corporate body, individual Governors are generally protected from personal liability in such circumstances. Provided they act honestly, prudently, reasonably and in good faith any liability will normally fall on the Governing Board rather than on individual members.</p>

Question	Answer
	This remains unchanged with the removal of the foundation body.
What impact will removal of the foundation body have on the curriculum that our students follow at school?	<p>The school will still have to follow the national curriculum and will be held accountable for the progress students make based on the national accountability measures.</p> <p>This remains unchanged with the removal of the foundation body.</p>
What responsibilities relate to Foundation Schools for children with special educational needs?	<p>All schools, including Foundation Schools, must take account of the statutory code of practice on special educational needs. The school must admit any students with special educational needs whose statement, issued by the LA, names their school.</p> <p>This remains unchanged with the removal of the foundation body.</p>
Who is responsible for enforcing the attendance of students of compulsory school age who attend Foundation Schools?	<p>The LA has the legal duty to enforce school attendance. The Governing Board, for its part, has a legal duty to assist the LA in this respect by keeping an admissions and attendance register in the format required by statutory regulations and for telling the LA about any students who do not attend regularly or who are absent for long periods.</p> <p>This remains unchanged with the removal of the foundation body.</p>
Who is responsible for exercising the power to exclude a student from a Foundation School?	<p>Like all other maintained schools, only the Headteacher (or Acting Headteacher) has the power to exclude a student for a fixed period or permanently.</p> <p>This remains unchanged with the removal of the foundation body.</p>