

Your reference  
Our reference Letter 3 – Consultation Letter to Trade Unions  
Date 7<sup>th</sup> September 2018

To Representatives of the Recognised Trade Unions:  
Christian Markham (ASCL)  
Derek Gray/Jill Bennett (NAHT)  
Ruth Quigley (NEU)  
Kate Brandrick (ATL)  
Harold Gurden (NASUWT)  
Justin Ashton (UNISON)  
Julie Bailey (GMB)  
Steven Williams (UNITE)

Dear All

**Re: Proposed Transfer of 8 schools to Academy status**

I am writing to tell you that it is proposed that the following schools will be acquiring Academy status, to become part of a multi-academy trust \* which acts as a separate legal entity and is created by the Secretary of state:

- Abbey Hill School
- Abbey Hulton Primary School
- Etruscan Primary School
- Forest Park Primary School
- Kemball School
- Oakhill Primary School
- St Mark's Primary School
- Watermill School

This will affect all staff working in the School including both permanent staff and those who hold temporary or fixed term contracts that extend past the transfer date, and any casual staff engaged at the time of the transfer (the "transferring employees").

We believe that Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") will apply to the transfer.

It is envisaged that the relevant transfer will take place on or around 1 January 2019 (the "transfer date").

The reasons for the transfer are that:

- The Governing Body's believe that the schools are more likely to thrive and to continue to improve within a formal relationship with a number of other like-minded local schools who share a similar ethos. This will increase our efficiency and value for money, whilst conserving staffing structures and securing and enhancing the jobs of all employees.
- The employment of the transferring staff, together with their contracts of employment, the continuity of service and all accrued rights and claims associated with it will transfer automatically to the Academy on the transfer date.

We do not envisage making any changes that will affect the transferring employees following with the transfer.

The transfer will not affect the transferring employees, either financially in terms of their pay and benefits or practically in terms of any non-pay benefits, working conditions or work circumstances, work/life balance or social conditions at work.

The transferring employees' membership of the Local Government Pension Scheme / Teachers Pension Scheme will continue upon their transfer to the academy.

The transferring staff have the right under TUPE to object to their transfer to the Academy. The legal effect of objecting would be that their employment with the School would automatically terminate by operation of law with effect from the date of the transfer (and they would not automatically transfer to the Academy and there would be no entitlement to either statutory or contractual compensation).

I will need to meet with you to consult with you and the other recognised trade unions over the arrangements for the transfer.

**Consultation meetings have been arranged as follows:**

**Monday, 17 September: 4.15-5.15pm at St Mark's CofE (A) Primary School**

**Tuesday, 18 September: 4.15-5.15pm at Watermill School**

**Wednesday, 19 September: 4.15-5.15pm at Oakhill Primary School**

**Thursday, 20 September: 4.15-5.15pm at Forest Park Primary School**

Staff are welcome to attend whichever meeting is the most convenient for them.

I have also arranged for representatives of the multi-academy trust to attend the meetings to discuss the transfer.

There are currently 15 agency workers working temporarily for and under the supervision and direction of the School. The parts of the undertaking in which those agency workers are working, and the types of work they are carrying out, are detailed in the attached spreadsheet.

If you have any queries please contact me on the contact details below.

*\* The provisional name of the MAT is the Trent Community Trust but this may change following our consultation process with parents/carers, staff, pupils and other key stakeholders.*

Yours sincerely



Sam Brown

**HR Officer**

**For and on behalf of the Local Authority and the schools**

01782 238201

[Sam.brown@stoke.gov.uk](mailto:Sam.brown@stoke.gov.uk)