



Bray School Project Patronage

Board of Management Position Paper

December 2017



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The Board of Management is proposing that Bray School Project requests to be taken under the patronage of Educate Together. This paper presents some background to this proposal and outlines its rationale.

Introduction

Currently, although it is a member of Educate Together¹, Bray School Project has a distinct Patron as this was the requirement of the Department of Education when the school was being established. Educate Together did not exist at the time and, despite being part of the same movement, individual schools were each obliged to have their own patron. The school is a founder member of Educate Together but the legal structures mean that Educate Together is not the Patron of the school.

The matter of changing patronage has often been mooted over the years but was never acted upon, partly because the process was demanding and partly because the pathway was unclear. These have been addressed in that there is now a clear pathway and this clarity makes the process more straightforward. Several schools have already undergone this transfer.

Before going into detail on the topic of changing patron, the current structures of the school are outlined in the box below in order to provide some background and explanation of roles.

The proposed changes would see the Trust and Patron structures dissolve and Educate Together would become the school's Patron. The Board of Management and Parent Teacher Association would remain as they are. The Board would report to the new Patron, Educate Together and, as a state school, would still report to the Department of Education and Skills.

¹ <http://educatetogether.ie/about/what-is-educate-together>

Current Structures

Bray School Project Trust

The Trust was established in 1979 in order to raise the funds to open the school which was achieved in 1981. It is a legal entity with three Trustees who were involved in the establishment and running of the school. Currently, there are no assets in the Trust but it has remained in place as it was envisaged to have a role as a 'court of last appeal' in questions of ethos. However, as outlined in a letter to Revenue in 2016, this role has never been invoked and the Trustees do not feel the need to maintain this role (see Appendix).

The Bray School Project (Patron)

The Bray School Project is the entity which is the official Patron of the school. Legally, it is a company by association registered with the Companies Registration Office. This was a requirement of the Department of Education at the time the school was established. As Patron, its primary role is to ensure the maintenance of the school's ethos. The association comprises of members who subscribe to supporting the school's ethos.

This is often called 'Bray School Project Association', 'the Association' or 'BSPA'. Two paired documents, the Memorandum of Association and the Articles of Association¹, outline its purpose, governance, and regulations. The BSPA has the legal obligations of companies: filing of documents, accounts, holding of Annual General Meetings etc. It also has the legal obligations and responsibilities of school Patrons. It is answerable to the Department of Education and Skills. It has responsibility for the school building.

As determined in the BSPA documents, an Executive Committee is elected every year to carry out the functions of the association. The members of the Executive carry out the legal functions of company directors. The Chairperson of the Board of Management reports to the Executive and BSPA.

A Council is also in place with a rolling membership. The intention was to guide the Executive and to ensure that the school ethos is not undermined by the BSPA or its Executive. The Council is not a separate legal entity. The Council does not meet, it is not active, nor has it ever been required to act.

Board of Management

The Board is responsible for the day to day running of the school. It is accountable to the Department of Education and Skills as well as to the Patron. It manages all school budgets and finances, recruits all staff, and directly employs ancillary staff. It is accountable for all monies and is responsible for all school policies as well as maintaining the school buildings and grounds.

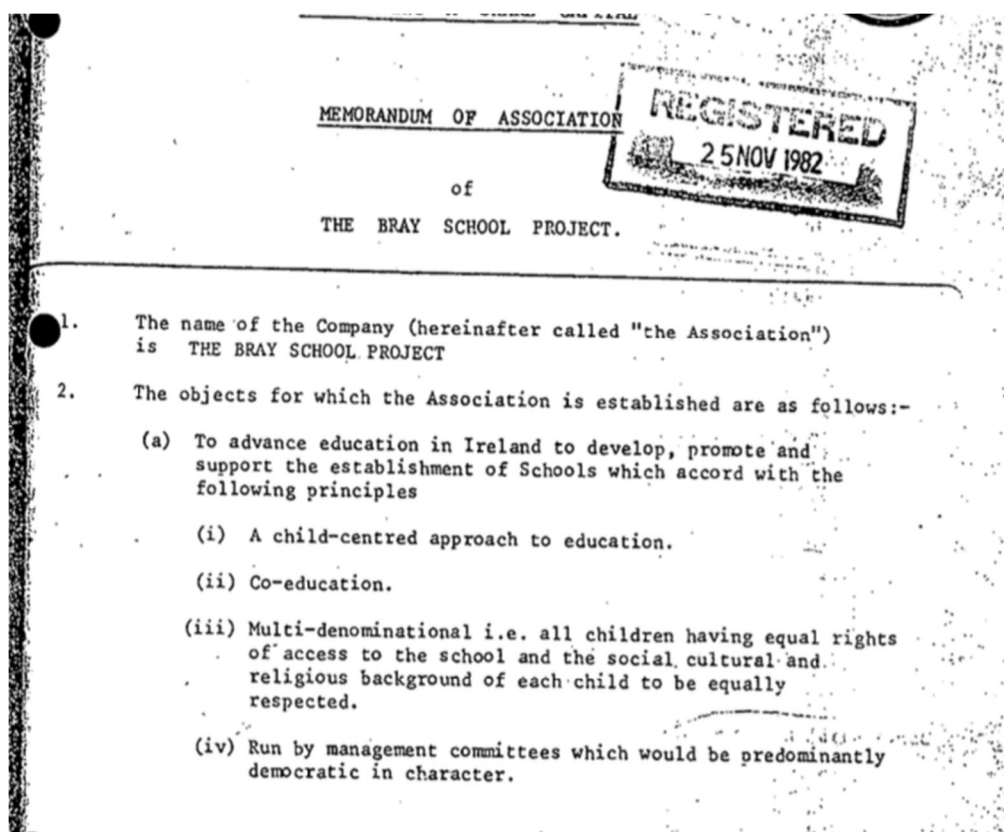
The Board is governed by the Department of Education and Skills rules for Primary Schools. The Principal reports to the Board of Management and the Chairperson of the Board of Management reports to the Patron/Executive.

Parent Teacher Association

The PTA is responsible for supporting and co-ordinating activities for the children and school community: Extra Curricular programme; social activities; events; and fundraising. It also acts as an official voice for parents and reports to the Board of Management as well as facilitating the election of parent nominees to the Board. It is a member of the National Parents Council Primary.

Original Vision and Background

BSP was established with a greater vision than just our school - the Memorandum of Association states that its first objective is 'to advance education **in Ireland** to develop, promote and support the establishment of **Schools** which accord with the following principles.....' [bold used here for emphasis]. This ultimately led to the creation of the Educate Together organisation.



While BSP has its own Patron, the original intention was that BSP would be established under the same patronage as Dalkey School Project (DSP). However, this was not sanctioned by the Department of Education (and Skills) which insisted on a distinct patron body. This is how all the original 'School Projects' were established across the country as there was no other option. Consequently, approximately 20 schools were established each with their own separate patron in legal terms. As the movement grew, this situation was not deemed satisfactory and Educate Together was established with BSP as a leader and founding member. The objective to establish a common patronage for schools under Educate Together was eventually granted.

Educate Together was formed by DSP, BSP & NDSP in 1983 and it was permitted for one patron to govern all new schools (Educate Together). For legal reasons it was deemed too

complicated to transfer existing schools to Educate Together patronage so each existing school retained their own patron and the original patrons remained independent albeit full members of Educate Together. Since then several schools have successfully transferred to Educate Together patronage as a mechanism has been agreed and approved by the Department of Education and Skills.

Why Educate Together?

The Board is specifically naming Educate Together as the proposed patron as this reflects the existing relationship that BSP already has. BSP are founders of Educate Together which was established according to the principles under which BSP operates and we are members of Educate Together. Note the BSP logo has the words 'Educate Together'. We have no links with any other patron body.

Alternative patrons would require quite different ethos', teaching models, etc. e.g. Steiner or Community National Schools. It is the view of the Board that any of these would entail such a degree of change (in ethos, structures, relationships, teaching etc.) that the Board is not proposing this for BSP. Parents and staff have selected BSP for its current ethos which is the Educate Together ethos.

Although the Board of Management does a huge amount of work one can see from the Educate Together website and papers² that, as patron, it provides significant professional supports for principals and boards of management. In the daily life of the school, the BSP Principal and Board rely heavily on Educate Together for advice rather than drawing on our own Patron.

As a recognised Patron Body, Educate Together has access to the Department of Education for consultation on matters of educational reform and, while it can represent its members including Bray School Project, it currently cannot speak as Patron of Bray School Project.

Why change Patron?

- Whilst a strong and focussed Executive was required to get the school up and running in the first place, the educational landscape has since changed and the school is in a more mature phase now. With the national situation evolving, it is a logical time to re-assess the school's position and align ourselves with a professional body who can look after the needs of the school in the longer-term.
- Whilst the Executive has served the school well, in recent times it has struggled to remain active and relevant, mainly due to high level of energy and time commitment that is required; and the fact that the membership is made up of a small number of

² <http://educatetogether.ie/support/patronage>

part-time volunteers. Educate Together is a much larger organisation of almost 100 schools with a professional office of full-time staff. It has the strength and depth of expertise, as well as the resources to fulfil the patron role in a pro-active and meaningful way.

- Under the current model (with scarce parental involvement at AGMs especially), in BSP a small group of parents have effective control of the direction of the school's ethos, future development etc. Having an external patron with a wider range of involvement would result in a higher level of input and impartiality.
- Having two governance bodies within the school (the Board and the Executive) is unnecessarily cumbersome and is difficult for parents to understand and to attract involvement.
- From a practical point of view, finding parents who are willing to commit the time associated with membership of either the Board or the Executive is challenging. The current pool of talent is being split across the two bodies, weakening both. It would be better to focus parent involvement on one strong managerial body (The Board), and allow the patron role to be administered by a like-minded external body.
- Furthermore, the legal responsibilities and liabilities of a Patron are considerable placing an unnecessary burden on the time and resources of volunteers which can be better utilised to directly benefit the children (e.g. through the Board of Management and the Parent Teacher Association as well as other activities such as fundraising or the provision of specific skills and expertise to the school).
- Belonging to a larger external patron such as Educate Together would allow us to participate fully in wider topical discussions, to become involved in new educational / ethical initiatives; and may allow us to think in different way and be open to new ideas. (E.g. current debate on religion in schools; the introduction of the humanism/atheism curriculum).
- The arguments in favour of keeping the Executive are mostly grounded in nostalgia. Whilst Bray School Project has a long and proud tradition as an independent school and this needs to be acknowledged, this decision should be based on who can best practically serve the current and future needs of the school.
- Most parents believe that Bray School Project is an Educate Together school anyway, and are often surprised to learn that it is not! The ethos and activities of Educate Together are well known and discussed nationally and locally. This is what people are familiar with and attract people to the school. Learning that the school has its own anachronistic patron body just creates confusion.

- One of the roles of the Executive is to oversee the Board of Management. Because Educate Together is a professional organisation they can provide school Principals and Boards with guidance and expertise.
- As a professional body, Educate Together can also deal with issues such as the updating of the patron articles which seem to overwhelm the Executive Committee over the years.
- As noted above, BSP was established with a greater vision for education in Ireland, beyond its own small community.
- The parent body is transient and people naturally focus on their own families as they move through and leave the school. In addition, the term of the Executive is only one year (although some people may serve longer). For these reasons, a long-term view is difficult to maintain and there are limitations to creating broader vision of education – i.e. the wider role of BSP in the community and the provision of this type of education for a greater number of children.

Parental Involvement and Democracy

As in BSP, parental involvement is a core principle of Educate Together schools. This would continue under the proposed new patronage. One could argue that it will be easier to get greater engagement in the Board and PTA etc. when there is not another committee drawing on resources. We are a small school and people's lives are busy and many tasks are quite onerous, especially financial, therefore removing commitments of a third committee from a small community would free up more parents and enable them to contribute more to the day-to-day running of the school in the Board and PTA etc.

It is difficult to comprehend nowadays how difficult it was to get permission to establish the school in the first place and the extent of fundraising and lobbying which was required (which is not the same for new state schools nowadays which are primarily funded by the Department of Education and Skills based on demographic projections). While there are not enough Educate Together schools to meet ever increasing demand, they are not so unusual anymore therefore many people in BSP may not realise the amount of time and energy and fighting that was needed to start BSP and other Educate Together schools. Perhaps this is one reason why there does not seem to be a strong desire among the current parent body to continue engaging at the level of patronage or indeed in lobbying as a body for educational reform and related issues.

Ultimately, the day-to-day parental involvement depends on each individual school, the principal, the staff and the parents themselves: willingness to include and consult on the one

hand; and, on the other, willingness to engage and put in the time and effort, to join the PTA, the Board, run events, activities, fundraising etc – just as we currently experience.

Ethos

Educate Together schools are equality-based, co-educational, child-centred, and democratically run. These underpinning values were based on those of BSP and other founding members. In 2016, Educate Together updated its charter to substitute the term 'Multi-denominational' with 'Equality-based' to reflect wider issues of equality beyond different religions.

No matter who the patron is, each school has its own particular character which will be dependent on staff and parents alike. However, the population of a school is transient and in practice, in BSP, the Executive, i.e. the effective Patron, is also transient.

In Educate Together, the core principles of the ethos would be better protected in the larger movement (approximately 100 schools and growing) as it would not be dependent on a small group who are passing through at any given time but rather on the whole Educate Together community. One can see from the Educate Together papers that any school can propose a motion at AGMs etc. and all schools have a vote at the AGM. On the other hand, BSPA AGMs are often poorly attended and it is difficult to get people to partake in the Executive Committee.

Conclusion

In conclusion, the Board of Management of Bray School Project is committed to the best interests of the school, its pupils and staff, and has the duty to uphold the ethos of the school. It is of the opinion that these would be best served by transferring to the patronage of Educate Together. The current Patron, as an entity, is unable to provide the level of guidance as that of a national professional body. The burden of time and resources demanded by the duties of the Patron on a handful of parents could be better directed towards other areas of school life.

The Board recognises that there will be some arguments against such a move (see Appendix 3). However, it remains firmly in favour of requesting to be taken under the patronage of Educate Together.

Educate Together is the natural home for Bray School Project and can offer expertise and support and bear the legal responsibilities of patronage as well as offering the school the continued benefits of being part of the larger community.

APPENDIX

1. Structures: Extract from letter to Revenue, February 2016, signed by Chairperson of Executive, Chairperson of the Board of Management & a Trustee.

Bray School Project is the patron of Bray School Project National School and oversees the Board of Management, as per the Memorandum and Articles. The Board of Management, in accordance with the instructions of the Department of Education, is tasked with the day to day running of the school. The Executive Committee of the Bray School Project appoints two members of the Board of Management, including the Chair. The Chair in turn attends the meeting of the Bray School Project Executive Committee to ensure coordination and flow of information. The Bray School Project Trust is not involved in the day to day running of the school. It was set up originally in 1979 with the aim of establishing an independent school with the ethos described in the Declaration of Trust. This aim was fulfilled in 1981 when Bray School Project National School first opened. Trustees are members of the community who had a significant involvement in the early years of the school. As other structures became more settled, and with the instruction from the Department of Education to all primary schools to introduce a Board of Management (who carried out functions formerly attended to by the Bray School Project Executive Committee), the role for the Trust declined. The accounts previously held by the Trust have been handed over to the Bray School Project Executive, with an annual turnover in the region of €3,500. The main school accounts are held by the Board of Management. The Trust was also envisaged to have a role as ‘court of last appeal’ in questions of ethos. However this role has never been invoked and the Trustees do not feel the need to maintain this role.

2. Selected extracts from DES Governance Manual for Primary Schools 2015-2019 (p.29):

14. Responsibilities of the Board to the Patron, the Trustees and the Department

The Board shall make available to the Patron, the Trustees (in schools where there are Trustees) and, when requested, the Department such reports and returns and give to them such information as they may require for the exercise of their respective functions in relation to the school.

15. Disclosure of interest/integrity of Board proceedings

d) Where the Patron is satisfied, after due investigation and following receipt of a recommendation from the Board, that any member of the Board failed, at a material time, to disclose a relationship, he or she shall remove that person from membership of the Board in accordance with Section 16 of the Education Act, 1998 and shall not subsequently appoint that person as a member of any Board of Management.

(e) In the event of a member of the Board refusing to withdraw from a meeting, as provided for in this section, the meeting shall be adjourned and, in the event of such member again refusing to withdraw at the re-convened meeting, the Chairperson or the Secretary shall report the matter in writing to the Patron, who shall remove that person from membership of the Board in accordance with Section 16 of the Education Act, 1998 and shall not subsequently appoint that person as a member of any Board of Management.

Finance

(a) Capital expenditure and works

(i) No alteration, extension or replacement of the school building and/or grounds shall be undertaken by the Board unless and until such have been approved in writing by the Patron and Trustees (in schools where there are Trustees).

(v) The Patron may designate the Chairperson or a member of the Board to act on behalf of the school authority in dealing with the Department in regard to capital expenses. Such designation must be made in writing.

(e) Budgeting

(i) Boards of Management should budget in such a way as to enable them to meet commitments which may be substantial but which arise only periodically.

(ii) Boards' expenditure should not exceed their annual income.

(iii) Overdrafts or other forms of debts or excesses of expenditure over income must be approved by the Patron, in conjunction with Trustees (in schools where there are Trustees) where required, and should be avoided except for limited periods, and where the Board is satisfied that the overdraft or debt can be cleared by the Board.

3. Possible Arguments against the move to Educate Together patronage with counter arguments by the Board

- Bray School Project pre-dates Educate Together. Being an independent school is a unique part of BSP's history and identity.

Counter argument: BSP was established with a vision for changing the landscape of education in Ireland and creating other schools of similar ethos (i.e. Educate Together). It never saw itself as a standalone school (see article 2) just for its own community. BSP, together with Dalkey SP and North Dublin SP founded Educate Together in 1983.

- One of the roles of the Executive is to oversee the Board of Management. Because Educate Together is removed from the school, they may not be able to carry out this function to the same extent.

Counter argument: The reality is that as the Executive is not often fully aware of its responsibilities and duties. Changeover is frequent and handover, despite best intentions, has let many things fall through the net. The extent of its responsibilities, legal and otherwise, is not always fully understood or communicated. Consequently, its role of oversight is not totally fulfilled. The full range of accountability of the school/ board to the Patron is not demanded. Educate Together would follow-up on reporting requirements in a timely and professional manner.

- Whilst Educate Together is a good fit for the school right now, in future, somebody might decide to take Educate Together in a direction that Bray School Project does not agree with.

Counter argument: The ethos would be protected by a democratic organisation of approximately 100 schools. BSP has a say in this also and can advocate, argue, put forward notions and vote at AGM etc.

Currently, the role of Patron is enacted by a small number of involved people and only on occasion is the wider community galvanised to engage. It is also possible that this small number of people could take BSP in a direction not originally intended. For this reason the Council was established and the Trust remained in place – to oversee the Executive. However, this role for Council or Trust has never been invoked and they not operating/meeting. In practice Educate Together would fulfil this role.

- The school gets a lot of the benefits of membership anyway whilst still retaining independence, so it could be argued that we have the best of both worlds.

Counter argument: While BSP does receive the full support and advice of Educate Together, it does not receive from its own Patron all the reporting support that Educate Together give to schools which must report to them e.g. clear instructions of what and how to report to the Patron, schedule of reporting, policy updates, budgets etc.

Currently, Educate Together can advise BSP but not direct therefore if there was some miscommunication or fault on the behalf of BSP, ET would not be accountable, legally of otherwise e.g. changes to the enrolment policy.

Educate Together also have direct contact with DES and are engaged in lobbying on many issues for education and equality. However, since Educate Together is not the Patron is cannot always speak for BSP in some instances (e.g. with DES relating to Patron issues or the patronage system).