

Board of Trustees/Directors

Minutes: 12 July 2021

T/33/21, 4.00 pm

The meeting was held online using MS Teams due to the current Government restrictions and was recorded from item three

Trustees/Directors:

Cheryl Mathieson – in the chair	Dominic Course	Jane Collings – left 6.30pm
Nicola Dunford	Sarah Cox	Roy Gillard
Jason Hayward-Jones	Paul Waterworth	Fiona Walters

In attendance: Matt Matthew, Business Manager
Sue Howard, HR Officer acting as Clerk

1. **Apologies**

Mike Fisher – absent. No apology received

2. **Declaration of Business Interests**

The CEO is a Trustee of South Dartmoor Multi Academy Trust (SDMAT) and also a Trustee for the Bearnes Education Foundation. Mr Roy Gillard is a Director of Labyrinth Accountancy Limited. Mr Michael Fisher is a Foundation Director of Bailey Partnership LLP, Amethyst Property Ltd, and Adorn Development Ltd, property consultancy and management companies. Mr Dominic Course is a Trustee of SDMAT and Director of DACORS Ltd.

The meeting moved to Part II minutes

The meeting returned to Part I minutes

3. **Minutes of previous meeting**

The Minutes of the meeting T32/21 held on 24 May 2021 were approved: Part I only

4. **Matters arising**

4.1 **Item 4.4 Updating Policies – Training for Trustees**

ND advised the Board that this will be covered within the Workforce Strategy group going forward into 2021-22 as a CPD priority for Trustees. Training will be planned in an organised and coherent way. Induction processes for Trustees and Governors will also be reviewed.

TBM will do a tracked changes brief session for Trustees at the next Board meeting to enable Trustees to update policies on the system in future.

4.2 **Acronyms**

Jane Collings to have forwarded Paul Waterworth an acronym buster – Actioned JC

5. **Chief Executive Officer's Report**

5.1 The CEO had provided her report prior to the meeting via SharePoint. At the meeting updates were provided in certain areas.

- A small amount of our schools had to partially or fully close due to Covid outbreaks in pupils and along with people being caught by Track n Trace, this has resulted in some staff shortages. She added that despite the Prime Minister's

relaxing of restrictions on 19 July 2021, the Trust are asking all schools to continue to operate in line with our risk assessments to the end of term.

- It was highlighted to Trustees that Attendance Data provided within the CEO's report is very skewed for this year, again due to Covid, but that all our schools are working hard on the recovery curriculum to ensure pupil progress can be met. *The Chair of the Board asked for clarity in what we are doing to pick up writing for those pupils in need.* It is a Trust wide priority to focus on writing for 2021-22 including a project called Oracy, being led by the Academy Trust School Improvement Lead (ATSIL). This has been recently trialled at Harbertonford and has had a very positive impact showing significant improvement. *JHJ asked if the data is just internal and will there be any comparisons given to where we sit against national schools.* Currently, there is a gap in national data evidence due to no SATS or tests being held because of Covid, but when this is available, benchmarking will be applied. *JC asked how, as Trustees, are we able to triangulate the evidence.* The CEO answered that the priority has been to produce data and measure between our schools which the Academy Heads have found to be a good exercise to compare across the Trust.
- *PW asked for clarity regarding the comment of Teachers being 'over-cautious' in providing assessment data.* The CEO confirmed that this relates to checking evidence and judging pupils work during home learning periods of lockdown.

A discussion took place around the requirement for our SENDCo's to have the official recognised SENDCo qualification following the CEO providing DC with an updated list. The Trust must ensure it is compliant with the Education Act by not having named SENDCo's without the National Award. The CEO clarified that whilst not all our staff with the SENDCo title were qualified, each school has access to, and is covered by, a qualified SENDCo within the Trust. It may be a matter of changing the title of those without the qualification to clarify better the situation. The CEO stressed that we are compliant. In addition, further staff within the Trust are in the process of, or will be, taking the qualification. She added that she will be liaising with the Academy Trust SEND and Safeguarding Lead (ATSSL) to provide Trustees with an up-to-date list providing clearer information. Trustees highlighted the importance of ensuring the SEND policy is updated to also show this information.

Action ND

Trust Growth – The CEO advised the Board that a webinar was recently held by herself and the TBM, inviting other similar small schools to attend. There was significant interest from a Federation of 3 schools and that they have since visited some of our schools. The CEO has also met with the Headteacher of a single stand-alone school in Newton Abbot and is presenting to their Local Board at the end of July.

5.2 Current and future years' projects – nothing to add to information provided in the report and no matters arising.

6. **Business Plan 2020-21**

Update from portfolio holders on:

- Quality Assurance and Data – Jason Hayward-Jones
JHJ had provided a report prior to the meeting for all Trustees. He feels that as Trustees we are now in a very good place to be able to interpret and understand data. He asked for the Trustees to give some thought to what next for data and how we go forward effectively in this area as a Trust. The CEO said there is a lot of work to now embed what we have discovered and learned. JC suggested looking at a variety of sources of data could be useful, to include benchmarking against other similar schools.

- Central Business and Property – CEO and TBM
The CEO stated that this is an area of the Business Plan that is ongoing.

Final report on all portfolios included via CEO report. The CEO has RAG rated all the portfolio groups and their progress over the last year. Whilst Covid-19 had hampered progress in some areas, significant work had taken place in others.

7. **Business Plan 2021-22**

The following groups were summarised including who will lead for 2021-2022

- Vision, Culture & Ethos – Sarah Cox
- Central Business and Property – TBC
- Governance – Jane Collings
- Financial Strategy & Control – Roy Gillard
- Growth & Capacity – Nicola Dunford and Paul Waterworth
- Quality Assurance & Data – Jason Hayward-Jones
- Workforce – Cheryl Mathieson
- Diocesan Liaison – Fiona Walters (please refer to agenda item 16.3 below)

The CEO will be working on the objectives for the 2021-22 Plan over the summer break and will be contacting Trustees for input to their respective sections.

8. **Risk Register**

Staffing and Employment section - The Chair of Remuneration reported that this section had been updated by the Committee and that no major changes were made. DC had submitted comments via SharePoint – the Chair will respond directly.

Action Chair of Remuneration. Approved

9. **Audit Committee**

9.1 This item was covered at the last Board of Trustees meeting held 24 May 2021

9.2 External Audit programme – the TBM confirmed that this has been arranged for September and the next Audit Committee meeting has been aligned to meet the approval of the audit.

Agreed

9.3 Internal Audit Service appointment for 2021-22. The Chair reported that it is the committee's recommendation to continue with Griffin Accountancy. He added that their reports are very detailed and TBM is happy with the relationship. TBM added the reputation of Griffin is growing constantly.

Approved

9.4 Internal Audit Programme for 2021-22. Griffin Accountancy are producing a timetable for the 2021-22 programme. This will be forwarded to the Chair and Audit committee once finalised.

Approved

10. **F&GP Committee**

10.1 The minutes of the F&GP committee meeting held on 6 July 2021 were received.

10.2 2020-21 Financial Performance – month 10, 30 June 2021. Trustees had been provided with a financial performance report via SharePoint to Month 9 and 10 will be available shortly. The TBM highlighted that staffing has been severely impacted by Covid absences and supply having to be sought at many schools. Though as we

approach the Year-End, all Trust schools are performing in a surplus position.

- 10.3 Directors Dashboard – Discussion following questions raised by SC. The TBM noted that the finance team work hard to provide detailed information on the financial position of the individual schools. Because of the systems currently in use, data and information is not all held on one system. However, the TBM commented that he would look at what further information could be provided at this stage. *SC highlighted the importance for Trustees to be fully aware of facts and figures* and the Chair of F&GP advised that other software options are currently being looked into to ensure this is always maintained and achieved.
- 10.4 2021-22 Budget and Financial Forecasts to 2024-25 including Key Assumptions. For discussion and approval. The TBM summarised the key assumptions illustrated in the budget report to Trustees and highlighted the uncertainty of future funding. He continued by pointing out an overall surplus in years 1& 2 with year 3 – 5 moving to areas of concern for some schools financially. The Chair added the necessity to increase pupil numbers to secure future funding and the stability of our schools. *JHJ asked how the growth strategy with new schools joining the trust affect the financial position.* Potential schools wishing to join the Trust are looked at individually and if no increase to central staff capacity is required, which must be taken into account as we grow, then the contribution from each school's budget reduces enabling a more positive financial position for them. *DC asked if the government are still pushing for a GAG pooling rather than individual budgets.* The Chair advised that this is an area for investigation, but it must be right for our Trust. He added that this would be a consideration of new schools looking to join us, but GAG pooling is not always looked at favourably. As a Trust we would not currently look to move to GAG pooling but would keep it under review. The Chair recommended for the 2021-22 Budget to be approved by the Board. All in favour.
- 10.5 Property - Result of CIF bids. The TBM reported there were no successful CIF bids received this year. He added that appeals have been submitted for four of the projects and he will update the Board at a future meeting.
- 10.6 Projects over the summer closure. The TBM advised a programme of work has been scheduled for the summer holiday break including decorating, small DIY projects etc.
- 10.7 Employee Assistance Programme (EAP). The HR Trustee reported on this item and advised that the committee recommend for this to be approved by the Board.

Approved

Approved

11. **Remuneration Committee**

- 11.1 A verbal update was provided by the Chair. The last meeting held was 6 July 2021 and the majority of discussions had been summarised in the CEO's report for this meeting. The committee approved a few final late amendments to the staffing structures for September to include the strengthening of the Improvement and Inclusion Hub (IIH) with additional roles (within existing Trust staff) being created.

The Chair reported that the CEO succession plan is to be updated and will be reviewed in the Autumn term.

JC commented that the Committee's Terms of Reference must comply with the Academy Trust handbook. The Chair confirmed that all ToR are reviewed annually at the first meetings of the academic year. The Chair of Audit added that compliance with all ToR will be scrutinised by the Audit Committee.

12. **Standards & Curriculum Committee**

- 12.1 The minutes of the S&C committee meeting held 16 June 2021 were received and a single sheet summary provided by Local Boards accompanied them.
- 12.2 Main issues from Local Hubs drawn from S&C meeting. The Chair reported that a discussion was held as to what to do if multiple nominations are received from a parent election for a governor role, as the Committee are reluctant to turn away enthusiastic and keen governors. The CEO said that the compliance of the Trust must be practised and evident within the structure of our Local Boards and following the Trust's Articles of Association is vital, and they currently state one parent governor per school. Perhaps there is a possibility following a ballot process that the unsuccessful person perhaps can join Ethos committee or PTFA. *JC reiterated the need for a clear induction programme going forward to ensure future commitment and expectation of governors.*
- 12.3 Ofsted: Inspections. CEO reported that Ofsted full inspections will start up again in September 2021. *The Chair of the Board asked for clarification on those schools RAG rated RED in the CEO's report regarding Ofsted.* The CEO confirmed this relates to the likelihood of an Ofsted inspection occurring to ensure the Executive Improvement Team (EIT) monitor and review those schools so as to be 'Ofsted ready' as some of our schools are overdue an inspection. An Ofsted checklist previously produced in conjunction with the Academy Heads is going to be a focus of review at the beginning of the next academic year to ensure effectiveness. Schools of concern for an imminent visit are Broadhempston, Drakes and Otterton.
- 12.4 Impact of PP, Sports and Catch-Up Funds – the Chair of S&C said that Local Boards and Trustees need to have a better understanding of how to interpret the impact of these various funds and how to articulate this to Ofsted.

13. **Summary Reports from Local Hubs**

- 13.1 Summaries of recent Local Hub meetings were received and noted. The Chair of the Board and Chair of Audit both added that positive feedback has been received from Local Boards regarding the improvement of clear and effective communication between Governors and Trustees.

14. **Safeguarding**

The CEO reported only one recent Safeguarding issue and assured the Trustees that the Trust is dealing with it via the proper channels and is well supported by external agencies.

15. **Health and Safety**

No issues to report. CEO highlighted the urgent need to replace the outdoor classrooms 'Devon Lady's' at Diptford due to the increased deterioration, particularly since receipt of unsuccessful CIF bid result.

16. **Governance**

- 16.1 Chair and Vice-Chair nomination forms. These have been circulated by the Clerk. All Trustees are requested to return their forms to the Clerk email address, if not already done so, by end of day, 16 July 2021.
- 16.2 Summary of Governance training undertaken by Trustees and Governors provided by the HR Officer via SharePoint. To note - Lucy Carrol, Governor for Totnes has already booked

onto courses for the Autumn term and new Governors Karen Ayling (Moorland) and Nichole Cookson (Raleigh) are booked on new governor induction for September.

- 16.3 Recommendation to change Fiona Walters' title from Diocesan Liaison to Trustee responsible for Christian Distinctiveness and SIAMs - a condition of Morchard Bishop joining the Trust. Board agreed with a slight amendment to include the word 'overseeing' after 'responsible for'. FW to speak to Diocese to confirm.
FW/ND to action. Board Approved
- 16.4 Academy Trust Handbook 2021. Summary of changes may be found at the following link and as Appendix 1 to this agenda <https://www.gov.uk/guidance/academies-financial-handbook/what-has-changed-in-this-edition>

17. Appointments

- 17.1 Trustees. To re-appoint Cheryl Mathieson as a non-Foundation Trustee for a second term of four years.
Approved
- 17.2 Members. To approve the appointment of the YMCA Exeter as a Member. This is following the retirement of Julian Ould from the Totnes Deanery. ND clarified - the Totnes Deanery has resigned as a member and EDEN will approve a named person from the YMCA Exeter to become a member, awaiting approval which should be in place for the AGM meeting scheduled for 19 July 2021.
Approved
- 17.3 Governors. To approve the appointments of:
Karen Ayling (Moorland)
Nichole Cookson (Raleigh)
Approved

18. Policies for approval

- 18.1 Recommended by the Finance & General Purposes Committee for approval
• Travel & Expenses Policy
Approved
- 18.2 Recommended by the Remuneration Committee for approval
• Working from Home Policy
• Mental Health Strategy
Approved
- 18.3 Recommended by the Standards & Curriculum Committee for approval
• Stoke Gabriel Admissions Policy
• Intimate Care Policy
• Online Safety Policy
• Positive Handling Policy
Approved
- 18.4 Recommended by Trustees for approval
Rewritten Exclusion Policy. Item 17.4.2 of the Board of Trustees Meeting dated 8 February 2021 reads: *It was agreed that the CEO would amend this policy following the meeting and that it would be approved by Trustees via email.* The rewritten policy had previously been emailed to Trustees and tracked comments have been received from the Chair and Sarah Cox. Approved in principle following one final check through from ND. Board happy to approve if only minor changes are made following this check.
Approved

19. **Related Interest Forms**

Related Interest Forms have been forwarded to all Trustees to update. Reminder for those who have not returned their forms to do so please via email to the Clerk. To clarify, if a Trustee is mentioned on companies' house, by way of a Directorship or Shareholder of another company, or a family member owns a company which may be of interest to the Trust for future works, please be sure to declare this on the form. Auditors will check as part of the Audit process every year.

20. **Dates of future Meetings 2021-22**

T34 19 July 2021 – AGM, 6pm

21. **Meeting Dates 2021-2022**

The following dates have been agreed for 2021-22; meetings will commence at 4.00 pm, except for the AGM which will start at 6.00 pm.

Monday 11 October 2021

Monday 6 December 2021

Monday 7 February 2022

Monday 23 May 2022

Monday 11 July 2022

AGM Monday 18 July 2022, 6pm

Appendix 1

Academy Trust Handbook 2021

The Department for Education updates the Academies Financial Handbook annually to ensure that the wording is clear, up to date and reflects Departmental policy.

This year, as part of the Department's annual update, the name of the Academies Financial Handbook will be amended. The name of the document from 1 September 2021 will be **The Academy Trust Handbook** (also known as the Academies Financial Handbook). This is to ensure the title of the Handbook accurately reflects the full range of important content it contains. The DfE have published the 2021 edition of the Handbook - which comes into effect on 1 September 2021 – as a PDF available to download. The main changes are:

- Information on suitability checks for existing and future members [1.4]
- Confirming that trusts should have reserved places for parents in their governance structure [1.11]
- Highlighting trusts' obligations in relation to safeguarding [1.15], health and safety [1.17] and estates management [1.20]
- Emphasising the process of appointing a senior executive leader as a trustee [1.23]
- Emphasising the value of external reviews of governance for trusts [1.32]
- Advising trusts to liaise with their RSC when their senior executive leader is planning to leave the trust to discuss their structure and options [1.36]
- Replacing the term clerk with governance professional [1.49]
- Reminding trusts of the requirement for Disclosure and Barring Service checks [1.51 and 1.52]
- Explaining when trusts should review their scheme of delegation [2.4]
- Updating information on what trusts need to publish on their website in relation to employees whose benefits exceed £100k [2.32]
- Reminding trusts of governance documents which need to be available for public inspection [2.51]
- Explaining that the chair of the audit and risk committee should not be the same person as the chair of the finance committee [3.10]
- Explaining that internal scrutiny must not be carried out by a member of the senior leadership team [3.15]
- Setting out when trusts should re-tender for their external audit service [4.5] 10 Delegated Authorities
 - Explaining that trusts must obtain prior approval for staff severance payments of £100k or more which include a non-statutory/non-contractual element, and/or where the employee earns over £150k [5.12]
- Introducing a requirement for trusts to provide ESFA with authority to obtain third party information [6.5].
- Providing trusts with advice and guidance on cybercrime [6.16 and 6.17]
Renaming the Financial Notice to Improve (FNtI) to Notice to Improve (NtI) reflecting how ESFA intervenes in broader governance issues [6.18 to 6.22].