

Board of Trustees

Wednesday 13 July 2022, 9.30am
Haldon Room, Exeter Racecourse

Attended:

Andy Mulcock (AM) - Chair	Philip Bostock (PB) – Vice Chair
Teresa Gardner (TG)	Richard Jacobs (RJ)
Moira Marder (MM)	Sarah O’Meara (SO)
Crispin Taylor (CT)	Alex Walmsley (AW)
Tamsin Frances – Director of People & Strategy (TF)	Sue Pym – Director of Finance (SP)
Jon Lunn – Director of Education Performance (JL)	Tim Rutherford (TR) – Deputy CEO
Lorraine Mitchell (LM) – Head of Corporate Governance & Compliance	
Virtual	
Lee Elliot Major (LEM)	Saxon Spence (SS)

In Attendance:

Melody Floyde (MF) – Clerk to the Trust
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Apologies:

James Frampton (JF) Ben Manning (BM) Lindsay Hetherington (LH) Richard Jacobs (RJ)

Meeting Minutes

Item No.	Business	Action
1.	<p>Welcome, Apologies and Declarations of Interest</p> <p>AM welcomed everyone to the meeting. Apologies were received and accepted from James Frampton (JF), Lindsay Hetherington (LH), Ben Manning (BM) and Richard Jacobs (RJ).</p> <p>Declarations of interest were noted, as follows: AW: Director, First Federation Trust. AW, AM, SP: Directors, Fusion School Services (Item 10)</p>	

<p>2.</p>	<p>Minutes of Previous Meeting and Update on Actions.</p> <p>The minutes of the meetings held on 25.05.22 were approved as a full and accurate record.</p> <p>Action: LM to be added to the attendance list for the meeting.</p> <p>All actions were recorded as complete or in progress.</p> <p>Dates had been set for the Scheme of Delegation working group to meet. Any additional Trustees were welcome to attend, please let MF know. Work was already in progress on the Scheme of Delegation. The group would also look at the authorisation of policies.</p>	<p>MF</p>
<p>3.</p>	<p>Matters Arising</p> <p>The requested change to the minutes of the 30.03.22 meeting regarding the changes to the Scheme of Delegation were agreed. This was agreed. MF to amend the minutes and circulate updated copies.</p>	<p>MF</p>
<p>4.</p>	<p>LGB Update</p> <p><u>Appointments & Resignations</u></p> <p>The recent LGB resignations were noted and the following appointments ratified:</p> <ul style="list-style-type: none"> • Ben Reynolds – Parent Governor, Isca (subject to DBS) • Mark Llewellyn – Parent Governor, Isca • Phil Vanderhove – Co-opted Governor, Isca • Rob Ward – Co-opted Governor, Isca (subject to DBS) • Lindsey Hill – Co-opted Governor, CEC (subject to DBS) <p>It was noted that Lindsey Hill had not completed the Declaration of Interest or Skills Audit sections of the application pack. Action: MF to request that Lindsey Hill completes the Declaration of Interest and Initial Skills Audit.</p> <p>SOM noted that some co-opted governors were also parents, and that it was important that there were not too many parents on LGBs. SOM also raised discussion regarding when a co-opted governor was also the marriage partner of a member of staff. MF advised that often parents were appointed as Co-opted Governors based on their skill set, if this was particularly valuable to the LGB. The skill set requirement had been considered as the basis for the recent co-opted appointments to LGBs.</p> <p>Trustees agreed that it would be useful to spend more time reviewing applications for new governors and looking at the individual compositions of each LGB. LM and MF would work together to review the governor appointment process going forwards to ensure a higher level of scrutiny. Action: Review the Governor Application Process to allow for higher level of Board scrutiny.</p> <p>There needed to be clarification of the Executive vs Governance function around governor recruitment and how the composition was monitored within the scheme of delegation. This needed to be in line with the articles of association. JL confirmed that Trustees were responsible for both the appointment and removal of governors following the recommendation of Local Governing Boards. They could also appoint parent governors without the need for an election. The Scheme of Delegation Review Group, led by LM would be looking at this in more detail.</p>	<p>MF/LM</p>

	<p>SS agreed that it was an interesting set of applications. She noted that one of the new governors was a professor of English literature and queried if he could be asked to help the Trust with the English literature policy. AM agreed that once we got to know the new governors there would be the potential to involve them further in Trust work.</p> <p>Thanks were extended to those governors who were leaving for their contribution. Particularly to Andy Slaney who was stepping down as Chair at Isca.</p> <p><u>LGB Chairs Group</u> – AM reported that there had been a generally positive attitude and feel at the termly meetings. Most chairs were supportive of the Trust, however some negative points had been picked up. Some Chairs had been unable to connect with the meetings due to timing and dates.</p> <p>AM was hoping to build the momentum of the Chairs group, and to bring encouragement, as new schools joined the Trust. It was important to ensure that LGBs understood the value of their roles, what they brought to the Trust and were active. The Scheme of Delegation was vital in this.</p> <p>LM was supporting some schools, particularly Whipton, due to recent challenges with staff and governor turnover. LM would ensure that all new governors were trained well.</p> <p>The LGB Chairs Group was an opportunity to feedback to the Education Committee, however the cycle of feedback needed to be completed.</p> <p>AM noted that it would be helpful to have more Trustee involvement in the LGB Chairs group. Action: Any Trustees interested in supporting the LGB Chairs Group to contact MF.</p>	<p>MF</p>
<p>5.</p>	<p>Chief Executive Officer’s Report</p> <p>MM’s report had been circulated with the papers of the meeting.</p> <p><u>Strategic Developments</u></p> <p>Ofsted had been a recent focus of attention. MM had reviewed the wider piece of Ofsted and the impact. This was an important part of the school improvement function and gave reassurance to Trustees of the direction travelling and schools.</p> <p>MM gave a summary of the schools in the Trust.</p> <ul style="list-style-type: none"> • Isca was the first school to join as a fully sponsored RI, now had 2 x good Ofsteds. • St James – had received two good Ofsteds • West Exe – had been inadequate and one of the most at risk schools in the South-West in 2017 and had now received a good Ofsted report. • Lipson – The Trust had been working with Lipson for over a year before the Ofsted inspection. This had been a double RI school and had received good in the autumn term. • ASAP – was one of the poorest performing schools in the country, rated RI. MM was confident that the school had improved since then. • QE – was positive news. QE had been an RI school that had lots of difficulty and had now received a positive good Ofsted. The Trust’s influence in improving the school was highlighted in the report. • CEC – had received a positive good in 2018. • MAP Primary – double outstanding, this was a fantastic achievement. 	

For 10 years of Ted, this was very positive. Inspections were still expected at MAP Secondary, Whipton, Exwick and St Luke's but MM was confident that they would continue to see improvements. This should give confidence in the work of the Trust.

MM wanted to continue to push forwards with school improvement. The Trust's School review process led by JL had really helped with this and in getting schools ready for Ofsted. There were still plenty of challenges and there remained lots of work to do.

AM passed the Board's congratulations to all involved in the Ofsted inspections. He was confident that the schools would be actioning the areas highlighted for improvement. AW, SOM, AM, PB had all been very supportive in the recent Ofsted inspections and MM extended thanks for this. The Governors in schools had also been excellent. Inspectors had expressed how impressed they were with the LGBs, this feedback which came from three separate inspections was to be celebrated.

SOM noted that Whipton was expecting an Ofsted. At the last LGB meeting Louise Moretta had praised the support she was receiving centrally, this was very helpful.

MM highlighted the three key strategic priorities for 2022/23.

SEND – This was a priority for the Trust. The DCC SEND Audit Report had now been published which was very negative. The Trust needed to know how to work with Devon. There were a large number of children with SEN and who had a plan within the Trust. Solutions were needed for children who were struggling with education, this would be a focus next year. Siobhan Meredith was leading on this supported by Aimee Mitchell.

Action: Share the link to the DCC SEND Audit Report with Trustees

MF

Attendance – this had to be front and centre of everything and was an area that the Trust needed to do better. Attendance had been barely above 90% on average in the secondaries. This was the same across the sector and was one of the ways that Covid had impacted secondaries in a negative way. There were many factors at play and the Trust needed to explore these.

Community Hubs Framework - to be set up across the Trust. There was some central resource available to do this.

All three areas would be major challenges.

SS noted that it was very encouraging to see that TWMAT was making a difference. She acknowledged the fantastic leadership which was a large factor in the schools doing so well.

CT asked if there were any highlights from the DCC SEND inspection that may be impacting on schools. MM noted that they were not making sufficient progress in any area. There were no interim arrangements in place yet, however Dawn Stabb would be replaced. There was a general lack of support and difficulties in navigating the system. There had been a long period of time for children's services not being good enough. Children and parents needed to be supported. In terms of the wider system, the Trust must support Devon to get better.

JL noted that SEND parents had expressed particular dissatisfaction relating to the Devon provision. The schools could not do anything better for the provision of their children but needed to communicate that it was the Devon provision that was the problem.

LM also noted that SAR requests to schools tended to be from SEND parents, particularly where EHCPs had been declined. This was causing a lot of work for staff. She queried if improved communication could have a positive impact. There was work that could be done around this.

AW queried who the new Executive Leader for Education, Rob Diment, was. MM confirmed that this was a good appointment Rob had a number of previous roles including Head at Plymstock for 15 years and interim Director of Secondary education at West MAT. He had most recently been head of virtual school for Plymouth. Rob would be reporting to Tamsin and would be part of the Executive.

AW noted that one area for Ofsted consideration was that parent view was not always as expected. It would be helpful to have data from parent surveys to back this up. He queried if there had been a parent survey at Whipton and would this be supportive for an inspection. It would be helpful to provide evidence to challenge the parent view.

TF confirmed that the staff survey had been completed, the student survey had been launched and the parent survey would be the next step. The Exec were currently looking at the best way to do this.

AM noted that this need had been highlighted, there would be a new Chair of Governors at Whipton and that Trustees wanted to know the schools well.

TR added that this was a great challenge. He confirmed that community confidence was already part of every health check. MM noted that there was work to do on this and TF confirmed that it was a priority. It was important for governors to be able to triangulate the information from surveys.

LEM noted congratulations on the recent Ofsteds. There was a sense in the sector that the inspections have been tougher and the Trust was doing well in the changing context. LEM queried if there was any sense of what schools were reporting in terms of exam results particularly the poorer pupils.

JL confirmed that the primary results were in and being scrutinised. There were two exceptional sets of results. Progress would not be known until October. However, using 2019 comparators there was potentially some good DS progress.

The only metric from secondaries at this stage was that attendance in exams had been very high. Some other schools had resilience problems with exam attendance dropping.

TR confirmed that the most recent predictions were available for Trustees to view. It would be interesting to see how the gap had gone nationally.

Final Health Check of 2021-22

JL shared the heat map. The health checks had been conducted at the end of cycle 2 (spring term) and had been finalised at the last scrutiny panels. The next panels would be looking at the primary data.

AW noted that it was comforting that the Ofsted inspections had validated the Trust's health checks. JL confirmed that the standards being set were high. Trust ambers were Ofsted greens. Feedback from schools was that they were feeling the reviews were developmental. There was lots of support with practice and coaching so staff felt that they were part of the improvement process. This was very encouraging. TR noted that CEC attainment and

progress was likely to deteriorate and go red. Exwick Heights were also likely to have some changes.

Educational Scrutiny (ESP) and Inclusion & Social Justice Panels (ISJP) Focus for 2022-23

The scrutiny panels had worked well, however a greater balanced Trustee presence was needed at the meetings. MM had highlighted this area as it was important for the panels to feed back to the Board.

Trustees could commission areas of focus for the scrutiny panels. An important area was parental connection and involvement. The ESP could look at community confidence with a specific focus on parents.

TR suggested that, in the last year, there had been a significant period of development and potentially unsustainable level of change for the Trust. There had been work on the evolution of the board structures and the operating model including the Executive. There would now be period of refinement. AM acknowledged there had been a large number of changes over the last 18 months and agreed that this was not sustainable. However, communications needed to be tightened.

AW requested that Inclusion and SEND were points of focus.

MM would like to do a piece of work on the Trust Alumni to help ensure that children who go to university stay there. It was concerning that some DS students who went to university were dropping out in the first term and it was important to monitor this. TR noted that there was a subscription service and this could be picked up as part of the Post 16 Strategy. There would also be more research into care leavers.

Education Committee Update

There had been two guest speakers at the meeting on 15.06.22. Simon Weir had given updates on The Bridge and Trust Safeguarding Audits. Leigh Withers had given an update on the Trust's Post 16 Strategy. SOM noted that she would like to invite TG to a future Education Committee to give an update on the Post 16 Strategy. It was very positive to have guest speakers at the meetings. **Action: Add TG Post 16 Strategy Update to the Agenda for the next Education Committee.**

MF

There had also been an update on SWITT. Trustees had raised concern that they were relatively unaware of SWITT. TR confirmed that MM had overall responsibility and that the governance model had evolved, however Trustees would be welcome to attend the SWITT Board Meetings. LH was unable to do this due to the conflict of interest with her role at the university. If there were any Trustees interested in doing this please let TR know. It was also acceptable for Trustees to choose to delegate this to the Lead school. TR agreed that this was a blind spot that needed to be clarified.

Updates had been provided from ESP /ISTJ panels. Trustees had noted the complex processes behind monitoring the data. David Carter had stated that it was important that the Exec were agile and able to respond. Only 20% of schools were in that position.

Growth Committee Update

The minutes of the meeting on 22.06.22 had been circulated and PB gave an update. There had been some further changes since the meeting which were discussed.

	<p>A full record of the discussion is in Part B of the minutes.</p>	
<p>6.</p>	<p>Financial Update and Budget Approval</p> <p><u>Management Accounts & Cashflow</u></p> <p>A summary of the management accounts and cashflow had been circulated.</p> <p>SP confirmed that she was looking at £161k surplus by budget but the position was currently well ahead of this (£700k). This was due to factors including recovery from Covid, supply capacity for building work, cleaning contracts being under capacity and vacancies. This had led to a strong year end position.</p> <p>Energy prices were currently very unfavourable and the Finance & Resources (F&R) Committee would be meeting separately to review options. Any surplus would need to be ringfenced to meet the costs for next year.</p> <p><u>Approval of Budget for 2022-23</u></p> <p>The proposed budget for 2022-23 had been circulated and had been reviewed robustly by the F&R Committee who had recommended that the Board Approve both the Budget and the Budget Forecast Return for the ESFA.</p> <p>SP was able to present a break-even budget with a sensible amount of risk including vacancy provision and assumptions around growth. The school supplementary grant of £1.25m would be ringfenced to meet unknown inflationary pressures.</p> <p>The Trust was however facing unprecedented pressure from energy costs. This could be an additional £1.5m and was the same across the sector. SP suggested that £750k was earmarked towards energy costs, and that the IT refresh was funded from unspent capital. The Trust could sustain pressure for two-years and was in a strong position to weather the storm.</p> <p>The medium-term response would depend on what happened across the sector and the government’s response.</p> <p>SS queried if the Trust was working with Plymouth and Exeter Community Energy to look at putting solar panels on schools and working locally to reduce energy. SP confirmed that this would be a bigger strand of the capital programme going forwards and that the Trust had already applied for funding to support an energy survey and were very conscious of the sustainability. The increasing energy prices did serve to heighten awareness of the area. TR agreed that there were limited actions but that it was an area requiring further work next year. The Executive were looking at Trust charters cutting across different threads. A lot more challenge would be needed. AM noted that it would be interesting to see what other Trusts were doing.</p> <p>CT was aware that families were also not able to meet the increasing costs and queried how the Trust could support families where this was a struggle. AM felt that this could be an area for the ISTJ panel to consider. Trustees were welcome to be part of this.</p> <p>SOM noted that point 16 of the Collective Resourcing policy needed updating to include reference to both scrutiny panels. SP to amend this.</p>	

	<p>SS noted the current refugee resettlement programme and queried if there had been many Ukrainian families joining Trust schools. TR confirmed that there were no specific figures, but that there were a number of children within the Trust. Schools must have an offer for refugee children and a support offer as a minimum. Work on this was ongoing. SP noted the variable picture and that funding was delayed.</p> <p>TR noted that the work on the Collective Resourcing Policy and School Supplementary Grant was very advantageous. It was great to be in such good financial health as this made the schools stronger.</p> <p>Trustees Approved the proposed budget for 2022/23 Trustees Approved the completion of the Budget Forecast to the ESFA</p> <p><u>Relaxing of Tender Process for Works under £20k</u></p> <p>The relaxation of the tender process to allow for two tenders per contact was requested due to the current difficulties in getting contractors to tender and complete work. Board ratification for an interim period was requested. This was Approved.</p>	
7.	<p>Complaints, Compliance & Monitoring</p> <p>A summary of the complaints received during 2021/22 was circulated.</p> <p>There had been 21 complaints received for over 10,000 children. This showed that schools had processes that were being utilised.</p> <p>The support of Trustees with complaints had been very well received and TR extended thanks to Trustees for this.</p> <p>The updated table format of the report had been very helpful. Understanding the themes of high-level complaints was still an area for review. AM agreed that it was very positive to have the updated reporting format which had been a request from Trustees.</p> <p>There had been two independent review panels for PEX's which had been unfavourable. The Trust had been well supported by PHP law with these. There had also been a discrimination case at QE which had been upheld.</p> <p>SOM noted that the complaint at St James, in which Trustees had been involved, had not been included in the data. LM confirmed that this had been put into pending rather than closed. The data collection would be amended to ensure that these were picked up in the future. LM, MF and Gina Swann would be working on this. Action: Annual Complaints Report to be amended and recirculated.</p> <p>CT noted that nearly 48% of all the complaints were related to safeguarding and SEND. He was also interested in the five complaints in the "other" category and what they were.</p> <p>LM confirmed that a couple of these had been anonymous and that there was no recurring theme. She was also looking to understand why some schools had more complaints than others. Going forwards there would be deeper dives into understanding the issues. There would be complaints coordinators in schools who would be working proactively and would provide termly feedback.</p> <p><u>Annual GDPR Report</u> – had been circulated. The process was now transparent and this was reflected in the complaints policy.</p>	LM

	<p><u>Complaints Policy</u> – AM thanked Trustees who had responded at the last minute to get the revised complaints policy ready for approval at the meeting. There had been a robust review which had followed a specific request for Trustees to be involved.</p> <p>TR noted that the policy had been discussed with school leaders who welcomed it. Further training would be required, and this would be booked for the start of the new year. There would also be an improved website to facilitate the policy.</p> <p>LM noted that it would be helpful for the Education Committee to receive mid-year feedback on how the complaints policy was being actioned. Action: Add feedback from Complaints Policy implementation to be added to the Spring Term Education Committee Agenda.</p> <p>SOM noted that Whipton appeared to have been clear in terms of the number of formal complaint and enquired if procedures were being applied correctly.</p> <p>LM confirmed that going forwards there would be training for the data leads network on reporting, with more challenge about why nothing comes through from some schools. The DPO service was purchased by the Trust and would also be looking to review the figures more deeply.</p> <p>The Complaints policy was Approved to start from 1 September 2022.</p> <p>Action: MF to finalise and circulate the new Complaints Policy as per the usual process.</p>	<p>MF</p> <p>MF</p>
<p>8.</p>	<p>Committee Updates</p> <p><u>Chairs Governance Committee 08.06.22</u></p> <p>AM gave an overview of the key points from the meeting. Growth was always a key feature of the meetings.</p> <p>Trustees had approved the change to Siobhan Meredith’s Job Title to Director of Education.</p> <p>Whipton had been a point of discussion and changes would be put in place going forwards.</p> <p>TG had joined the F&R Committee. This was particularly helpful with the increasing number of related party transactions and difficulty in maintaining a quorum.</p> <p>The heavy load of Trust level meetings had been noted by Trustees, having been raised by Members. Discussions were starting about reviewing the meeting structure and making refinements. This would be revisited in the first meeting of the autumn term.</p> <p><u>Members Meeting & AGM 07.06.22</u></p> <p>The Members had received and approved the Annual Accounts and Bishop Fleming had been formally appointed as the Trust’s External Auditors.</p> <p>The members had been generally very encouraging and positive. They had requested that Board structure was kept under review and had expressed thanks and appreciation to the Trustees.</p>	

9.	<p>Updates to Trust Scheme of Delegation</p> <p>Invites to the Working Party meetings on 21.07.22 and 08.09.22 had been sent out. Any additional Trustees were welcome to be involved.</p>	
10.	<p>Award of Trust Cleaning Tender (Related Party Transaction)</p> <p>AM, RJ, AW, SP left the meeting for this item due being Directors of Fusion and this being a conflict of interest. PB Chaired the Meeting for this item.</p> <p>The Trustees were asked to consider the report on the cleaning tender for five of the Trust’s non-PFI schools (Exwick, CEC, QE and MAP x2) and the recommended award of the contract to Fusion School Services. As Fusion is a fully owned subsidiary of the Trust this constituted a Related Party Transaction.</p> <p>Trustees approved the award of the contract to Fusion School Services, with the caveat that there were good employment practices and staff were paid the living wage.</p> <p>A full record of the discussion is in Part B of the Minutes</p>	
<p>Any Other Business</p>		
	<p>Trust Social Event – Friday 16th September 2022, 3.00-6.00pm at Richard Jacob’s House</p> <p>Conference – this would be a celebration of the Trust and appreciating the work of the LGBs. Trustees were appreciative of all aspects of work across the Trust.</p> <p>LM extended thanks to the Executive Team for their support during her recent illness.</p> <p>The meeting closed at: 11:30</p> <p>Date of Next Meetings: Weds 19 October 2022, 4.30pm Weds 7 December 2022, 4.30pm Weds 8 February 2023, 4.30pm Weds 29 March 2023 (Away Day) – Time TBC Weds 24 May 2023, 4.30pm Weds 12 July 2023 (Conference) – Time TBC</p>	

Signed by the Chair of the Board:

Date: