

Board of Trustees

Wednesday 30 March 2022, 1.30pm

Future Skills Centre, Exeter Airport

Attended:

Andy Mulcock (AM) - Chair	Philip Bostock (PB) – Vice Chair
James Frampton (JF)	Lindsay Hetherington (LH)
Richard Jacobs (RJ)	Teresa Gardner (TG)
Moira Marder (MM) - CEO	Sarah O’Meara (SO)
Saxon Spence (SS) - Virtually	Lee Elliot Major (LEM)
Moira Marder (MM) - CEO	Sue Pym – Director of Finance (SP)
Tim Rutherford (TR) – Deputy CEO	

In Attendance:

Melody Floyde (MF) – Clerk to the Trust Lorraine Mitchell (LM) – Head of Corporate Governance & Compliance

Apologies:

Ben Manning (BM) Crispin Taylor (CT) Alex Walmsley (AW) Charlotte Davies – Director of Business & Operations (CD)
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Meeting Minutes

Item No.	Business	Action
1.	<p>Welcome, Apologies and Declarations of Interest</p> <p>Apologies had been received from CT, AW, BM and CD.</p> <p>LM was in attendance for the meeting.</p> <p>No new declarations of interest were noted.</p>	

Items For Approval		
2.	<p>Change to Scheme of Delegation</p> <p>SP outlined the reasons behind the proposed changes to the Trust Scheme of Delegation which primarily to pass authority to the Finance & Resources Committee (F&R) to act on behalf of the Board.</p>	

	<p>The Finance & Resources Committee (F&R) was increasingly conducting the business of the Trust on behalf of the Board however, under the current Scheme of Delegation, the Board was still required to approve certain transactions.</p> <p>The proposed changes would delegate the award of contracts fully to the Finance & Resources Committee. This was agreed.</p> <p>It was also proposed that the Procurement Manager was given authorisation to sign contracts up to £40k on behalf of the Trust. This was agreed.</p>	
<p>3.</p>	<p>Tender Approvals</p> <p><u>Grounds Maintenance</u></p> <p>The tender process had been supported by the South West Schools Buying Hub. The recommendation was to award the Grounds Maintenance contract to Chick Flower Designs (Plantscape), on the grounds of it being the most economically advantageous tender. There had been a trade off on quality for price, which was the key determinate, and it was felt to be the best contract for schools. Trustees were asked to approve the award of the tender at a cost of £69,501 per annum. SP note that this was a substantial difference to the next closest tender.</p> <p>This was agreed.</p> <p><u>Lockers</u></p> <p>Following an in-house tender process, the recommendation was to award the contract for the supply of lockers to PFI schools to Helmsman at a cost of £115k. SP confirmed that this was the most economically viable tender and was a saving of £28k on the next closest tender.</p> <p>This was agreed.</p>	
<p>4.</p>	<p>Competitive Tendering Policy</p> <p>The Competitive Tendering Policy had been updated to give clarity of matters requiring Board approval to allow the Finance & Resources Committee to fulfil these on behalf of the Board. F&R would ultimately be responsible for the awards of contracts.</p> <p>The role of the Procurement Manager had been confirmed in the updated policy. They would be responsible for reviewing and vetting suppliers and would consult on the award criteria prior to a tender being released.</p> <p>Approval of Related Party Transactions – the authority of the Board would be sought, via the F&R Committee, for the approval of future Related Party Transactions. It was agreed that F&R was closer to the issues than the full Board and the intention was to delegate this responsibility.</p> <p>PB noted that the description of the price/quality criteria in the table under section 9.3 still needed amending. SP confirmed that this had now been updated and would be included in the final version.</p>	

	<p>Trustees approved the changes to the Competitive Tendering policy, subject to the table in 9.3 being updated.</p> <p>Action: SP to circulate final version of the Competitive Tendering Policy to Trustees prior to this going live.</p> <p>Action: MF to circulate the updated Competitive Tendering Policy as per the usual process.</p>	<p>SP</p> <p>MF</p>
5.	<p>Trust Modern Slavery Statement</p> <p>SP confirmed that the Trust was required to have a Modern Slavery Statement under the Modern Slavery Act 2015. The statement discloses the steps taken by the Trust to ensure that there was no slavery or human trafficking in the operation and supply chain. This had been reviewed internally by HR and Compliance. Trustees’ approval was sought to upload this to the website in line with regulations.</p> <p>This was agreed.</p> <p>Action: Trust Modern Slavery Statement to be uploaded in accordance with requirements.</p>	<p>SP</p>
6.	<p>Funding for Marine Academy Plymouth</p> <p>SP updated that, when MAP secondary converted to become part of the Trust, the agreement of funding on the basis of actual pupil numbers by the ESFA had been written in a letter to MM.</p> <p>The business case had now been put forward for funding MAP secondary on actual pupil numbers. The ESFA were not prepared to look at the 16-19 element, the reason for this was unclear and SP had asked for clarity on this.</p> <p>The letter sent in 2019 indicated that funding from 2022 would be revisited to look at funding on actual pupil numbers for future years as well. In this situation, with the funding agency not prepared to fund sixth form provision on the basis of actual pupil numbers, MAP was currently underfunded by 29 students.</p> <p>SP suggested that MM wrote to the ESFA seeking clarity and requesting that they look at favourably funding pupil numbers for the next two years.</p> <p>TG noted a similar situation in another establishment, where exceptional in-year growth would not be funded.</p> <p>It was agreed that this should be followed up and pressure maintained.</p> <p>Action: SP to draft a letter to the ESFA re MAP Funding on behalf of MM.</p>	<p>SP</p>
Items for Monitoring		
7.	<p>Management Accounts</p> <p>SP gave an overview of the Management Accounts.</p> <p>Trustees confirmed that they had reviewed and considered the Management Accounts.</p>	

	AM extended the Trustees' thanks to SP for her hard work with the Finances and reducing the risk. A full record of the discussion is in Part B of the minutes.	
Any Other Business		
	The formal part of the meeting closed at: 14:07 Dates of Next Meeting: Wednesday 25 May 2022, 4.30pm, St Luke's School	

Signed by the Chair of the Board:

ARMulcah

Date: 25.05.22

Final