

Education South West

Board Meeting Minutes

Thursday 17 September, 2020 – 18:30

Microsoft Teams

Attendees: Peter Di Giuseppe (PDG), Matthew Shanks (MS), Jeremy Fothergill (JF), David Potter (DP), Stephen Tucker (ST), Lindsay Yelland (LY), Simon Gotch (SG), Jenny Sutton (JS)
In attendance: Stuart White (SW), Tracy Hannon (TH)
Apologies: Kellie Knott (KK), Barrie Taylor (BT)
Notes: Caroline Battong (CB)

Start: 18:32

PDG welcomed Jenny Sutton as a new director and Tracy Hannon as the new Director of School Improvement. PDG welcomed MS as the new CEO. All present introduced themselves.

DP arrived at 18:34

ESW263. Apologies

Apologies received from Kellie Knott and Barrie Taylor.

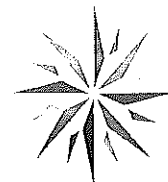
Action: PDG to liaise with KK to input into the annual review at some point, particularly the narrative that sits behind the judgements.

ESW264. Declarations of interest & Directors statement

No declarations made

ESW265. Minutes of the previous meeting, July 2020 – Part 1 and 2 attached

Minutes accepted as a true and accurate record.



ESW266. Matters arising from the previous meeting

All actions complete, with the exception of the followings actions to be carried over to the October board:

ESW260 Safeguarding and SEN

Action: MS to create a Safeguarding and SEN report for board supported by KK

ESW261 Policies

Action: The Pay policy will need to be resubmitted to board in September / October 2020 with the 2020/21 teaching pay scales and TLR elements

ESW267. Items for start of academic year

i. Appointment of the Chair and Vice Chair

The clerk wrote to all directors requesting nominations / self-nominations for the role of Chair and Vice Chair. Nominations for the role of Chair were received from Peter Di Giuseppe. Nominations for the role of Vice Chair were received from Simon Gotch.

No other nominations / self-nominations were received at board. The directors supported the appointment of Peter Di Giuseppe to the role of Chair for 2020/21 and Simon Gotch to the role of Vice Chair for 2020/21.

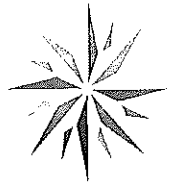
ii. Code of Conduct

PDG invited comments. All directors gave their support to the code with no changes requested. All directors were asked to sign and return the Code to CB.

Action: all directors to sign and return Code of Conduct to CB

iii. Appointment/ratification of legal advisors

- a. SW confirmed the current legal advisers are Wolferstans who provide a very good service at a cost of £12,000 per annum.
- b. SG asked what was the last thing we used them for? SW said we used them for staff matters on Covid. We use them mostly for HR related matters on a dip in basis.
- c. JF asked how is access controlled? SW confirmed he controlled access and Headteachers and PA's were clear on the process with Headteachers being able to have direct contact with the option of legal advisers attending meetings to support Headteachers.
- d. ST asked what was the reason for the change? SW stated ESW changed two years ago due to unsatisfactory response times with our previous provider and inflexibility with respect to providing HR support. In addition to legal advice, be that relating to staff or any other matter we wanted to have access to a senior HR advisor who could act in an executive capacity, directly supporting senior management in handling personnel matters, including participating or chairing meetings, including disciplinaries. The rules applicable to law firms prohibit the latter. Wolferstans (a law firm) were able to present a package which includes themselves providing legal support and a separate independent HR barrister (who is not constrained by the rules applying to a law firm and able to act in the executive capacity described. The



package provides considerable value for money: £12k fixed retainer, with only a few exceptions (like representing in court) as additional costs.

- e. PDG asked how many hours have we used them for £12,000? SW agreed, moving forward, to keep a track on how many hours we accessed their services across the year and to advise the Board.

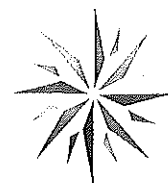
Action: SW to keep track on how many hours ESW accessed Wolferstans' services.

The board supported continuing to use Wolferstans as ESW's legal advisors.

- iv. Annual Board Competency Review
 - a. PDG talked through the review and the continuing need to focus on strategic leadership and accountability outside of the organisation. PDG referred to some of the questions posed in the paper.
 - b. JS asked what data sits behind those judgements? What systems are set up? PDG said we receive feedback mainly through the Chairs from the LGB's. There was little engagement by the Board with the wider community.
 - c. There was a discussion around communication and the wider stakeholders e.g. workforce, parent, community.
 - d. There was a discussion about accountability, the community and how and what are we accountable for. DP talked about the improvement agenda and the big themes across all the schools. JS talked about finding our focus and using the development plan.
 - e. JS asked how does this document sit with the improvement plan for the trust? There was a wider discussion on the strategic decision making and direction of travel of the board. JF requested revisiting strategy and direction of travel when looking at the risk register.

LY arrived 19:02

- f. LY suggested strategic decision making and direction of travel should be a focus for LGB's as well as the board level and how communications across governance. There was a discussion about a board away day to develop ideas. DP felt this was good timing because ESW have already demonstrated strength in running a MAT with fiscal control.
- g. MS talked about becoming CEO during Covid19 and thanked RP. MS met with SG and PDG and confirmed a 5-year plan for ESW will be share around January 2021. MS talked about where MAT's sit in the educational landscape and specifically within Devon and the room for growth. MS talked about more focus in ESW schools on RRS, tolerance, prejudice and the desire to do more. MS talked about the value Shared Services bring and the need to resource it better. MS talked about the appoint of TH and the value she can bring to the focus on school improvement and effectiveness across ESW. There was a great opportunity to work more closely with Teaching Schools South West, Director Martin Smith. There was a discussion around improvement and RAG rating. Directors agreed that two or three of them would meet to discuss the 5-year plan with MS.

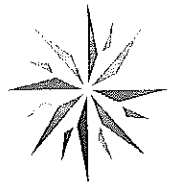


Action: JS, DP to meet and discuss the 5-year plan with MS for 2-hour meeting.

- h. PDG reminded the meeting that the Members still had expectations of significant changes to the composition of the Board when directors' terms of office ended on 31 December 2020. He expressed his concern about replacing three or four directors when there were no suitable replacements available. He will raise this with the Members but also invited recommendations for possible directors. The meeting also noted the requirement imposed by the RSC that there should be a clear separation between the Board and the LGB which meant that LGB chairs should no longer be directors. We have agreed with the RSC that we will achieve this objective by 31 July 2021.

ESW268. Trust and education matters from CEO

- i. Report on ESW performance in 2020 examination series
 - a. MS stated TH had met with Headteachers and team leaders. ESW have chosen to use the exam data to set targets as this is the only external data we have for post 16 students.
 - b. MS shared a paper on GCSE results. MS talked through predictions and centre assessed grades. JS said ESW's experience of the Ofqual algorithm was replicated in many other schools and trusts.
 - c. LY asked about Headteacher performance. MS confirmed there were no Headteachers on capability or conduct. MS talked about the importance of all the different ways that a Headteacher or school can be measured aside from exam results.
 - d. ST asked if there were students taking advantages of the option to retake in November? MS said that some students may retake. Some parents have made complaints about results and those are being dealt with and escalated where necessary.
 - e. MS talked through A Level results.
- ii. Reopening of all school's update
 - a. MS said schools continued to be open and either operated on a different site or operated differently. They were open through Easter Holidays and on bank holidays. Shared Services worked throughout the summer.
 - b. ESW put five schools forward for early Ofsted pilot inspections, and TN were selected by Ofsted. Two Ofsted inspectors visited TN on 16 September 2020. They didn't make a judgement, but it was a very positive experience for TN. TH talked through the experience from a TN staff point of view. The team prepared using the guidance from Ofsted.
 - c. In addition to these interim Ofsted visits, HSE decided that they would ring schools to check on progress. BW received one of those calls today and it was very positive.
 - d. MS talked about attendance and the increasing absence levels in students and staff in one week. 470 students are absent across the trust for reasons which are not Covid19 related. Each school has prepared a contingency plan around school closures in terms of teaching, learning, SEN – whether it's a Tier2 or full lockdown. We have provided laptops and dongles. We have set minimum teaching



expectations and fully resourced lessons. ESW have created expectations with great thought to student and staff wellbeing and what is reasonable. SW talked through laptop provision and the ability to expand that offering.

- e. MS talked about staff welfare with all staff working incredibly hard. Senior leaders are spending the vast majority of their time supporting learners to work and move around schools in a different way. This was all in addition to all the normal school processes and also on developing their online learning offering.
- f. TH talked through her observations on what it looks and feels like in each school. Teachers were feeling positive and supported. All the work that SW and Zoe Williamson have put had paid off. Shared Services staff have been home based to help protect service continuity should we go back into lockdown.

iii. ESFA letter from Eileen Milner to academy trust accounting officers
All directors have received and noted the letter and the revised financial deadlines.

LY left at 20:02

- iv. UTC update
 - a. MS talked about the feedback from the Headteachers panel. Three actions are required: Appointing a fifth member; Chairs of LGBs should not be on the Board; establishing a working agreement with Estuaries MAT. Time line is still 1st January 2021.
 - b. There was further discussion which was noted under part 2.

ESW269. Improvement plan

- i. Report on progress
Covered in ESW267

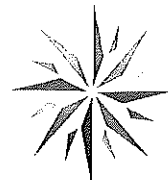
SG and DP left at 20:11

ESW270. Governance

- i. Risk Register and internal assurance 20-21
PDG agreed to seek feedback via email to ensure those directors SG, DP and LY who had left the meeting were able to contribute.

Action: PDG to share the Risk Register with DP and KK.

- ii. Matters arising from LGB's
No matters were noted, but there have been a number of changes to governors at LGB level.
- iii. Members meeting update from Peter Di Giuseppe
The Members are due to meet on 24 September 2020. An update will be given at the October board.



ESW271. Health and Safety Update from Steve Tucker

ST talked through the H&S update as at September 2020. No H&S audits took place because of Covid19, but desk-based ones will now start again. All fire protocols have been updated.

ESW272. Safeguarding and SEN update

MS/KK will have further discussions about the Safeguarding policy which will be reported at October board. MS explained how ESW now has a quiz for all schools to use on KCSIE which informs future training needs for staff across the schools in the trust.

ESW273. Policies – for review and approval

- i. Managing Sickness Absence policy MS/LY
Reviewed and for approval. JS raised issues with Covid19. MS commented that we had taken the decision not to add anything to current MSA policy because the situation with C19 is fluid; instead we will act on latest government and DfE advice regarding absence as a result of C19. Policy carried forward to October board.
- ii. Moved to October board:
 - Safeguarding policy (KK/MS)
 - Pay policy (MS/PDG)

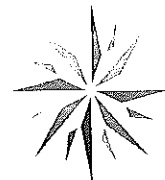
ESW274 Information, Security and Data Protection

SW reassured the board that there were no signification breaches and nothing that needed to be reported to the ICO.

ESW275 Pupil Numbers

- a. SW informed directors that pupil numbers reports were now required to be reported to board by the Academy Financial Handbook.
- b. ST requested that rolling numbers be incorporated into the next paper.
- c. JF asked if there was an update on KW numbers? MS said 33% increase in numbers for KW. SW updated on redecoration of KW.

Action: SW will incorporate rolling numbers into the next Pupil number report.



ESW276. Items signed on behalf of the trust and significant matters to be brought to the Board

SW updated the Board on the continuing occupancy of College House by Life Chance which it is proposed to execute a ten-year lease with a three-year break clause. The directors gave their support to this proposal.

Meeting closed 20:30

Next meeting – October 15th 2020

Microsoft Teams

