

Education South West
Board Meeting minutes
Wednesday 9 December, 2020 – 18:30
Microsoft Teams

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

ESW292. Apologies

SG had informed the Chair and the Clerk that he will join the meeting at 7.15pm in time for him to deliver an update on TSSW.

JS was unable to attend because of communication problems.

ESW293. Declarations of interest & Directors statement

No declarations made.

ESW294. Minutes of the previous meeting, October 2020

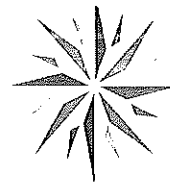
The minutes from the Board's October 2020 meeting – both part 1 and part 2 were accepted as a true and accurate record. The minutes will be signed by PDG and posted to CB for the minute file.

ESW295. Matters arising from the previous meeting

- i. The Pay policy matter will be discussed under ESW304.
- ii. The Risk register will be discussed under ESW300.
- iii. PDG confirmed our Article of Association allow ESW to set up sub committees
- iv. PDG and JF met the auditor earlier today.
- v. There was an update on catering which is recorded under part 2.

ESW296. Trust and education matters from CEO

- i. Lockdown update

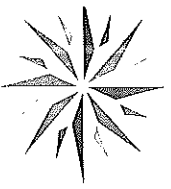


- a. Attendance data across all schools is reported daily to senior leaders. PDG is copied in. He confirmed that attendances are around the national average.
 - b. The DfE advised schools to close on Friday 18 December and assign it as an INSET day. MS confirmed that schools will be closed at 3.30pm on Thursday 17 December to students, but staff can be onsite until 12:50 on Friday 18 December to prepare classrooms and teaching in readiness for the new year. All schools in ESW are closing, with the exception of Christow primary who do not wish to close because other local schools will be open. BT agreed it was the right decision. PDG asked if the LGB had agreed with the Head's decision. MS confirmed that the Chair was aware.
- ii. UTC update
- a. The RSC office has only today advised us that the conversion would be delayed until 1 February 2021. There is a covenant attached to the land which may require the payment of £100,000. Gary Wright, Project Director Free Schools and UTC project in charge of allocations for the Secretary of State, felt it was prudent to delay the conversion to allow DfE lawyers time to resolve the issue and avoid any financial liability to the secretary of state and to ESW.
 - b. PDG asked if the UTC governors were aware of the delay. MS confirmed they were.

This has been a very unusual term. TH has been a great addition to the team and thank you to SW for his work.

- iii. Ambition Diagnostic
- a. PDG and MS had a conversation with Jeremy Sorrell of Windsor Academy about his experience of Ambition Diagnostic. He spoke highly of the process which has helped to bring about improvements to the MAT. As part of the process directors will be asked to complete a questionnaire.
- iv. Facilities agreement
- a. MS explained the background to his request for approval to enter into the Facilities Agreement with the teaching unions. ESW are now the only large academies trust who have not bought into it. MS felt if ESW want to grow and attract the best staff we need to be seen as an employer of choice and good union relations will support this. LY asked if the annual fee of £4,000 was for the whole trust or per school. MS confirmed it was for the whole trust. There was a discussion on the facilities agreement and a show of hands was requested.

The majority of directors supported the recommendation to pay for the Facilities Agreement.

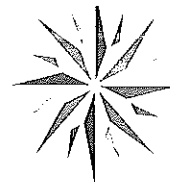


ESW297. Report from Director of School Improvement

- i. EA have had a remote pilot Ofsted visit. EA found the inspector's review of the school curriculum the most challenging. However, Paul Giradot (PG) has supported Tom Pether (TP) through the process and much had been learned. TH will work with Heads to prepare them better for this process.
- ii. TH talked through the ESW priorities document. Curriculum and SEND were key issues. We have lots of expertise such as Sam Battershall, the Teign SENDCo. She has already been involved in LGB training and plans are ahead for her to support less experienced SENDCos.
- iii. A number of schools have identified developing student voice in their school improvement plans. This is a key aspect of RRS.
- iv. TH reported that ESW are engaging with the National Tutoring programme to improve our catch-up capability., However, their focus is on borderline grades improvement, whereas the Heads would prefer the focus to be on the very vulnerable group.
- v. ESW students have lost 410 days during this term due to exclusions. There was a higher number of exclusions in the first half of term than so far in the second half of term. ESW schools have increased the number of behaviour rules in order to manage the Covid requirements. That coupled with students feeling very uncertain is making it very difficult to support pupils' scholarly behaviour. Our experiences are reflected in other schools. We have not had any exclusions in the primaries where it is much easier to put in support. We have had some very serious incidents, both physical and non-physical confrontations, and some of those have led to permanent exclusions.
- vi. TH highlighted the number of one-off exclusions. It showed that in the large majority of cases a one-off exclusion did result in a change of behaviour.
- vii. BT requested comparison data for last year to compare year on year for exclusions.
- viii. ESW has set up a Performance and Standards Group. It is made up of DP, KK and JS and will meet for the first time on the 7 January. Kim Dorian Kemp will be a co-opted member of the committee. She runs an outstanding primary school in Plymouth. Further meetings are planned after each data drop.
- ix. TH talked about the curriculum, assessment and teaching and learning groups. There was a discussion about governor training and BT voiced his support for the new governance set up in the south hub.
- x. TH talked through her assessment of the schools and why she has coded according to levels of support provided. All LGB's are aware of her review and its outcomes for their school. PDG said the overview was good, with the detail reserved for the subcommittee. There was a discussion about coding and specific schools and what support each school had and would receive.

Action: TH to add comparison data (year on year) for exclusions.

SG arrived 19:30



ESW298. Reports from Finance Director and COO

i. Financial Reports

a. ESW Financial Summary

- i. SW commented that the financial summary is very similar to that reported at the last board meeting. The financial position of the trust remains in a good position.
- ii. PDG noted ESW had a positive variance to August in respect of the impact of Covid on the budget but now, taking the current years' budget changes into account there is negative variance around £100,000. SW agreed, but added that this was a worst case scenario.
- iii. Gavin Williamson has announced more funding, but it seems unlikely we will be able to access it as we would have to have reserves of less than 4% of income and / or staff absence running at 20% plus. Neither of these apply.

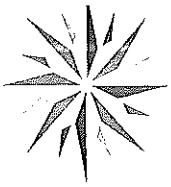
b. Overview of Statutory Accounts and Consideration of External Audit Report

- i. PDG advised the meeting that the statutory accounts and audit were reviewed and recommended for approval by the FC earlier this evening.
- ii. JF added that PDG and he had a Teams meeting with Duncan Leslie, the Francis Clark audit partner, directly before the FC meeting. The audit report was clean and there were no concerns. He recommended that the board accepts the accounts and audit.
- iv. SW said the audit was done remotely and went very well.
- v. PDG thanked SW for achieving a clean report and asked SW to thank his team for their excellent work.

c. Approval of Statutory Annual Report and Accounts.

- i. PDG went through the report. The trustees report page 2 – 11.
The board gave permission for PDG to sign on behalf of the board.
- ii. The govt statement on page 12 – 14.
The board gave permission for PDG and MS to sign it on behalf of the board.
- iii. Statement of trustees responsibilities on page 16
The board gave permission for PDG to sign on behalf of the board.
- iv. Financial statements on page 22 -49.
The board gave permission for PDG to sign on behalf of the board.
- v. Statement on regularity, propriety on page 15.
The board gave permission for MS to sign as the accounting officer.
- vi. Letter of Representation

The board gave permission for PDG and MS to sign it on behalf of the board.



- ii. Information, Security and Data Protection Report
 - a. BT asked was there a reason why only KCC have instances? Was it because KCC was the only one reporting them? SW confirmed ESW are recording all breaches in a GDPR database but there was a risk that schools might not be reporting GDPR breaches. There is a plan to roll out refresher information.

ESW299 Teaching School Hub update

- i. SG gave an overview of the hub of 317 schools.
- ii. The overall aim was to have a website with a single point of reference for developing resources for CPD for developing middle and upper leaders.
- iii. Tenders for national qualifications are currently underway. There was a lot of focus on early career framework.
- iv. SG noted the budget was only £80,000 – £100,000 a year. The desire was to support teachers starting out, teachers wanting to improve, teachers wanting to progress and teachers wanting to specialise.
- v. There was discussion which was noted in part 2.
- vi. ST do you think we should be focusing on NQT's? MS noted teacher recruitment was up 30% so the focus needs to also be on developing all teachers.

ESW300. Revised proposal for Internal Assurance 2020-2021

- i. PDG referred the meeting to previous discussions about the Risk Register. There was agreement that it needs a thorough review which in the current circumstances would absorb scarce resource. The Executive will be asked to complete the review by Easter. Meanwhile we have an obligation to set out an internal assurance plan based on, but not exclusively, the strategic risks set out in the paper. If agreed the Finance Committee will establish an internal assurance review process based on their assessment of how the Executive have sought to mitigate the risks listed in the paper.

The board agreed to the recommendations within the proposal.

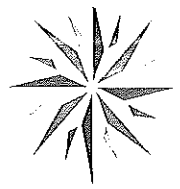
20:20 SW left the meeting

ESW301. Governance

- i. Terms of Reference
 - a. PDG asked the meeting to review the updated Terms of Reference that had been introduced in 2017
 - b. BT requested the elections of Chairs and Vice Chairs include a way of using email for voting for multiple nominations.
 - c. There was a discussion around LGBs having places for staff governors. Directors agreed to a maximum of two staff governors for each LGB.
 - d. KK challenged the statement on equality and proposed that the approach should be broader than just gender. All agreed.

Action: PDG agreed to amend the Terms of reference as listed below:

- **to add a note to allow clerks to take nominations via email.**
- **a maximum of two staff governors**
- **add directors cannot be governors on LGB's**



- **PDG and MS to agree wording for the equality issue.**

Action: PDG to update Terms of Reference and shared updated document with the board.

- ii. Feedback from Chairs meeting
 - a. It was agreed Chairs and Vice Chair would be invited to attend the Chairs Group meeting.
 - b. Further discussion was required as to whether PDG and MS should be in that group or perhaps other directors. Adrian Hines continues to work on this.
- iii. Matters arising from LGB's (paper)
 - a. KW has a potential applicant for a new governor
 - b. ST asked for guidance on the roles and responsibilities for new governors. CB confirmed this would be discussed at the next Clerks meeting.
 - c. BT asked if he was supposed to have a deputy safeguarding governor level 3? KK felt it was good practice to have two safeguarding governors.

Action: PDG and MS to discuss two safeguarding governors at their meeting on Friday.

- iv. Members meeting update from Peter Di Giuseppe
 - a. Reappointment of terms of office of PDG, DP and LY

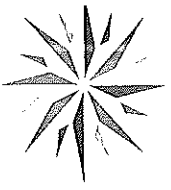
PDG, DP and LY were all re-appointed by members for another four years from the start of 2021.

- b. Adoption of new Articles to reflect the inclusion of the UTC - Directors to note

PDG confirmed the Members went through the Articles very thoroughly. The focus was on a couple of additions directed at the UTC being part of our MAT

ESW302. Health and Safety Update from Steve Tucker

- i. All H&S audits have taken place virtually. The Facilities and Compliance team have been gathering evidence of compliance and then meeting with the DCC health and safety auditor using Teams and sharing one drive for documents. The whole school reviews of Blackawton and Stoke Fleming have taken place during November and we are awaiting the results. The health and safety audits for Dartmouth PE and Science departments are currently taking place with the evidence gathered and a virtual meeting to be set up shortly with the auditor.
- ii. Statutory compliance tender exercise – the Facilities and Compliance team are currently out to tender on statutory compliance services in relation to legionella, fire and intruder alarm and heating and air handling services.
- iii. Radiation Protection Service – this is currently taking place at TGN. This is being achieved virtually by sending evidence and taking photos by the RPO situated at the school.



- iv. Tree inspections – these are due to take place. Re-tender of services following a competitive exercise to Plandscape – tree inspections are to be scheduled in as part of the new contract from January 2021.
- v. 5-year electrical tests – these have taken place for DAR and KCC – remedial actions are currently being actioned.
- vi. Covid-19 risk assessment. update to the risk assessment was continuing to take place as and when there was updated government guidance, tier information or national lockdowns – this ensures the risk assessment remains dynamic. The risk assessment and a precis of key actions was distributed to all head teachers in a timely manner each time.

ESW303. Safeguarding and SEN update

- i. MS reported that internal safeguarding audits were carried out across the schools. The staff safeguarding leads were responsible for each school audit.
- ii. Jo Chappell and Andy Goodwin will be leading on safeguarding across the trust. There is no additional pay for this role.
- iii. Beyond Covid-19, we want KK to visit all schools or continue with the internal audit.

ESW304. Policies – for review and approval

- i. Teachers' Pay Policy MS (PDG) – delayed from July 2020

It was agreed to move the review date for the Pay Policy to December each year to be in line with the release of updated teaching staff pay scales.

The Pay policy was recommended by PDG and approved by the board.

Action: CB to move the Pay Policy to December on the policy schedule

- ii. Accessibility Policy ZW/MS (ST) – delayed from Oct 2020

The Accessibility Policy was recommended by ST and approved by the board.

- iii. Managing Sickness Absence MS (LY) – delayed from July 2020

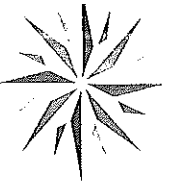
The Managing Sickness Absence Policy was recommended by LY and approved by the board.

For Information only

- ESW Safeguarding and Child Protection Policy September 2020 v2.3
CB has updated safeguarding contact details.

ESW305 Pupil Numbers

- i. SW confirmed the up down arrows were against the previous meeting data.



ESW306. Items signed on behalf of the trust and significant matters to be brought to the Board

- i. PDG and MS have signed the lease for College House.
- ii. PDG and MS have signed a contract for Ambition Institute.

ESW307 AOB

- i. BT asked for his concern about the disconnect between the board and LGB's moving forward and the risk that posed to be noted.
- ii. MS reflected BT's concern, but the requirement for LGB Chairs not to be directors is outside of our control. The proposed Chairs Group is intended to create the connection to the Board.

Meeting ended 20:46

Next meeting **AGM – Wednesday 27 January 6.30pm**
Board - Wednesday 27 January 7.30pm