

**ETHOS ACADEMY TRUST
BOARD OF TRUSTEES MEETING MINUTES**

Thursday 17th October 2019 at 5.00pm at Reach Academy

Present:

Victoria del Giudice (VG)	Chair & Member
Graham Dewhirst (GD)	Trustee
Charles Haygarth (CH)	Trustee
Marcus Newby (MN)	Trustee
Rob Whitehouse (RW)	Trustee

In Attendance:

Jo-Anna Barr (JB)	Clerk to the Board
Jayne Foster (JF)	CEO
Tracy Jackson (TJ)	CFO
Helen Stevenson	Satis - Observer

Item		Action
1	<p>Welcome, Apologies & Declarations of Interest</p> <p>The Chair welcomed everyone to the meeting. Helen Stevenson was welcomed as observer. Helen is observing the meeting as part of the Trust commissioned governance review.</p> <p>Apologies for absence had been received and accepted from Lorraine Absolon (LA), Jane Acklam (JA) and Andrew Rawson (AR).</p> <p>There were no declarations of interest. Forms were handed to clerk by some Trustees at the meeting. Those who have not yet completed or were absent from the meeting should complete forms and post back to Reach Academy ASAP.</p>	Trustees
STRATEGY & PLANNING		
2	<p>CEO Report</p> <ul style="list-style-type: none"> ○ Outcomes and Strategic Priorities / Plan 2019-22 <p><u>National outcomes (from Ethos).</u> JF reported some dips in overall performance as well as some real gains, pages 5 and 6. % 9-1 including English and Maths has increased despite the lower starting points of the cohort in comparison to the previous year. 5 or more 9-1 without English and Maths have also increased to 58% from 45%. The results demonstrate the effectiveness of the bespoke and personalised curriculum and interventions.</p> <p>Outcomes have to be compared with national mainstream outcomes. Significantly strong outcomes when look at profile and starting point of students when they are referred to Ethos. National Alternative Provision outcomes data is not yet available but most recent (2018) data shows Ethos continuing to perform significantly better. Trustees wished to convey congratulations to staff and leadership at Ethos. Trustees also keen to ensure that, although comparison to mainstream is required, presentation of national AP data is important for context. JF advised that this is reported on to C & S Committee in terms of value added, alongside progress in other personal and social areas.</p> <p><u>Whole Trust Attendance.</u> JF advised that attendance and engagement is excellent, with rapid and sustained gains and attendance continues to be a priority for the Trust. A great deal of time and energy is invested in the attendance strategy across the Trust.</p> <p>Trustees asked how attendance compares with previous years. JF advised that it is variable because it depends on cohorts and their baseline starting points but that value added across the Trust is high. C&S Committee had a lot of dialogue last year around how</p>	

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target setting can be effective for students who haven't yet been referred to the academies.

Trustees asked if there is targeted intervention for Looked After Children (LAC) with unauthorised absence for LAC. JF advised that there is multi-agency work for those students using a tiered approach. Staff apply the attendance policy consistently. **Trustees asked who oversees LAC for trust.** JF advised that a Senior Leader in each setting is accountable to the Head Teacher who is, in turn, accountable to the CEO.. Trustees asked if strategies are trust-wide. JF reported that sometimes the interventions are different depending on the setting context and individual students but sharing of practice is embedded. The Executive team meet every 2 weeks to ensure a cohesive approach. **Trustees asked for future reports to include national mainstream attendance data alongside national PRU attendance for authorised and unauthorised.** CEO will action.

Outcomes. **Trustees asked about the dip in Maths outcomes.** JF explained that this is a cohort specific dip that bucks the usual trend as Maths usually outperforms English. Trustees asked about difficulties in planning with unknown cohorts of students. JF advised that this will remain a challenge and that the executive formulate a plan but are acutely aware they may have to deviate from it.

Trustees asked about attainment gap between boys and girls. JF explained that the Trust are working to narrow the attainment gap between boys and girls. A-G grades are very closely aligned this year but fewer boys achieved the higher grades. However, JF noted that the cohort of boys last academic year had a lower starting point so made excellent progress in relation to their starting points. **Trustees asked about value added scores.** Trust-wide ability to track progress is as vital to demonstrate impact of work done within the Trust. **Trustees asked how Ofsted view the internal data.** JF advised that the new inspection framework has much less emphasis on data. During inspection under the new framework, deep dives will enable inspectors to triangulate what is happening in each academy. The Trust has commissioned a deep dive exercise in each academy by an Ofsted inspector to better understand how the Trust can prepare for the inspections. **Trustees asked if inspection team will have background in PRU settings.** JF advised her experience is that there is usually one person on the team with a specialist background.

Strategic development plan. JF explained that the rough draft had been presented at July meeting. Executive has now added a strand around People Strategy. Proposal to agree the plan. Trustees agreed that the people strategy is important. **Trustees asked who will oversee the people strategy.** JF advised that the Trust now employs an HR manager who will drive this in partnership with senior leaders.

The Chair asked RW if he had been engaged in mental health strategies in other settings. RW confirmed he has and will happily support development of this. JF advised that all academies within the Trust are working towards the Leeds Beckett University Mental Health Award. **Trustees asked if there had been any concerns from staff on that questionnaire.** JF advised that the Trust had completed a mental health focussed questionnaire with staff during the spring term 2019. Staff from all 3 PRUs came out strong. Weakest outcomes were from outreach team - they work more in isolation so the

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Trust are ensuring that they have a voice and they are invested in and cared for as all other staff. There is now a defined work base in the Reach building for the Outreach team. Trustees will keep this under review.

Resolved: Strategic Development plan unanimously approved.

Trust Level KPIs. Appendix 4.

Trustees asked for rationale as to how the areas on the KPIs were monitored. JF advised that all green on the document would be ultimate goal but then there would be ongoing work to sustain that. **Trustees asked if amber would be linked to an action.** JF advised that development plan summarises what is in place to develop those areas. Trustees requested commentary on the document to provide rationale for the RAG rating.

JF reported that destination outcomes is an important measure of success for the Trust. The Trust needs to track beyond the intervention provided. This could be where the students go next as well as positive engagement at the next step. **Trustees asked if the academies are required to do that.** JF advised they were not but the academies build such strong relationships with students that they often come back for advice. It is a 'needs led' decision. There is no funding for that work but there is a moral imperative.

Trustees asked if staff mental health and wellbeing should be reflected in the KPIs. JF agreed this could be included. Also, staff retention and succession planning and staff attendance. CEO to bring updated KPIs to next Board meeting including development of people strand and commentary.

Chair asked about data dashboard. JF explained that she had not focussed on this heavily, although it was included in the uploaded information for the meeting, because it was considered in detail at the July meeting.

- Updated MAT Growth Strategy and Plan

JF advised she has attempted to make the document more explicit around areas where Trustees required further clarification. **Trustees asked if there was a set checklist for due diligence work.** JF advised that it is up to the Trust to develop that. It must include qualitative areas that may be difficult to quantify e.g. culture etc.

Trustees asked if CEO felt there was capacity in the Trust central team to undertake due diligence process. JF suggested that the team would struggle to do it alone at this point of development, so would require additional external capacity. TJ added that it is a labour-intensive process requiring approx. 5 days per section.

Trustees asked if the Trust was engaging with external contacts who can support the Trust. JF advised that the Trust already had relationships built with consultants and other Trusts so there is a network when it is required. CEO noted that there are no schools joining in the immediate future. Trustees commented that it is positive that these plans are in place when they are required. CEO added that organic growth and development of the Trust is also contained in the plan.

Resolved: Growth Strategy & Plan document unanimously approved.

Summer Term Dashboard. **Trustees asked if HR Manager will be dealing with support staff attendance issues.** JF advised that HR is aware of issue. The current monitoring software isn't useful to drill down into the data so that will require development e.g.

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system records a full day absence for medical appointments that may have been a half day or less. JF advised that Unions continue to be pleased with Health & Safety provisions in place at all academies, based on H & S data in relation to staff
 JF noted that staff either come and stay for a long time because they feel they can make a difference or turnover is high because staff don't feel the settings are right for them in their long-term career. HR manager will continue to scrutinise and feed into development planning with Executive. **Trustees asked for comparative data to allow Trustees to understand whether the absences are better, worse or the same as other employers (educational and non-educational).** JF to arrange for this to be added to future reports.
Trustees asked if CEO was confident that reporting is consistent in all academies. JF advised she is confident. Office managers lead on this. There were occasions last year where classification of absence was not consistent but this has been refined over the year. There has been a standardisation of requests for leave. **Trustees asked about reference to capabilities in report.** JF advised that no staff have been through formal capability procedures during 2018-19.

Trustees asked about report under RIDDOR. JF explained that a member of staff had tripped over a laptop wire in the library when teaching a pupil 1:1. The incident had not involved a child but resulted in more than 7 days off work so had to be reported under RIDDOR.

JF

Trustees thanked JF for the report.

3 Committee Reports and Priorities

MN noted that C&S Committee have not yet met.

TJ reported on Finance, Audit & Risk Committee meeting held on 26/09/2019. All in attendance had found the new timing better. Meeting was less rushed and business covered thoroughly. Committee considered benchmarking reporting. Committee felt there were too many comparators so it was agreed that it would be narrowed to fewer comparators. Ongoing piece of work but have to evidence that trust is benchmarking by 14 November. Management Accounts scrutinised. Service Level Agreement (SLA) with Local Authority (Kirklees) approved so funding agreed for next 3 years which gives security to the Trust. Exceptional Needs requires further dialogue to put SLA in place to ensure long term commitment. Once that is in place the Trust can invest in substantive staffing structure to enhance that provision.

Trustee asked if cashflow issues with Local Authority had been rectified. TJ advised it had. It is still in arrears but paid immediately after resulting in improvement with cashflow. Committee discussed variances. Better historic data for forecasting and variance analysis should be simpler.

3-year forecast. Good position. Further analysis has confirmed healthy balances. Auditors have done first set of tests. **Trustees asked how audit was progressing.** TJ advised it has been ok so far. Auditors attended the finance meeting. Once final accounts are completed Trustees will consider internal and external audit arrangements for 2019/20.

Committee decided Risk Register requires further time spent on it during FAR meetings. Committee felt they needed to be aware of any risks that were escalating or new risks. Update will go to next committee meeting. Transport was flagged as a risk. Trust has plans

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	<p>for transport strategy but it has been moved to red. Auditors have also picked up on transport so it is positive that Trust and committee are already aware of and addressing key risks.</p>	
GOVERNANCE & COMPLIANCE		
<p>4</p>	<p>Governance Documentation <u>Declaration of Interests</u> Forms to be sent into Reach by post as noted in item 1. <u>Trustee Handbook including Code of Conduct</u> Handbook provided as contains Code of Conduct. Handbook useful for induction of new Trustees. VDG had agreed with Academy Ambassadors to advertise for 2 Trustees. Trustees congratulated Marcus Newby on his appointment as HMI from January 2020. MN will stand down as a Trustee at the end of December 2019. As MN is a Parent Trustee, there will be need for an election process for a replacement. Executive to work with JB to arrange this. Resolved: Trustees unanimously agreed to uphold the Trust Code of Conduct</p> <p><u>Committee Terms of Reference and Membership</u> Resolved: Committee Terms of Reference were unanimously approved.</p> <p><u>Scheme of Delegation</u> Most up to date version (which includes Pay and Performance Committee and line management of Principals) was not circulated. Resolved: Scheme of Delegation was unanimously approved pending above amendments.</p> <p><u>Scheme of Financial Delegation</u> Document has been linked back to Financial Management Policy approved in July. Resolved: Scheme of Financial Delegation was unanimously approved. Resolved: Committee Membership to continue from 2018/19.</p>	<p>Exec / Clerk</p>
<p>5</p>	<p>Confirmation of Link Trustees</p> <ul style="list-style-type: none"> ○ Safeguarding - LA ○ H&S – CH ○ SEND – RW ○ Careers – AR ○ Trustee Development – VG ○ Finance – GD ○ Curriculum & Data – TBC <p>Trustees to visit academies to look at their strategic brief. CEO felt the model has worked well for the Trust in the past year. Reports of visits provide good evidence for Ofsted and help evaluate what is considered as well as highlight priority areas for further development.</p> <p>Trustees noted possible skills gap for educational skill set when Marcus leaves.</p>	

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	How did workload sit? It was fine but as grow it may need 2 people. May look at that. Recap of Trustee visits to be added to agendas as a standing agenda item.	Clerk
6	<p>CFO update – including 18/19 outturn, 3 year forecast and audit update Item covered mainly in update from FAR committee. Ethos has opportunity to change the way PRUs are funded. The Local Authority are funding for 5 strands. Outreach and Medical are separate. Trustees noted that PRU funding through SLA with Local Authority means the Trust can pool the funding and allocate to the PRU academies. It was noted that if this was the way the Trust chose to operate it would only initially be for specialist settings, would not be appropriate for mainstream settings joining the Trust. Trustees asked if pooling would materially affect the academies. JF reported that it would leave Engage Academy’s funding reduced by approximately £50k but Reach Academy’s funding would increase by a similar amount. TJ advised that all schools have in year surpluses so their budgets can sustain the changes. This system addresses historical disparities in current funding arrangements. JF and TJ confirmed this had been discussed with Heads who had been satisfied with the proposal. Heads know the Trust has reserves and surpluses. Trustees asked if the change would be neutral for the Trust. TJ confirmed it is.</p> <p>It was noted that if pooled funding was agreed there would need to be an appeals policy to allow individual academies to appeal against the Trust’s decision. TJ to produce.</p> <p>Trustees asked if there was any difference in funding of pupils based on their age. TJ confirmed that the funding was not based on age. It was noted that the funding mechanism within the Local Authority was historic so it is unclear how the figures are calculated by the Local Authority. Trustees asked for confirmation that the pooling arrangements do not disadvantage any individual academy and that this decision will not result in the academies having to restructure? TJ and JF confirmed that no individual academy in the Trust would be disadvantaged or have to restructure.</p> <p>Resolved: Trustees agreed to pool funding for the current 3 academies to allow Trust to allocate funds where they are needed. This only applies to current 3 PRUs.</p> <p>Resolved: Trustees agreed to pool reserves. This will apply to current 3 PRUs and new academies joining Ethos.</p> <p>TJ advised that there will be a tiered approach to topslicing academies, dependent on need. Trustees asked if the Trust took topslice from Outreach provision. TJ confirmed medical and outreach are topsliced. Trust has improved in calculating unit cost and financial impact of service delivery for these provisions.</p> <p>Additional funding streams: Trust Capacity Fund. TJ has looked at whether the Trust meet the eligibility criteria. CEO will initiate conversations with RSC and then see if it is worth time submitting bid. Trustees asked what level of funding this attracts. TJ advised it was up to £250k.</p> <p>Internal Audit. Trust must have internal audit in place by new year. Proposal for this will come to FAR Committee or next Board meeting.</p>	TJ
7	<p>Safeguarding Update Safeguarding training to be opened up to Trustees. JF will circulate dates of training run by the three academies and will share access details for E-Learning modules.</p>	JF

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	<p>Keeping Children Safe in Education. Trustees must read Parts 1 and 2. Updates to guidance from 2018 are noted in Appendix.</p> <p>Single Central Record (SCR) contains details of all Trustees' DBS and Section 128 checks. LA signs off SCR as Safeguarding Trustee.</p> <p>Trustees asked if Ethos are operating at a higher level than mainstream with regard to safeguarding. JF confirmed that the Trust works at the highest levels with regard to safeguarding. Designated Safeguarding Leads (DSL)s and Deputy DSLs attend regular training. It is vital for the Trust due to vulnerabilities of students.</p> <p>Safeguarding & Child Protection Policy 2019. Safeguarding and CP have been combined into one policy. JF reported that current data retention policy does not include retention of student records where student has been referred to social care but template policy states these records should be retained for 35 years. Clerk confirmed this is historically an accurate retention period. JF will ensure that this is reflected in the retention policy. Trustees asked who would oversee the retention of documents. JF advised that the office managers would oversee.</p>	
<p>8</p>	<p>Statutory Documents & Policies</p> <p><u>Academies Financial Handbook 2019</u></p> <p>CFO provided summary and highlighted key changes to AFH. Yellow highlights are areas that require more work. Internal Scrutiny requires proper risk-based scrutiny and must report direct to Board not through CFO/ CEO.</p> <p>AFH acknowledged by Trustees.</p> <p><u>Reserves Policy</u></p> <p>Policy has not changed substantially. Trust must evidence why there are reserves. Due to funding, any in year savings in future will have to be shared with Local Authority so we need to ensure the reserves are pooled and then spent on students. Trustees asked if the figures relating to capital are arbitrary. TJ confirmed they are dependent on CIF bid. Trustees asked if reserves will reduce over next 2 years due to in-year deficits. TJ confirmed this will be the case but the Trust will always hold equivalent of 1 month salary costs in high interest account.</p> <p>Resolved: Trustees agreed policy.</p> <p><u>Keeping Children Safe in Education</u></p> <p>Clerk to request e-mail confirmation from Trustees that they have read and understood the document.</p> <p><u>Safeguarding / Child Protection Policy</u></p> <p>As discussed in safeguarding update. Policy was cross referenced to ensure it reflects processes in each academy. Policy is individualised by DSL in each setting to ensure it reflects current staffing arrangements.</p> <p>Resolved: Trustees agreed policy.</p> <p><u>Admissions Policies / Procedures</u></p> <p>Resolved: Trustees agreed policy.</p> <p><u>Whistleblowing</u></p>	<p>Clerk</p>

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	<p>JF explained that the process remains the same but the policy has been developed and is more thorough. Policy has been through employee liaison group prior to approval at Board. No input from that group – comfortable with the content. Trustees asked if there had been any instances of whistleblowing in the Trust. JF confirmed there had not. Trustees asked if the policy had been publicised amongst staff. JF confirmed it had - assumption must be that it can happen anywhere with any member of staff. Resolved: Trustees agreed policy.</p>	
9	<p>Matters Arising / Actions Update: Minutes of Board Meeting 11th July 2019 Minutes agreed as an accurate record and signed by the Chair.</p> <p><u>Matters arising / Actions</u></p> <ul style="list-style-type: none"> • Actions covered in agenda. All have been completed and can be moved to green. • Dates and evidence of safeguarding training to be sent to LA once completed. • CFO to alert Trustees when the Management Accounts are available. • Trustee training needs to be developed, how it should be accessed, should it be online or in academy. Formalise how / where we access training. 	Trustees TJ
10	<p>Any Other Urgent Business None</p>	
11	<p>Date and Time of Next Meeting:</p> <ul style="list-style-type: none"> ○ Thursday 12th December at 5pm at Reach Academy (includes AGM) 	

Agreed as an accurate record

Signed: Print Name:Date:
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Summary of Action Points	Responsibility	Completion
• Declaration of Interests forms to be posted to Reach Academy	All Trustees	ASAP
• PRU and National attendance data to be added to report.	JF	December 2019
• Keep Outreach team and general staff wellbeing under review.	Board	Ongoing
• Updated KPIs to come to next meeting (including people strand and commentary as requested).	JF	December 2019
• Comparative staff absence data to be included in future reports.	JF	Spring term
• Parent Trustee election to be arranged.	Clerk / CEO	December 2019
• Trustee visits to be added to agenda as standing item	Clerk	Ongoing
• Appeals policy to be developed.	CFO	December 2019
• Dates and e-learning log-ins to be distributed to Trustees for Safeguarding Training.	JF	ASAP

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| • Confirmation of Trustees having read and understood KCSIE to be e-mailed. Trustees to respond | Clerk / Trustees | ASAP |
| • Alert Trustees when Management Accounts are available. | CFO | Ongoing |