

## ETHOS ACADEMY TRUST

### MEETING OF TRUSTEES

Thursday 28<sup>th</sup> May at 10am via Microsoft Teams

<b>Present:</b>	Victoria del Giudice (VDG)	Chair & Member
	Lorraine Absolon (LA)	Trustee
	Jane Acklam (JA)	Trustee
	Graham Dewhirst (GD)	Trustee
	Charles Haygarth (CH)	Trustee
	Rob Whitehouse (RW)	Trustee
<b>In Attendance:</b>	Melanie Nightingale (MN)	Clerk to the Committee
	Lesley Conway	HR Manager
	Chris Firth (CF)	COO
	Jayne Foster (JF)	CEO
	Tracy Jackson (TJ)	CFO

Item	Action
<b>1</b>	<b>Welcome, Apologies &amp; Declaration of Interests</b>
	Apologies were received and accepted from Andrew Rawson.
<b>2</b>	<b>Trust development &amp; new opportunities for expansion</b>
	<p>JF reported that she had been keeping the Chair up to date on expansion opportunities and wanted to take this opportunity to update the full Board on developments. Wakefield local authority had made contact with EAT in February after one of its pupil referral units (PRU) had been given an inadequate Ofsted rating. The LA wanted support for that PRU and another Wakefield PRU, which had been graded as requiring improvement in November 2019. EAT began a dialogue with these PRUs and formalised a service level agreement (SLA) to add leadership capacity by providing leaders from EAT to work with them, along with an additional leader from another PRU, who had been an unsuccessful but a strong candidate for the Head of Reach role. Whilst some of the original plan has not been able to be delivered yet (due to Covid-19), work with the two Wakefield PRUs had been carried out to prioritise key areas, develop the curriculum offer and refine other aspects of provision for the new academic year. JF had maintained regular email contact with the Regional Schools Commissioner and had now received an expression of interest for EAT to be considered by the RSC as a potential Trust for Priory (the “inadequate” PRU) to join. Priory is required to become a sponsored academy due to their inadequate Ofsted rating.</p> <p>JF wished to discuss this opportunity with Trustees, especially in the light of the vision of becoming a mixed Trust. The more specialist EAT became, the less likely it was to be attractive to mainstream. However, within priority 1 of the SDP there was a target to enhance and increase SEMH (social, emotional and mental health) provision and this new opportunity fitted this criterion. If EAT started to position itself as a more specialist Trust, growth would need to be over a wider geographical area. EAT already had links with Bradford but Barnsley, Calderdale and Leeds already had academies linked to Trusts. EAT could still offer support to mainstream schools in terms of specialist SEMH provision and this could become regional rather than just local.</p> <p>Trustees commented that this was an exciting time in the Trust’s strategic growth. Whilst they could see the value in the original plan of a mixed Trust, this new opportunity felt like a good</p>

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fit. Becoming more specialist did not negate expansion into mainstream and the growth plan needed to remain flexible. EAT also needed to consider how it marketed its traded offer into mainstream through the outreach side of the Trust. **Trustees congratulated JF and her team on providing support to a struggling school and commented that the time was right to take on another school that had difficulties, as it would help the existing academies to be aware of the challenges that other schools were facing.** It was important to consider opportunities on individual merit.

**Trustees asked how these two PRUs in Wakefield were structured in terms of keys stages.**

JF explained that provision at Priory was predominately key stage 3 (KS3) with a small cohort of KS2. There was a need for KS1 and KS2 provision and JF had discussed specialist primary input with Wakefield LA colleagues. Priory's building was not fit for purpose to expand its existing offer for Primary aged pupils. The other Wakefield PRU was secondary (KS4). It had one main base with satellites to encourage engagement and attendance in localities. JF had mainly focused on the main base in her initial due diligence. Once students become permanently excluded in Wakefield the significant majority currently stayed in PRU provision throughout. Working with both settings would make sense to allow a seamless transition from KS3 to KS4. **Trustees asked if EAT needed to take on both PRUs in order to improve both of them and to ease the transition from KS3 to KS4.** JF explained that taking on both settings would be ideal but Wakefield LA had not stipulated that the KS4 PRU had to join a Trust yet. Consideration was being given by colleagues in Wakefield to options for Springfield PRU (KS4) with further discussion planned within the LA and at cabinet level. **Trustees asked if there was oversight of the PRU by one management committee.** JF confirmed that this had been the case, but that an IEB will be brought in following the inadequate judgement for Priory

**Trustees asked how far afield EAT needed to go to find more PRUs if it was focusing on the PRU market but was not able to do this in Leeds, Barnsley and Calderdale.** JF stated that EAT had previously had links with Rotherham but would need to scope out further opportunities within Yorkshire and the Humber. It would involve a larger area than the Trust had originally planned to operate in. Trustees commented that it was of interest to consider how EAT entered into dialogue with other schools within the Wakefield area, such as primary schools for example. **Trustees asked if Priory had a deficit.** JF confirmed that it did not have a deficit at the end of last year. **Trustees asked about the state of the buildings at Priory.** JF noted that both Priory and Springfield are 1970s flat-roofed constructions but there were some good facilities for alternative provision in one of the buildings. JF highlighted that although EAT had been invited to express an interest, other Trusts would have also had this invitation, therefore there were no guarantees, but the fact that EAT had already worked with Priory could be advantageous.

**Trustees were of the opinion that this was an opportunity to be embraced. EAT had improved its central team provision to enable growth. They thanked JF for laying down the foundations for this opportunity.**

Trustees commented on the impact this new opportunity might have on the potential for including mainstream schools in the Trust. This was a real opportunity for EAT to evidence its strength around leadership and management. In the current circumstances, the social and emotional wellbeing of pupils was an even higher priority and more schools would be looking

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for expertise that EAT could offer in this regard. **Trustees commented that taking on a PRU was EAT's bread and butter and in addition to doing this it should looking at how to develop its traded offer.** It was noted that traded services were being developed as part of the business plan.

JF explained that the next step was for EAT to complete an expression of interest form giving the rationale behind its wish to become involved with the Priory PRU in Wakefield. The aim was to complete and return the form by the end of next week (5<sup>th</sup> June 2020). JF would find out which Head Teacher Board it would be discussed at. Discussions would result in a final decision or possible further actions. **Trustees asked if JF felt there was capacity to take on this PRU.** JF confirmed that there was capacity both in the executive team and among senior leaders in terms of offering curriculum and other specialist areas of development to the PRU in Wakefield.

**Resolved: Trustees gave their approval for the CEO to explore this opportunity further.**

**3**

**Phased increase in education provision across the Trust following lockdown**

VDG referred to the aspirational date of 1<sup>st</sup> June 2020 for the return of some year groups at schools nationally. On behalf of the Trustees she thanked the CEO and staff for all their work to keep the academies within the Trust running for the vulnerable children who had been attending during lockdown. The purpose of today's extraordinary meeting of Trustees was to have a discussion in order to support the Executive Team in their decision-making about increasing education provision, whilst balancing the needs of staff and pupils.

JF thanked the Board for their support throughout this challenging time and hoped that the staff newsletters and the interim CEO report had kept Trustees informed of developments. She explained that the academy trust had remained open for vulnerable learners and children of key workers but it was now looking to expand beyond this, in line with government guidance. During lockdown, Engage had up to 8 or 9 pupils on site. With the addition of reception, Y1, and Y6 there would be an extra 3 pupils, which had less of an impact. The national plan to extend education for mainstream Y10 and Y12 students had an impact on Ethos College where the priority would be Y10 and Y11. The latest government guidance gave a return date of 15<sup>th</sup> June for secondary students and EAT was considering a staggered approach. It was clear from discussion with the LA and local trusts that there was not a "one-size fits all" approach. EAT had taken the decision to work exclusively with staff on 1<sup>st</sup> and 2<sup>nd</sup> June without any students in the buildings. Following consultation, it seemed that more staff than expected were anxious about returning to work and the risk to themselves and their families. The plan was for staff to attend in small groups on a rota basis on 1<sup>st</sup> and 2<sup>nd</sup> June to look at the plans for a return and how it would be implemented. All staff would have a one-to-one with a senior leader to express any concerns and talk about specific arrangements for their own situations. LC had carried out a staff survey and was liaising with unions, as well as looking at staff wellbeing.

LC explained that EAT was following government guidance for a gradual re-opening of the three settings but needed to take into account needs of staff, in terms of childcare, shielding requirements etc and balance this with the needs of the pupils. There had been email and phone discussions with staff about their individual situations and concerns had been addressed where possible and reassurance provided. Some support staff in particular had

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expressed concern, as they would potentially be returning after a long period of working from home. LC had spoken to the unions and emailed details of plans to them. She had provided details of risk assessments to GMB and planned to circulate to the other unions within the next few days with the offer of a follow up meeting.

There would initially need to be a shortened school day (9.30 to 2pm), which would also provide flexible working for staff with childcare issues. Staff had been asked to discuss individual requirements with LC or their Head. Shielding staff would work from home. Where possible clinically vulnerable staff would also work from home but if their presence on site was required a risk assessment would be carried out first. There had been some confusion around clinically vulnerable and shielding and the relevant staff had been asked to contact their GP for clarification where possible. There had been challenge from unions about this but they were happy with EAT's explanation. The Trust would continue to ask staff to report on a daily basis on Schoolpod if they were self-isolating. In addition to the wellbeing questionnaire, staff were being supported through the fortnightly Trust newsletter, which signposted staff to sources of help, such as counselling, and regular virtual team meetings and wellbeing meetings continued to take place. During Mental Health Awareness week the Trust encouraged social online coffees to support staff who were working from home.

Trustees thanked the Executive Team for their updates during lockdown and felt that they had done everything possible to follow government guidance. **Trustees asked what the key risks were that EAT could not mitigate and what risk the Trust was asking the Board to take in saying schools should open more widely. Trustees asked whether they as a Board were prepared to take the risks and support the expansion of opening. They asked if legal advice had been taken prior to discussing the re-opening of schools.** CF confirmed that legal advice had been taken and that HCF had advised there was a low risk of prosecution if there was a virus case within a setting and it would be reportable through Riddor. By increasing numbers with a wider opening of the schools, it increased the likelihood of risk and the Trust could not control what went on with families beyond the academy.

**Trustees asked what the intention was with the two days for staff on 1<sup>st</sup> and 2<sup>nd</sup> June and whether there was an expectation for staff to work on site from 3<sup>rd</sup> June onwards or whether it was about assessing who was able to come in.** JF explained that emphasis was on consultation with staff and supporting them. From 3<sup>rd</sup> June onwards the intention would be to only have the children on site who had continued to attend during lockdown to give them time to adjust to agreed new systems and routines before a wider return, as well as giving staff chance to prepare. The aim would be to work out the right levels of staff, build their confidence and allay the fears of those who were less willing to come in by enabling them to see first-hand the arrangements of the rooms and the risk management processes that were in place.

Trustees expressed concern around the science, which did not seem to back up the government's plans. However, there was a need to balance the risk of expanding opening against the impact on some of the vulnerable children not currently in school whose home lives may not be safe. The idea of waiting until 15<sup>th</sup> June for a wider opening of the schools was suggested, as the risk level associated with the higher R number in local area needed to be considered. It was acknowledged that risk could not be completely eliminated but a

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decision needed to be taken on whether enough had been done to mitigate risk. It seemed that the controls in place were appropriate but not for the level of risk in the region at the moment therefore it was an issue of timing. It was important to weigh up government aspirations with what was right for EAT.

**Trustees asked what further steps could be taken to provide reassurance and give details of anything more that could be done to enable the schools within the Trust to open more widely whether it be beginning of June or later.** JF handed over to CF to talk through the Trustee questions to help inform the decision. The questions submitted by Trustees in advance of the meeting were dealt with in turn.

**1. Have unions been consulted, have they seen risk assessments and what feedback have they given? How has this informed risk planning?**

This was answered by LC in her explanation about her engagement with unions.

**2. What are the key risks? Are Trustees happy to take these risks to children, staff and communities?**

The key risks were presented in the various risk assessments and checklists provided in advance of the meeting and had been discussed by Trustees during the meeting.

**3. What staff are we expecting to return? Have one-to-one conversations taken place to assess who can return, who needs to continue to isolate / shield and who will continue to work from home?**

This was covered in LC's presentation about the communication that had been taking place with staff. JF also added that the academies were expecting to be at 50% capacity with the extension of opening and that the Trust was working on having the correct staff numbers on site to manage this number of pupils.

**4. Have we taken into account clinically vulnerable staff who are shielding, both in assessing staff ratios and ensuring they receive appropriate support?**

The Executive Team was confident it could more than sufficiently staff the extension of provision, taking into account clinically vulnerable or staff who were shielding.

**5. What is the Trust response to staff who have childcare responsibilities?**

This had been answered during LC's presentation about communication with staff.

**6. Have all assemblies, carpet time etc ceased?**

It was confirmed that these activities had ceased.

**7. What is the % of pupils that can be taught remotely, i.e. have the required internet / technology at home?**

It was confirmed that 40% of students at Ethos College and 10% at Reach and Engage could be taught remotely via technology currently. All of Y10 have been provided with IT support and internet access and the plan was to roll this out to Reach and Engage, with further pilots starting w/c 1/6/20.

**8. Transport – will the need for social distancing in taxis/on the minibus result in the need for additional journeys and will this have a knock on effect on the timings of the school day?**

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It was explained that EAT was currently trying to maintain social distancing in minibuses and taxis, which meant it took longer at the start and end of the school day to get the pupils on and off the minibus / taxi safely.

**9. Why is there no mention of taxis on the Covid 19 transporting pupils risk assessment?**

This was an oversight. Taxis were referenced in risk assessment on social distancing. Taxi providers had been contacted and it had been agreed that they would wear facemasks and children would travel in the back of the taxi at a safe distance from the driver.

**10. PPE – What PPE does each school have? Is this thought to be sufficient? Have we sourced the PPE necessary should it be required on site? Is the supply chain sufficiently robust should there be an increase in demand elsewhere if there is a second spike in the virus?**

CF explained that PPE was not required unless a staff member was administering first aid within social distancing spacing. Children would be taken to a separate, well-ventilated room if they had symptoms. Staff may have to intervene if a child was violent and had symptoms and PPE would be provided for this eventuality. Training would be provided to staff on first aid within these circumstances. There was a healthy stock of PPE at all settings and measures had been put in place to manage the stocks.

**11. In terms of the residual risk '3' item on the risk assessment for administering first aid, is it just the PPE comment that needs addressing? (see also the reference to PPE on the risk register).**

CF confirmed that the only outstanding item regarding PPE was for staff to have more training if they had been away from the setting for a number of weeks.

**12. Do we have sufficient supply of cleaning materials – both personal (soap, sanitiser, paper towels) and for the building (including regular cleaning of classroom materials)? Is there daily deep cleaning of classrooms?**

It was confirmed that there was a sufficient supply of cleaning materials; hand sanitisers, wipes and general cleaning equipment. All schools were currently cleaned each morning and the use of certain rooms had been limited. Morning checks of cleaning took place and estate staff would clean high transit areas, including kitchen areas during the school day.

**13. Risk Register: Should a case being confirmed in a school be on the register? I can understand why it shouldn't be, as there are a number of external factors that can't be controlled. On the other hand, it's probably the most significant risk facing the Trust at this time.**

CF stated that a confirmed case of Covid-19 would be added to the risk register.

**14. Do we have a sense of timescales for testing should it be required and the potential impact on attendance of pupils/staff? Have any staff been tested?**

Testing information was being updated regularly. The government was aiming for a 24-hour turnaround, which would work for staff but this could be delayed for pupils due to the requirement for parental consent. It was currently quicker to self-refer for testing rather than staff being referred through EAT. Two staff had been tested so far. The government track and trace system that was due to be launched would potentially help with testing timescales.

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- 15. What happens if there is a confirmed case in a school? It's not clear if the school shuts or it's just appropriate self-isolation of people who were in contact with the individual. Do we have a clear and agreed process for decision-making around either partial/total closure? Has this been communicated to all stakeholders?**

The Trust would be guided by Public Health England on this and track and trace protocols may also influence closure. Under current plans, the relevant group within school, who had been in contact with the infected person, would be sent home to self-isolate for 14 days. There would be no wider closure unless it was felt that other areas of school had been compromised.

- 16. Have the risk assessments taken account of the PM's statement this week concerning the return to school for Y10 in mid-June? Are there any specific concerns about that cohort?**

CF noted that these pupils had been considered. Remote learning would be provided where possible but the risk assessment would need to take into account specific risks, such as transport for those pupils in this cohort who would be attending site.

- 17. Should we be considering flexible use of the buildings we have available, given the constraints associated with some?**

It was explained that this had been considered. However, the impact on the children's SEMH needs of putting them in a new settings was thought to be high and there was also the need to avoid cross-setting contamination. EAT was currently trying to limit the use of certain parts of the their buildings rather than being flexible across buildings.

Further questions were asked as the meeting continued. **Trustees asked about the launch of the government track and trace system and whether this added add another layer of complication with the requirement to self-isolate for 14 days.** It was acknowledged that this would have an effect on teaching groups and staffing timetables. **Trustees asked if there would be a loss of income due to self-isolating.** LC confirmed that no-one would lose income if they had to self-isolate and it would not count towards absence. Fortunately, with testing there was a quicker turnaround with isolation periods.

**Trustees asked about communication with parents around protocols, e.g. safe transportation and challenging a taxi driver that was not wearing a facemask.** There had not been any guidance issued to parents but CF agreed to do this.

**Trustees asked about the process for asking about symptoms, whether this was done on a daily basis and what involvement the Trust had with parents on this.** CF explained that the driver of the taxi / minibus would ask about symptoms at the point of collection and the responsibility was on parents not to send children to school if they were presenting symptoms. However, there was the risk of children being asymptomatic.

**Trustees asked about cleaning of non-healthcare settings given that the protocols from the government did not seem very stringent. They asked what the expectation about cleaning was, how it was being adhered to and whether anonymous whistle-blowing was possible.** It was explained that this would be reiterated to staff on 1<sup>st</sup> and 2<sup>nd</sup> June. Staff could report problems but it was difficult to know what was reasonably practicable. There were local authority protocols for cleaning and there were funds for extra cleaning if needed. It was felt

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that the high transition points were being managed well through additional cleaning processes. Staff used hand wipes on common desk-space areas and there was a requirement to keep pupils within bubbles. There was a high focus on toilets for cleaning. Internal doors were being propped open in some areas but some internal doors are fire doors. Hand hygiene was key.

**Trustees asked if there was a view or recommendation on face masks.** CF explained that face masks were not required according to guidance. They only limited the spread of the virus if worn by an infected person. It was more important to maintain social distancing where possible. Face masks should only be worn if cleaning up after a suspected case or when administering first aid. CF planned to go through the use of PPE with staff on 1<sup>st</sup> June.

**Trustees asked about cleaning. Union guidance was that wipes should be made available but staff should not be asked to clean. They asked if cleaning was once a day or more frequently.** It was explained that full building cleaning was taking place once a day during lockdown but there was an option to increase the frequency as staff and pupil numbers increased. **Trustees asked how additional cleaning could be requested through the contract with Kirklees without varying the contract.** CF confirmed that it was possible to request additional cleaning if Kirklees had enough staff to provide this, otherwise private cleaners could be used. It seemed to be a reasonable measure to ask staff to use wipes on surfaces they were using, just as it was reasonable to ask them to wash their hands. **Trustees suggested that EAT made wipes available but did not ask staff to clean in order to mitigate problems with unions.** It was noted that moisturising creams were made available to staff to mitigate dermatitis caused by frequent hand-washing. **Trustees asked how EAT could mitigate cross-site contamination.** It was highlighted that meetings were taking place remotely and staffing teams would remain within their own school groups. This was more difficult to manage with estates staff but hand hygiene and social distancing was being maintained. There was also a site visitor checklist in place.

**Trustees concluded that everyone at EAT was doing everything possible to mitigate risk. They thanked CF, JF and the team for doing an incredible job and felt that their questions had been sufficiently answered.**

JF presented on the implications of the extension of opening to provide further context.

- Engage Academy: There would be an increase of 3 pupils.
- Reach Academy: None of the year groups would be affected, apart from the vulnerable pupils that the school was continuing to try to increase engagement with.
- Ethos College: For KS4 some face to face teaching of Y10 and Y11 was expected but the predominant teaching method would be remote learning, in line with government guidance. Face-to-face teaching of Y10 and Y11 would significantly increase pupil numbers at this setting but it would only be for a small number of hours at a time.

JF was confident that the risks were being mitigated. EAT had put in a lot of work to re-engage with some of the younger learners in the past and now they been away from school for a considerable period of time, the Trust wanted the opportunity to re-engage them. It was also important to re-engage Y10 to ensure they had the best experience possible when they moved up to Y11. For the current Y11, the focus would be on support for their transition to post-16 training or education both in the summer term and at the beginning of the autumn term. It

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	<p>was important to weigh up the health and safety implications of a return to school with the longer-term social and emotional impact on the pupils.</p> <p><b>Trustees asked what EAT would do if it felt it was unsafe to keep schools open due to local circumstances and how this decision would be made.</b> CF stated that this would be done on a case by case basis. The Trust would defer to local authority and Public Health England advice. The normal emergency closure procedure would be followed and there would be communication with the relevant partners and the local authority.</p> <p><b>Action: CF to share the emergency closure procedure document with Trustees for information.</b></p> <p>Trustees voted on the plan to expand education provision from 15<sup>th</sup> June 2020 as follows:</p> <ul style="list-style-type: none"> <li>• an additional 3 pupils at Engage Academy</li> <li>• some of the vulnerable learners at Reach Academy</li> <li>• Y10 and Y11 students for a limited number of hours Ethos College</li> </ul> <p><b>Five of the six Trustees present voted in favour of the proposal and one Trustee voted in favour provided it was only for the small number of pupils proposed. Resolved: On this basis, it was that the Executive Team could progress with plans to expand education provision from 15<sup>th</sup> June 2020.</b></p> <p><b>Trustees asked how the impact of expanding provision would be reviewed.</b> The Executive Team would assess reactions of staff on 1<sup>st</sup> and 2<sup>nd</sup> June and alter the plan accordingly. The track and trace system could also result in an increased feeling of confidence.</p> <p><b>Action: JF to provide a mid-week update to Trustees w/c 1<sup>st</sup> June once she had spoken to Heads. She would also look at government advice.</b></p> <p><b>Trustees noted that space management was important in terms of how many staff and pupils could safely be accommodated in each setting. Trustees asked if this information could be made available to them.</b> It was noted that this was contained within the school risk checklist (p6).</p> <p><b>Action: CF to provide a revised version of the school risk checklist detailing the numbers that could be safely accommodated within each setting after discussion with staff on 1<sup>st</sup> and 2<sup>nd</sup> June.</b></p> <p><b>Resolved: Trustees agreed that if government advice changed about re-opening schools they would comply with this advice.</b></p> <p>JF concluded that staff would be reassured by knowing that the Board was not rushing the return to school and were mindful of the risks involved and the anxieties of staff.</p>	<p>CF</p> <p>JF</p> <p>CF</p>
<p><b>4</b></p>	<p><b>Any Other Urgent Business</b></p>	
	<p>VDG asked CF, CH and GD to stay online for a brief discussion regarding the Finance, Audit and Risk Committee. There being no further business, the meeting ended at 12.10pm.</p>	

Action Points	Responsibility	Completion
• Issue guidance to parents on protocols, such as safe transportation.	CF	12.06.20
• Share the emergency closure procedure document with Trustees for information.	CF	12.06.20

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- Provide a mid-week update to Trustees w/c 1<sup>st</sup> June after consultation with Heads and consult government advice. JF 03.06.20
- Provide a revised version of the school risk checklist detailing the numbers that could be safely accommodated within each setting after discussion with staff on 1st and 2nd June. CF 05.06.20

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