



**Minutes of the meeting of the Board of Trustees  
held on Thursday 18<sup>th</sup> October 2018 at 6.30pm  
at Fulford School**

**Present:** Mr A Pennington (Chair), Mr I Dolben, Mrs C Graham Brown, Ms Sheena Powley, Ms Mini Setty, Mr I Warman (co-Vice-Chair), Mr J Williams, Mr M Horne (*from 18:45*)

**In Attendance:** Ms L Savage (Chief Executive Officer and Accounting Officer)  
Mr S Bradford (Chief Finance Officer and Company Secretary)  
Ms C Lajoinie (Governance Advisor, City of York Council )

**1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received, with consent, from Mr T Flemming and Mr I Warman.

There were no declarations of interest.

**2. MINUTES AND CONFIDENTIAL MINUTES OF THE MEETING HELD ON 4<sup>TH</sup> MAY 2018, 20<sup>TH</sup> SEPTEMBER 2018 and 27<sup>TH</sup> SEPTEMBER 2018**

Previously distributed.

With respect to the public minutes of 3<sup>rd</sup> May 2018, Trustees noted that the incorrect draft had been circulated on MinutePad. The Clerk agreed to rectify this mistake and would circulate the correct minutes at the earliest opportunity, with a view to approval at the next meeting. **Agenda**

With respect to the public minutes of the meeting of 20<sup>th</sup> September 2018, the CFO noted the following amendment under Item 4, requesting that 'unknown' be removed from the document:

*In response to a question the CFO stated that he would record income and associated notes as the funds came in, and that there would be additional ~~unknown~~ costs also such as the Audit fee.*

**Resolved:**

**Trustees considered and approved the minutes of the meeting of 20<sup>th</sup> September 2018 as true and accurate records of the meeting. The Chair was duly authorised to sign the minutes.**

Trustees were informed that the minutes of the meeting of 27<sup>th</sup> September 2018 would follow at the next meeting. **Agenda**

### 3. ACTION PLAN AND MATTERS ARISING

#### **Action Plan:**

With reference to the action plan from the meeting of 27<sup>th</sup> September 2018:

#### *Action Point (AP) one:*

The CFO stated that this situation was ongoing, but noted some difficulties in arranging a meeting with the 'Section 151 Officer' at City of York Council to discuss the issue. A Trustee advised that as liability rested with the LA the CFO should continue to try and resolve the matter with them. Trustees agreed that the CFO would draft a letter to the Finance Director at CYC, which would be signed by the Chair of Trustees and copied to the relevant Elected Member. **Action – CFO/Chair**

#### *AP eight:*

The CFO noted that the task of developing a central MAT budget and separating costs accordingly was ongoing and would be monitored by the Finance and Resources Committee.

#### *AP nine:*

Ms C Graham-Brown informed the Board that she had worked on the Health and Safety Policy with the Facilities Manager and that it was in the process of being reviewed and revised in line with the continuing relationship with the LA. Trustees then discussed the recent discussion at Fulford LGB regarding health and safety monitoring responsibilities; the CEO confirmed that responsibility for monitoring the policy at academy level rested with the Fulford Finance and Resources Sub-Committee.

#### *AP ten:*

The CFO stated that he would review powers delegated to LGBs from the financial scheme of delegation following the annual Audit at the next meeting. **Agenda**

#### *AP eleven*

The CEO confirmed that she had taken HR advice and that the scheme of delegation could be altered without further union consultation. Trustees agreed that the majority of the panel would be Trustees, a Trustee would chair the appeal panel and lend seniority, whilst a local governor (not previously involved in the dismissal) would give the panel a 'closer' local view on the issue through their inclusion. The CEO thanked Ms M Setty for her advice in this regard.

#### **Resolved:**

**Trustees approved the amendment as described above.**

*Mr M Horne joined the meeting at 18:45*

#### **Matters arising:**

There were no matters arising.

### 4. CORRESPONDENCE RECEIVED

*A confidential matter was reported to Trustees and was minuted separately.*

## **5. CHAIRS' FORUM – UPDATE**

The Chair of Trustees stated that the Chairs' Forum would be the mechanism that facilitated discussion between the Chairs of the Trust's academies. The Chair stated that he would give some thought with respect to how these meetings would be recorded.

## **6. FINANCE & CONTRACTS UPDATE**

### **6.1 PAYROLL REPORT**

Previously distributed.

The CFO stated that the external auditors had performed some additional work on the Trust's payroll cycle as part of internal scrutiny practices. They had produced a report, as circulated and added that overall the auditors were happy. The report had raised a few issues related to:

- Overtime sheets and approval
- Special payments to staff – Finance Handbook
- Employment contracts

The chair thanked the CFO for the work on this stating that this was an excellent outcome and that the trust should be both pleased and assured that this audit had found that such a key process was being controlled effectively.

The Chair invited the CEO to speak to the Board regarding recent developments on contracts of employment related to HR with City of York Council. The CEO informed Trustees that the LA had taken a unilateral decision to stop supplying contracts to Academy Trusts, despite this element being included in the Trust's current Service Level Agreement with the LA's HR service. Trustees discussed recent changes to practice in many areas with specific regard to changes to the LA's relationship with Academy Trusts. The CEO informed Trustees that following discussion with the HR Director at NYCC, they had agreed to supply contracts to the Trust. The Chair noted that the Trust would need to consider HR in general in the future and consider required aspects and future solutions.

A Trustee confirmed that there was a contractual basis on which staff overpayments could be recovered.

### **6.2 CIF FUNDING & E3CUBE**

The Chair drew Trustees' attention to the information recorded on the MinutePad agenda related to E3Cube and the recommendation that Trustees approve a contract with the company which would require them to bid for CIF funding on behalf of the Trust. The CFO added that the Trust sought approval for a three year agreement with E3Cube and cautioned that the deadline for the next group of bids was imminent.

Trustees discussed the proposal in depth and asked the CFO to confirm the percentage fee that they would receive from the ESFA. Trustees noted that the fee retained by the company was capped by the ESFA and would be awarded separately and on top of the total bid funding received, if successful. The CFO explained the process to Trustees.

Trustees explored the benefits of being tied into a three year contract and were informed that largely this related to strategic development, time management and specialist knowledge of the market. Trustees discussed the restricted nature of CIF funding, other funding streams and projects that were likely to be successful in attracting funding. A Trustee confirmed that the Board would retain final decision powers over which bids were made.

**Resolved:**

**Trustees asked the CFO to confirm with E3Cube that they would agree to a break clause and annual review within the three year agreement; or a one year agreement in its place and to proceed on such a basis.**

**7. SAFEGUARDING**

There was nothing to report under this item.

**8. HEALTH AND SAFETY**

The CEO informed Trustees of a recent incident related to a bus transport supplied by Pullmans through the LA. Trustees were reassured that no student had been seriously injured and the matter was currently being investigated by the LA, Driver, Vehicle and Standards Agency and the Pullmans bus company. The Chair confirmed with the CEO that issues surrounding communication with the school following the incident were being addressed. It was noted that this bus was provided by the LA and not contracted for specific purpose by the Trust.

**9. MAT WIDE POLICY REVIEW**

**9.1 PAY POLICY 2018-2019**

Previously distributed.

The Chair noted that the Trust Pay Policy was based on the Teachers' Pay and Conditions document, negotiated locally with Unions and was in line with the City of York Council Pay Policy; going on to recommend that Trustees adopt the policy.

Trustees comprehensively discussed the Pay Policy 2018 and noted issues of clarity related to decision making levels, the lack of information on MAT level appointments and some typos. A Trustee proposed that a grid, with responsibilities clearly marked, be added to the document.

**Resolved:**

**Trustees considered and approved the policy subject to clarification related to the points discussed.**

**9.2 ADMISSIONS POLICY 2018-2019**

Previously distributed.

The Chair noted that the Trust was now the admissions authority for its schools and that the policies had been drawn up by the LA with proposed statements included. The Chair proposed that the Board adopt the policies.

Trustees discussed the consultation period and the order in which consultation and discussions should take place. Trustees agreed that LGBs must consider the documents as should the Diocese in the case of Church schools. The Chair noted that the consultation period would end in December.

Trustees acknowledged the help received from Tom Chamberlain, School Services Manager – Policy and Strategy at City of York Council, and the School Admissions Service at City of York Council.

*Andrew Pennington left the meeting at 19:50*

Governors discussed transport, responsibility and key wording. Amendments were suggested.

*Andrew Pennington returned to the meeting at 19:55*

### **9.3 PERFORMANCE DEVELOPMENT POLICY 2018**

Previously distributed.

The CEO informed Trustees that these policies had also been received from City of York Council, and noted that the Teachers' Pay and Conditions Document was clear that pay progression must be linked to the context of the school in which a teacher was working.

Trustees comprehensively discussed key differences between the Performance Development Policies, previously distributed. Trustees considered legal and moral points, concluding that any anomalies between the respective Performance Development Policies should be considered at a future point when more schools had joined the Trust, and when the Trust was sufficiently developed to address the issue comprehensively.

#### **Resolved:**

**Trustees considered and approved the Performance Development Policies for Fulford, Wheldrake with Thorganby and Dunnington Schools.**

## **10. ACADEMY MATTERS**

### **10.1 ACADEMY UPDATES**

The CEO informed the Board that the MAT development improvement funding had been released to the Trust.

Land issues related to Archbishop of York Junior School were close to resolution, going on to add that the Caretaker's House would remain the property of City of York Council. Trustees were informed that the conversion should continue as planned on 1<sup>st</sup> November 2018.

### **10.2 MATTERS TO DELEGATE TO TRUST COMMITTEES & LGBS**

Previously distributed.

Trustees comprehensively discussed the Governors' Code of Conduct draft document from 'York Education', and suggested a number of amendments. The Clerk agreed to work on a draft suitable for South York Multi-Academy Trust with particular reference to conduct as opposed to responsibilities, the ethos of undertaking, a separate code for Trustees, requirements as opposed to expectations, and the Governance Handbook. **Action - Clerk**

### **10.3 MATTERS REPORTED FROM TRUST COMMITTEES & LGBS**

The CEO informed Trustees that the LGB at Fulford remained without a suitable candidate to take on the role of Chair of Governors and requested that the Board consider the ratification of Mr Steve Smith as Chair of Governors of Fulford LGB. In addition to this the CEO noted that there was a succession plan in place with one interested local governor prepared to self-nominate for the role of Vice Chair with a view to possible future succession.

#### **10.3.i FULFORD LGB – PROPOSED TRUST-APPOINTED GOVERNOR** Previously distributed.

In addition to the above, it was noted that there was currently one vacancy on the Fulford LGB and information related to an applicant, Ms C Harrison, had been circulated to Trustees.

The CEO noted that one current governor had indicated that he would step down once a Chair had been elected. The CEO requested that Trustees approve an increase to the composition of the Fulford LGB of one trust appointed governor, if necessary, in order to allow for the appointment of the two previously mentioned governors, and in case the current governor decided not to step down.

#### **Resolved:**

**Trustees approved the appointment of Ms C Harrison and Mr S Smith to the Fulford LGB. In addition to this the Trustees approved a potential increase of one trust appointed governor to the composition of Fulford's LGB, if needed.**

### **11. ANY OTHER AGREED BUSINESS**

A Trustee requested that clear and relevant notes were added to agenda items and/or papers where necessary in order to guide Trustees appropriately in their responsibilities.

A Trustee requested that papers were received as statutorily defined in advance of the meeting to allow Trustees to fulfil their duties properly.

### **12. DATES AND TIMES OF FUTURE MEETINGS**

The next Board of Trustees' meeting would take place on Thursday 13<sup>th</sup> December at 6.30pm.

The Clerk agreed to check with Dunnington and Wheldrake with Thorganby Schools regarding hosting the Board of Trustees' meetings, ensuring dates and times were appropriate. The Clerk agreed to invite the appropriate Headteacher to join the meeting if they would like to do so. **Action - Clerk**

The meeting closed at 20.30

---

Mr Andrew Pennington  
Chair

---

Date

**ITEMS FOR FUTURE AGENDAS:**

**Minutes of the meeting of 3<sup>rd</sup> May 2018**

**Minutes of the meeting of 27<sup>th</sup> September 2018**

**Financial Scheme of Delegation**