



**Minutes of the meeting of the Board of Trustees
held on 11th April 2019 at 18:30
at Fulford School**

Present: Mr I Warman (Chair), Mr M Horne (until 21:00), Mr A Pennington, Ms C Graham-Brown, Ms S Powley, Ms M Setty, Mr J Williams.

In Attendance: Ms L Savage (South York MAT CEO)
Mr S Bradford (South York MAT CFO)
Ms C Lajoinie (Governance Advisor, City of York Council)
Ms J Edgar (Governance Support Officer, City of York Council)

The following attendees left the meeting at 19:20 following the LA Presentation on School Place Planning:

Ms M Squire (Assistant Director Children, Education and Communities Directorate at City of York Council), Mr M Ellis (Head of School Services at City of York Council), Mr T Chamberlain (School Services Manager – Policy and Strategy at City of York Council), Ms S Moir (School Place Planning Project Officer at City of York Council), Mr J Green (Headteacher of Archbishop of York's CE Junior School), Ms N Fox (Headteacher of Bishopthorpe Infants Infant School), Ms C Hancy (Headteacher of Dunnington CE Primary School), Ms B Christison (Headteacher of Naburn CE Primary School), Ms S Bland (Headteacher of St Oswald's CE Primary School), Ms A Shaw (Headteacher at Wheldrake with Thorganby CE Primary School), Ms F Phillips (Chair of Governors at Archbishop of York's CE Junior School), Ms R Plevy (Chair of Governors at Bishopthorpe Infants CE Infants School), Mr S Parkinson (Chair of Governors at Dunnington CE Primary School), Mr B Pigg (Chair of Governors at Elvington CE Primary School), Ms J Hudson (Chair of Governors at Fishergate Primary School), Mr N Lee (Chair of Governors at Naburn CE Primary School), Ms H Page (Governor at Naburn CE Primary School), Ms T Martin (Chair of Governors at Wheldrake with Thorganby CE Primary School)

1. WELCOME, APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

The meeting started at 18:40.

The CEO thanked all those present for attending, extending a welcome to the LA delegation. The CEO noted the current pressures related to place planning and sustainable capacity in this area of the city, adding that there were different implications for the schools represented at the meeting.

2. CYC PLACE PLANNING AND RELATED MATTERS

Ms S Moir, then began her presentation.

Aims, considerations, funding streams, methodology for forecasting (including variables and trends), planning areas, city wide numbers' forecasts and school specific forecasts were outlined. Those present were informed that current data showed a decline in primary numbers across the city and were then shown current place pressures from the present day until 2025-2026 on a map.

In response to a question, Ms S Moir confirmed that overall there was a surplus of 1400 places anticipated city-wide in 2025-2026, going on to outline forecasts for individual schools. South York MAT's Chief Financial Officer (CFO) asked how accurate forecasts were and whether accuracy was tested. In response Ms S Moir confirmed that forecasts were regularly checked and tested. Mr T Chamberlain noted that historically, in relation to Reception entry numbers, forecasts had been within a margin of 20 with reference to 1900 places city-wide, going on to add that if forecasts were out of range then further analysis was completed. Ms M Squire noted key variables related to parental choice and knowledge and new housing development yields, noting that statistical projections related to new housing did not always tally with the integrated modelling formulae due to house prices in York and the demographic of those able to afford to buy in the city. Mr T Chamberlain noted additional variables related to religious belief and choice, private education and home education, going on to reassure those present that all factors and trends were factored in to forecasting methods.

The CEO noted that Fulford School were nearing net capacity, going on to ask for further information in relation to this aspect should an admissions number of 270 become the norm for the school in the future. Mr T Chamberlain noted that net capacity figures were highly informed by the Published Admission Number (PAN), which, when increased, would flex the net capacity figure upwards also. He went on to inform the CEO that City of York Council were looking at net capacity in relation to building use and related student numbers, going on to note the use of a Department for Education tool – 'Schedule of Accommodation' which looked at how buildings were used in order to aid with projecting capacity growth.

The CEO asked if further information was available in relation to the Germany Beck development, consultation and site access. Ms M Squire stated this was currently under consideration by a different City of York Council Directorate which was currently engaged in looking at a feasibility study, site plans and complications related to green field space. In response to a question about possible future catchment changes, Ms M Squire stated that no information was currently available in relation to this and that it would remain a political decision, going on to note that if a new school was commissioned in the city then a catchment review would need to take place which would be subject to a number of variables and external Department for Education input. Mr T Chamberlain added that under-subscription was an issue in certain areas of the city.

Mr M Horne, South York MAT Trustee, noted that a surplus figure of 1400 city-wide seemed to represent a high number of places or, indeed, primary schools, going on to ask how the LA would interpret and respond to these figures. Ms M Squire advised that current projections demonstrated that this figure was likely to continue and if this were the case then the LA would need to consider the possibility of school/s closure, adding that the LA did not have the authority to close an academy. Mr T Chamberlain advised that prior to closure different entry solutions would be considered including an assessment as to whether the surplus places issue was short or long term. Those present were informed that the LA could petition

the Department for Education to close an academy and that any decisions were referred to the Secretary of State. Those present discussed this issue more widely and were informed of known closures, elsewhere, due to over supply and the overriding principle of value for money.

Mr M Horne noted that the LA delegation had advised of significant variation across the city, going on to ask whether there were also variations related to place planning forecasts within the South York area and partnership. The LA delegation confirmed that there was variation within the South York area with particular reference to rural and urban locales, differences in local population mobility, specific local contexts, the local plan, and revenue costs related to capital investment and a lack of consistency of numbers across different year groups.

Mr A Pennington, South York MAT Trustee, requested further information related to whether there was a planning horizon for the Local Plan. In response Ms M Squire noted that planning was a complex exercise in the city, and there were often significant delays; adding that the life of the Local Plan was designed to be of fifteen years' duration. Controversy over green space and city limits were two variables, further complicated by housing development planning and commercial concerns, which added to the problems of finalising the Local Plan. Mr T Chamberlain gave further information in relation to planning complexities noting that housing developments directly affected pupil numbers and therefore the lack of certainty related to the Local Plan did impact on school place planning. In addition to this Ms M Squire noted that other elements that were difficult to plan for related to employment trends and other economic factors, adding that all these issues were interlinked.

The CEO thanked the LA delegation for attending and extended specific thanks, in anticipation of his resignation from City of York Council, to Mr T Chamberlain on behalf of all the schools represented for all his work over the years.

The LA representatives, Headteachers and Chairs of Governors of the South York Partnership schools left the meeting at 19:20.

The Chair of Trustees noted his appreciation for the LA's bespoke presentation, observing that the issues facing South York MAT and Partnership had been considered and addressed. The Chair also observed that the South York MAT and Partnership had been well represented.

Apologies for absence were received, with consent, from Mr I Dolben and Mr T Flemming. Mr M Horne informed the Board that he would have to leave the meeting at 21:00.

3. MINUTES OF THE MEETING HELD ON 29th JANUARY

Resolved:

Trustees considered and approved the minutes of the meeting held on 29th January 2019 as a true and accurate record of the meeting.

4. ACTION PLAN & MATTERS ARISING

Action Plan:

With reference to the action plan from the meeting of 29th January 2019:

Action Point (AP)1: *Chair to contact City of York Council Director of Finance to request a meeting to discuss Pensions' matters related to the creation of SYMAT. 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.*

The CFO confirmed that a letter had been sent and agreed to follow up on a response. The CEO proposed that the letter be copied to Julian Sturdy, MP for York Outer, and was informed that this had already been done.

Action: CFO to follow up and request a response to a letter sent to the Finance Director at City of York Council regarding an ongoing pensions' matter.

AP2: *Develop a Central MAT Budget and separate costs accordingly*

The CFO confirmed that this was ongoing and recent plans for a top slicing arrangement had been proposed at the Finance and Resources Sub-Committee, further information to follow under Item 9.1.

AP3: *Develop a Trustees' Code of Conduct for approval and signature*

This action was marked as completed and to follow under Item 10.1.

AP4: *Chair designate agreed to support Danesgate in relation to the long-term rented outreach centres as part of the conversion process.*

This item was closed.

AP5: *CFO to contact academies and explain accounting practice in relation to School Funds.*

The CFO stated that this action was ongoing and that he would be speaking to the Auditors in relation to this in the near future.

AP6: *Investigate options regarding the role of Company Secretary and general resourcing model relating to MAT effectiveness.*

The CFO informed Trustees that a company had been appointed to ensure compliance in this matter and that he and the clerk would work together to ensure they received the relevant information at appropriate times. In response to a question the CFO stated that it cost approximately £600 per annum to ensure compliance through this company's services.

The action was marked as closed.

AP7: *Claire Graham Brown to follow up on a possible governor recruitment services company contact and to forward the details to the CEO, if found.*

CEO to contact 'Academy Ambassadors' in relation to recruitment; subject to this outcome the CEO agreed to place an advertisement on the Trust's website seeking an appropriately knowledgeable and skilled Trustee.

Ms C Graham Brown confirmed that the contact mentioned was already working with Academy Ambassadors. The CEO confirmed that she had contacted Academy Ambassadors in relation to the Trustee vacancy and regarding other school based vacancies. Trustees went on to discuss governance issues and vacancies at one of the Trust's schools, noting that governance and school knowledge would be a priority at this school in the coming year.

This action was marked as closed.

AP8: *Chair to forward the SYMAT presentation to the clerk for circulation through MinutePad.*

This action was marked as completed.

AP9: *CEO and Clerk agreed to feedback on board governance to the Governance Leadership Programme to be attended by Mr I Warman, Chair of Trustees.*

This action was marked as completed.

AP10: *Send the agreed CEO/Headteacher objectives and associated documents to the Chair for review.*

This action was marked as closed.

AP11: *Mr I Warman and Mr A Pennington agreed to make contact with the Member nominee to discuss their interest and possible appointment.*

This action was marked as completed.

AP12: *The Clerk agreed to 'de-anonymise' the Skills Matrix and circulate to all Trustees; and ask the Vice Chair to continue his review and analysis of the data and process.*

This action was marked as partially completed. Trustees were informed that analysis would follow at the next Standards, Curriculum, Governance and Risk Sub-Committee meeting.

AP13: *Amend the Church Schools' Development Group Terms of Reference to show two meetings per year.*

This action was marked as ongoing and would be considered at the next Church Schools' Development Group meeting.

AP14: *Consider, review and amend the trust committees' terms of reference; chairs of all three committees/groups to confer on consistent formatting and structure.*

This action was marked as ongoing.

AP15: *The Clerk agreed to ask Mr M Horne if he would be willing to join the group; Mr A Pennington advised that he would agree to join the group should Mr M Horne not be available to do so.*

This action was marked as completed.

AP16: *The Clerk agreed to email all Chairs prior to the Trust Board Agenda Setting Meetings to request input regarding any points that they felt should be reported to the Trust Board.*

This action was marked as completed and ongoing.

AP17: *The clerk agreed to arrange a follow-up strategy away day meeting in June 2019.*

This action was marked as completed.

AP18: *Mr A Pennington to provide termly Trust update reports to the Members.*

This action was acknowledged as being underway. Mr A Pennington advised the Board that he would complete the first report following the Easter holidays.

Matters arising:

There were no matters arising.

5. MATTERS REPORTED OR ESCALATED FROM LGBS

The CEO informed Trustees of a matter involving a recently injured member of staff at Wheldrake with Thorganby CE Primary School, which had been reported to the relevant insurance company and was currently under further investigation.

The CFO informed Trustees that the minibus at Fulford School had been donated/sold for a nominal fee of £1 to a local Scout Group. The CFO confirmed that the mini bus would have cost more to repair than its value.

The CEO then informed Trustees of a large donation received from the Paver family, of £20,000 that would be spent on refurbishing the Science Laboratories at the school. Trustees were informed that there would be a formal presentation in May. The CFO agreed to research Gift Aid in relation to the donation.

Action: CFO to research Gift Aid in relation to donations received by individual schools.

6. CORRESPONDENCE RECEIVED

Previously distributed.

Trustees received the Accounting Officer letter and were informed of key messages with reference to related parties' transactions and reporting deadlines. The DYET appointed Trustee observed that the Diocese was mindful that it was a related party with reference to SLAs in place and further guidance would be issued in relation to practicalities.

7. CEO UPDATE

The CEO informed Trustees of current secondary recruitment in the Trust and, whilst amounts were yet to be confirmed, CIF had been received for premises work at Dunnington CE and Fulford Schools.

The CEO then drew Trustees' attention to employment contracts, as developed with Brown Jacobson LLP, and noted that a clause had been included for newly appointed staff that would allow them to be moved to other schools in the MAT according to need. Trustees were then informed that a further decision was required in relation to continuity of service, maternity and sickness pay.

Trustees comprehensively discussed the issue, considering city-wide practice, ethical and legal implications and employment rights in the public and private sector.

Resolved:

Trustees agreed to implement a six month probation period for all new appointments (teaching and support staff) by a majority vote. There was one abstention.

Trustees unanimously agreed to continue sickness pay and maternity leave in line with previous practice.

Trustees unanimously agreed to keep the matter under review and to re-consider the matter in two years.

In response to a question the CEO confirmed that existing staff would be TUPE'd across with existing terms and conditions.

Trustees agreed the CEO's suggestion that 'Fulford Minds' be invited to present their mental health work to the full Board, following a highly successful presentation at a recent city-wide Safeguarding Conference, led by Mr D Bodey, Deputy Headteacher at Fulford School.

Action: CEO to ask Fulford Minds to present to the Full Board at the July meeting.

Agenda: Fulford Minds presentation (July)

A Trustee stated that she would be interviewed in relation to mental health in the near future and sought agreement to put the journalists in touch with Mr D Bodey, Deputy Headteacher at Fulford School, regarding 'Fulford Minds' should they be interested in community developments. The CEO agreed to forward the Trustee relevant details.

Action: CEO to forward Ms M Setty contact details for Mr D Bodey and 'Fulford Minds'.

The Chair asked that the Trust Board's appreciation of their work be passed on.

The CEO then drew Trustees' attention to the anticipated new Ofsted Framework, previously distributed, and noted key aspects of importance for Trustees. It was noted that there was particular emphasis on the curriculum with respect to intent, implementation and impact and methodologies related to bodies of knowledge. Other aspects such as the move away from data and outcomes towards learning and building knowledge; staff workload; new judgement areas; critical foci such as 'gaming' and 'off rolling' and the increased emphasis on governance were discussed.

Trustees were informed that they would be included in future Ofsted inspections and that the Board should consider how to manage information and knowledge related to parental engagement, staff workload, safeguarding, SEND and curriculum compliance. Trustees were informed of and invited to a Curriculum Planning day due to take place on 13th June at The Parsonage in Escrick.

Action: The Clerk agreed to formally invite and collate information related to Trustees' attendance at the Curriculum Planning Day.

Trustees discussed the role of Ofsted and the fundamental principle that the Trust must act in the best interests of its pupils and students; going on to explore definitions of 'off-rolling', the associated rise in permanent exclusions, schools' vulnerabilities and managed moves.

Action: The CEO agreed to forward a more up to date presentation to the Clerk for circulation.

8. GOVERNANCE HANDBOOK AND SCHEME OF DELEGATION

Previously distributed.

Comments and questions were invited.

Resolved:

Trustees approved the amendments, previously circulated, and following discussion agreed the following additional amendments:

With reference to the CFO's Performance Management Review Trustees agreed that the Chair of the Finance and Resources Committee would also form part of the Trust Pay, CEO and CFO Committee.

'Finance Director (FD)' was to be replaced throughout all the documents with 'Chief Finance Officer (CFO)'

With regards to CEO's Performance Management review (ref. C2.7), reference to an external advisor's input should be included in the commentary detail, and further clarification be given to the effect that when the CEO/Headteacher Performance Management review was not a composite process, then the CEO's Performance Management Review would be performed by the Trust Pay, CEO and CFO Performance Management Committee.

9. SUB-COMMITTEE REPORTS

9.1 FINANCE AND RESOURCES SUB-COMMITTEE

Previously distributed.

A verbal report on the meeting of 28th March was given and attention was brought to a document outlining the top-slice proposal intended to take effect from September 2019. Trustees were informed that the Finance and Resources Committee had discussed and agreed to recommend to the Board a top slicing arrangement of 2.25% across all member schools which would cover the apprenticeship levy, a contribution to three MAT salaries, MAT software, IT costs and Auditors' fees. Trustees were informed that any surplus would be ring fenced for school improvement activities to be spent at the discretion of the CEO.

The CFO stated that the Trust was in a sound financial position and any emerging issues were being carefully monitored.

Resolved:

Trustees approved the top-slicing arrangements, effective from September 2019, as recommended by the Finance and Resources Committee.

Terms of Reference

It was noted that work on the Terms of Reference was ongoing, but the Board were asked to approve the inclusion of a statement outlining the Board's power to step in and take control of negative school budgets where necessary.

Resolved:

Trustees unanimously approved the addition of Trust powers to take control of negative school budgets where necessary to the Terms of Reference and Scheme of Delegation, advising the clerk to make the amendment and circulate at the earliest opportunity.

Action: Clerk to amend the Scheme of Delegation with respect to the above decision at the earliest opportunity.

Mr M Horne left the meeting at 21:00.

The CFO outlined the amendments to primary school delegated limits, noting that it was proposed it be increased to £3000 in line with the secondary school delegated limit.

Resolved:

Trustees approved the amendment.

9.2 STANDARDS CURRICULUM GOVERNANCE AND RISK SUB-COMMITTEE

The clerk gave a brief verbal report, in the absence of the Chair of the Committee, on matters discussed at the meeting.

Committee Members went on to outline issues related to the Committee's purpose, schedule of work, reporting mechanisms, terms of reference, agendas, workload, expertise and the role of the committee in analysing data and holding LGBs to account.

Action: The Clerk agreed to forward Fulford School's School Improvement Committee Terms of Reference to all Trust Committee members for comparison.

Action: Mr J Williams agreed to examine the Committee's Terms of Reference with the Chair.

9.3 TRUST PAY, CEO AND CFO PM CTTEE

A verbal report was given, Trustees were informed that the committee had met, discussed relevant items and approved the CEO's recommendation.

9.4 CHURCH SCHOOLS DEVELOPMENT GROUP

There was nothing to report under this item.

10. MAT-WIDE POLICY REVIEW

10.1 TRUSTEE CODE OF CONDUCT

Trustees discussed the content and agreed that a reasonable target for attendance would be 65% under 4.3.

Trustees then considered matters related to 3.15 and 'private capacity'. The Chair of Trustees agreed to discuss this matter in more depth and return to the document at a future meeting.

Agenda: Trustee Code of Conduct.

11. MEMBER NOMINATION

Previously distributed.

Mr A Pennington abstained from the vote as a Member of South York MAT.

Resolved: Trustees unanimously agreed to recommend Mr D Ashton to Members for appointment as a Member of South York MAT.

12. MATTERS TO SHARE WITH OR DELEGATE TO LGBS

- Amendments to the Scheme of Delegation.
- Amendments to the Finance Handbook.

13. MATTERS TO REPORT OR EXCALATE TO MEMBERS

The Board's recommendation to appoint Mr D Ashton as a Community Member of South York MAT.

14. ANY OTHER BUSINESS

Previously distributed.

Resolved:

Trustees approved the executive summary template, as circulated, and agreed to the addition of the executive summary should a report to Trustees be longer than four pages in length.

The CFO then tabled a CIF contract document asking the Trustees to consider a non-competitive tender subject to being assured by a third party that this represented value for money once a price had been submitted. Trustees took their time to consider the document and ask questions related to payments in advance, process, safeguards.

Action: The CFO agreed to ask E3Cube if there was the opportunity for a reduction in cost based on the lack of competitive tendering for the contract.

Resolved:

The board approved the approach tabled by the CFO.

Trustees went on to discuss the 10% contribution to be made by the school, how funding was received and the total amount of funding received from the CIF so far.

Ms C Graham Brown then explored visiting protocols related to Trust schools. The CEO advised that she contact the relevant Headteacher to arrange a visit directly.

15. DATES AND TIMES OF FUTURE MEETINGS

Previously distributed.

Meeting dates 2019-2020:

Action: The CEO agreed to check the newly proposed meeting dates for the SCGR Committee.

Tuesday 14th May 2019

Tuesday 16th July 2019

The meeting closed at 21:40

Mr I Warman
Chair

Date

ITEMS FOR FUTURE AGENDAS:

South York MAT Board of Trustees – 11th April 2019

- Fulford Minds Presentation – July
- Trustee Code of Conduct - May