



## Norton College

11-19 School & Sixth Form Centre

# Evolution Schools Learning Trust

## Meeting of the Trust Board - Business

### Thursday 24<sup>th</sup> June 2021 at 6.30pm by video conference

|                       |   |  |
|-----------------------|---|--|
| <b>Present:</b>       | Ms Jill Donaldson Hodges<br>Mrs Kelly Dunn<br>Mr Luke Ives<br>Mrs Caitlin Mackinder<br>Mr Sam Moore     | Mrs Helen Robinson ( <i>from 7.35pm</i> )<br>Mr Craig Shepherdson (Chair)<br>Mrs Catriona Stewart<br>Mrs Karron Young (Chair of the Trust Board) |
| <b>In attendance:</b> | Mr Tim Johnson (Headteacher)<br>Mr Des MacPhee (SBM)<br>Mrs Barbara Kybett (Governance Advisor - Clerk) |  |

| 1. | <b>Confirmation of Chair of the Trust Board and Chair for the meeting</b><br><br>It was noted that Mr Shepherdson would chair the meeting. Mrs Young would provide an update on recent governance changes under Item 4.   | <b>ACTION</b> |
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| 2. | <b>Welcome, apologies for absence and consents</b><br><br>The Chair welcomed everyone to the meeting. There were no apologies for absence but Mrs Robinson had previously indicated that she would join the meeting late.   |               |
| 3. | <b>Declarations of Interest</b> ( <i>related to this agenda</i> )<br><br>There were no declarations of interest.  |               |
| 4. | <b>Update on changes to the Trust Board</b><br><br>Mrs Young thanked everyone for their attendance at this their first Board meeting. She noted that whilst the Trust's Articles referred to them as "directors", they would generally be known as "trustees". Mrs Young advised that, with trustees' support, she would move to be Chair of the Trust Board, and Mr Shepherdson, Vice Chair, until the next academic year. An election would be held at the meeting in July to elect a Chair and Vice Chair of the Board for the next academic year. Mrs Young indicated that she would not stand at this election but would continue to serve on the Board. Trustees agreed that this was a sensible way forward and offered their support to Mrs Young and Mr Shepherdson to be appointed as Chair and Vice Chair of the Trust Board until 31 <sup>st</sup> August 2021. |               |

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|    | <p><i>Mrs Young is henceforth referred to as Chair of the Trust Board in these minutes.</i></p> <p>The Chair of the Trust Board reminded trustees that the governance changes had already been explained in detail in her email to trustees. The changes had been driven by the recent external review of governance; the report had been circulated. As a result, some trustees had now stepped down from the Board, which was now the sole accountable body for Trust: the LGB no longer existed as this extra layer of governance was redundant in a single academy trust. There was no staff representation on the Trust Board as there was a strong recommendation from the DfE that employees of a trust should not also be trustees. However, should the school join a larger trust it was likely that LGBs would be part of the governance structure, and staff governors would have a role to play in this.</p> <p>The Chair of the Trust Board commented that trustees had a vital role in setting the strategic direction of the Trust and she would therefore share details of any discussions held with other trusts or schools in relation to future partnerships. Meetings were already planned this term and she would be able to update trustees at the Board meeting in July.</p> <p>The Chair of the Trust Board explained that there would be four full Board meetings each academic year, with two committees of the Board being formed to have oversight of education and of finance, audit and risk. Not all trustees would be needed to form each committee.</p> <p>The Chair of the Trust Board invited questions at this point but there were none. She assured trustees that the recommendations from the external review of governance were being considered; Ms Donaldson Hodges was in the process of drafting a governance improvement plan in order that the recommendations could be addressed and the Board could evidence the impact of the external review.</p> <p>Ms Donaldson Hodges advised that the governance improvement plan was in an early draft currently although she had sent it already to the Chair and the Vice Chair of the Trust Board for comment; she would share it next with the Headteacher and then with trustees. She explained the format that the plan would take and noted that the aim was to have it place for September.</p> <p><b>Action: share draft governance improvement plan with the Headteacher and with trustees, for comment.</b></p> <p>The Chair of the Trust Board thanked everyone for their support. She reported that resolutions to appoint trustees had been received from Members and that she envisaged that the Board would work with staff to ensure that their views were heard. She had written to staff to explain the changes in the school’s governance structure and received some positive feedback. The SBM confirmed that he had received no further queries or requests for clarification from staff about the governance changes. The Headteacher added that he had provided an update at a staff briefing and would encourage staff to take opportunities to engage with trustees.</p> | JDH |
| 5. | <p><b>Minutes of the LGB’s Business Committee meeting held on 10<sup>th</sup> February 2021</b><br/>Previously distributed.</p>  |     |

**Resolved:**

**Governors considered the main and confidential minutes of the meeting of 10<sup>th</sup> February 2021 and agreed that they were both a true and accurate record of the meeting.**

**6. Action plan and matters arising**

Previously distributed.

With reference to the Action plan from the main minutes of the last meeting:

| <b>Action</b> |  | <b>Status</b>           |
|---------------|--|-------------------------|
| 1.            | The SBM to ensure that all kitchen staff are trained to make the best use of the cashless catering system.                                       | Closed - see Item 9     |
| 2.            | The SBM to provide reports/KPIs on the new cashless catering and signing in systems.   | Closed - see Item 9     |
| 3.            | Jan Pettitt to work with colleagues in the PE Department on options for funding a repair or replacement of the Astroturf.                        | Closed - see note below |
| 4.            | Write to the local MP to express senior leaders' concern at the proposal to refund COVID-19 costs only to schools with a deficit in-year balance | Closed                  |
| 5.            | Raise the matter of COVID-19 costs with the ESFA as part of the next budget monitoring report  | Complete                |
| 6.            | Inform governors of the result of the CIF bid  | On agenda               |
| 7.            | Progress re-allocation of some link roles  | Completed               |
| 8.            | Arrange for the SEF and the RAP to be loaded to Microsoft Teams for governors to access  | Completed               |

With reference to Action Points 4 and 5, the SBM reported that he had received no response from the ESFA or the school's DfE contact regarding the decision not to refund COVID-19 costs to schools with an in-year surplus.

With reference to Action Point 3 and the Action Point in the confidential minutes, Mr Ives reported that he had discussed the matter of the caretaker's house with NYCC and recommended that no further action be taken. However, there were opportunities for the school to access Section 106 funding already received by the Council. The SBM had already written to Norton Town Council who had £15k of Section 106 money to allocate. Mr Ives advised that Ryedale had a much larger sum of Section 106 funding which was yet to be allocated. There was further discussion on the details of these applications and the SBM was tasked with contacting Ryedale District Council to apply for Section 106 money which, if he was successful, could then be used to fund repair or replacement of the Astroturf. Mr Ives offered to support the SBM with the application and noted that he had reminded councillors that sports facilities at the school had never been subsidised, as they had been at other local schools.

**Action: SBM to contact Ryedale District Council re: Section 106 funding, with support from Mr Ives.**

SBM/LI

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|           | <p>It was agreed that the matter would be reviewed at the first meeting of the autumn term.</p> <p><b>Agenda: Outcome of applications for Section 106 funding.</b></p> <p>There were no further matters arising from the minutes.</p>   | <p><i>Agenda – Full Board - Sept</i></p> |
| <p>7.</p> | <p><b>KPI's/Data Dashboard</b><br/>Previously distributed.</p> <p>The SBM was pleased to report that the bid to the Condition Improvement Fund (CIF) for an upgrade to the boiler and heating system had been successful: £300k would be received from the CIF and the college will contribute a further £100k via a Salix loan which would be repaid over eight years from the savings made in energy costs. The SBM advised that, as part of the original bid, the school had pledged to contribute 15% but in fact the work would be fully funded which would be a saving on the revenue budget. However, for the third time, the bid to repair the roof had not been successful. It was clear from the feedback that, in order to be successful, there would have to be evidence provided of regular leaks and of money already spent to mitigate the issues. The SBM commented that, nevertheless, this was positive news overall. He had already contacted the CIF consultant regarding the heating work, and to ask if an appeal regarding the roof repairs would be worthwhile.</p> <p><b>The Chair asked when the work would take place.</b> The SBM explained that the work would cause significant disruption if it did not begin until after the summer holidays so the priority would be to start work on changing the fuel source as soon as term ended. Even so, the new boilers were unlikely to be operational until October. The SBM advised that there were no known additional costs at this stage but the school's insurance would need to be increased to cover the high value of the works.</p> <p><b>The Chair of the Trust Board asked if the interim Health and Safety audit report from 16<sup>th</sup> April and Fire Risk Assessment report from 8<sup>th</sup> June could be circulated to the Board.</b> The SBM explained that he intended to amalgamate all the audits with a view to formulating an action plan which would address all the recommendations. He was confident that most actions could be completed over the summer break and he undertook to present a complete list of Health and Safety recommendations to trustees before the end of term.</p> <p><b>Action: the SBM to present a full list of Health and Safety recommendations, and an action plan, to trustees before the end of term.</b></p> <p><b>The Chair of the Trust Board asked whether it would be useful to appoint a Health and Safety link trustee.</b> The SBM agreed that this was a sensible proposal - the Health and Safety link trustee could then accompany him on inspection visits.</p> <p><b>The Chair of the Trust Board questioned what had been done to address the issue of fire doors being propped open, which had been raised during the recent Fire Risk Assessment.</b> The SBM responded that wedges propping the doors open had been removed and there was extra vigilance to ensure that these doors were kept closed. The SBM explained that they were often left open to provide the extra ventilation required by COVID-19 infection control measures.</p> | <p><i>SBM</i></p>                        |

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|    | <p><b>The Chair of the Trust Board queried if reported issues with the new security gates had now been resolved and asked if there was a ‘maintenance’ warranty to support any future issues.</b> The SBM advised that the gates were now working adequately but there had been some teething problems, of which he gave some examples. The SBM was working closely with the installation company, with whom the school had a good relationship, to resolve the problems.</p> <p><b>The Chair of the Trust Board asked if the internal audit report received on 16<sup>th</sup> June could be circulated to the Board.</b> The SBM agreed to do this once he had drafted management responses and actions to the recommendations.</p> <p><b>Action: the SBM to circulate the internal audit report, with an action plan to address the recommendations.</b></p> <p><b>The Chair of the Trust Board asked what actions had been taken internally to eradicate further breaches of GDPR and suggested that further staff training might be needed.</b> The SBM responded that all staff had completed online training. He advised that recent breaches of GDPR were due to human error. He had met with the individuals responsible to determine the cause of the breaches and to discuss how to prevent a reoccurrence. There was further discussion on how future staff training on GDPR could feature anonymous case studies and whether this type of training could be extended to other matters of policy and compliance. The SBM agreed that an annual training event of this nature could be useful, to supplement the regular staff briefings which were used to address issues which arose through the year.</p> <p><b>A trustee asked if adequate insurance was in place to cover trustees’ potential liabilities.</b> The SBM confirmed that the Board was fully insured through the DfE’s comprehensive Risk Protection Arrangement (RPA).</p> | SBM |
| 8. | <p><b>Budget monitoring</b><br/>Previously distributed.</p> <p><u>Outturn to 31.05.21</u><br/>The SBM referred to his report and highlighted the following:</p> <ul style="list-style-type: none"> <li>• income had been improved by £12k which had been received for the COVID-19 testing which had taken place in school in March</li> <li>• there had been additional catering income generated but this would be offset by associated costs</li> <li>• there had been no significant variance to teaching staff salaries</li> <li>• the COVID-19 recovery grant had totalled £56k: this would be spent on supplementing the National Tutoring Programme and £31k had already been transferred to the relevant budget line; a further chunk of the recovery grant had been spent on a new Reading programme</li> <li>• there had been an error in the Exam Fees line which had now been corrected; the SBM provided details and explained the impact, which would be a lower underspend than predicted.</li> </ul> <p>The SBM summarised that the projected in-year deficit was £115k – this had improved by about £15k since the previous period.</p>  |     |

**The Chair queried whether the exam fee rebate had been finalised for the year.** The SBM responded that it had not but he had estimated a 25% rebate in the budget. He confirmed that he had only paid 50% of the fees thus far this year.

#### Start Budget 2021-22

The SBM referred to his previously distributed report and noted that next year's budget was set out alongside the predicted outturn for 2020-21 and budgets for 2022-23 and 2023-24. He noted that the predicted pupil numbers had changed for these two years, but pupil numbers for next year could not be amended as the related income was determined by last year's October census.

**A trustee asked if there was any further information on likely pupil numbers for 2022-23.** The SBM explained that it was too early for any information on 2022-23. He would be able to bring predictions of income to the Board after this year's October census.

The SBM highlighted the teacher:pupil ratio which was comparatively high; however, with the current deficit situation, including the amount spent on subsidising transport, there was currently no flexibility to improve it.

**A trustee queried whether there would be any capacity in the budget for trustee training, given that this would be a priority in the governance improvement plan and was vital to support the school in moving forward.** The SBM responded that the amount set aside in Legal and Professional Services was relatively generous and he considered that there would be sufficient to cover trustee training.

**A trustee asked if there was sufficient capacity in the budget for the SLT to move forward with the Raising Achievement Plan.** The SBM responded that the Staff Development budget, which had not been used this year, should be sufficient. The Headteacher added that some funds had already been committed; the most significant cost would be the Design and Technology curriculum offer – this was already in the budget as it was a priority. A trustee observed that it would be undesirable for school improvement to be hindered by restrictions on spending.

The SBM advised that the teachers' pay and pension grant was now included in GAG funding.

**The Chair of the Trust Board queried whether the supply budget was sufficient.** The SBM explained that supply costs had been high in the current year due to the period of interim headship and due to a maternity leave being covered by a supply teacher. However, it would be useful to consider whether the school had the optimum level of absence insurance in place. Currently, the policy did not cover staff leave as a result of stress, which was an issue for the school, as it was nationally. It would be worth modelling these supply costs against the cost of a more comprehensive policy.

**The Chair questioned whether £15k per annum for HR support was an accurate figure.** The SBM explained that it was an estimate based on use of the service this year. The service would also provide additional support for the SBM, which had not yet been accessed.

**The Chair asked if any inflation had been included for fixed or variable costs.** The SBM clarified that only certain lines included an amount for inflation. The budget had always been drafted on this basis and any increase due to inflation not predicted was offset by rises in income. There was a

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|           | <p>brief discussion on the need to review the IT budget as new equipment would be required before long.</p> <p><i>(Mrs Robinson joined the meeting at 7.35pm)</i></p> <p><b>The Chair questioned whether there was any capacity in the budget for emergencies.</b> The SBM responded that there was little flexibility overall but some budget lines were likely to have more capacity than others.</p> <p>The SBM reported that he had spoken to representatives from the ESFA who had expressed some disappointment that the school’s progress towards a balanced budget was not faster. The SBM was puzzled by this, as he had informed the ESFA that progress had been stalled due to the impact of COVID-19 on the school’s finances. He added that the ESFA would like trustees to approve the budget as soon as possible.</p> <p>There followed a discussion on whether the budget should be approved at this meeting, as it had been scheduled as a meeting of the Business Committee of the LGB, or at the meeting of the Full Board in July. The SBM advised that the ESFA would want an indication of the direction of the school’s financial position, before the budget was formally approved in July.</p> <p><b>Trustees agreed therefore to recommend the 2021-22 Start budget to the Board for formal approval.</b></p>  | <p><i>Agenda – Full Board - July</i></p> |
| <p>9.</p> | <p><b>Catering</b><br/>Previously distributed.</p> <p>The SBM referred trustees to his catering analysis, noting that the row highlighted in yellow demonstrated the significant variations in the catering surplus or deficit since 2011/12, even if the years impacted by the pandemic were ignored. He advised that highest surplus was realised in the year prior to a rise in staffing costs, in line with the minimum wage requirements. The SBM noted that surpluses were now negligible and he felt it was the right time to consider options for the catering service, beginning with the appointment of an expert to manage the service.</p> <p>The SBM explained that NYCC offered a catering model for schools based on profit sharing, but would not accept liability for any losses. He added that, in his view, the catering service could be profitable if it was managed properly. There were challenges ahead, such as the new law requiring full labelling for food allergies, the current menu offer was not of a high standard and risk assessments were not as rigorous as they could be, all of which would be addressed by a professional catering company. The SBM sought trustees’ support to initiate a tendering process.</p> <p>There was further discussion on the SBM’s proposal. The Chair noted that ongoing HR issues amongst the catering team had been very time consuming for the SLT and would have been mitigated by more expert leadership within the service. Trustees agreed that the quality and choice of menus was area for improvement. Mrs Dunn suggested that her husband, a professional catering manager, could support the SBM informally in moving forward on the proposal, given that his company would not tender for the service.</p> |  |

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|     | <p><b>A trustee asked why the catering service was not outsourced several years ago when a change was made.</b> The SBM responded that, at that time, the outsourced options were quite inflexible and a highly regarded catering manager was in post. This colleague left the school several years ago.</p> <p><b>Trustees were supportive of the SBM’s proposal to investigate other options for the catering service.</b> The Chair of the Trust Board noted that this was not just with the aim of making a profit but it was important that responsibility for running the service should be moved away from the SBM to a catering company.</p> <p>It was noted that HR issues within the catering team had been resolved and this would facilitate the TUPE process.</p> <p><b>Action: the SBM to investigate options for outsourcing the catering service.</b></p>  | <i>SBM</i> |
| 10. | <p><b>Website Compliance</b><br/>Previously distributed.</p> <p><b>The Chair thanked the Headteacher for the previously distributed website compliance tracker and asked if there was a timescale for the website to be fully compliant.</b> The Headteacher responded that there had been significant improvements made to the website this year: of 66 categories, only 37 were compliant when he joined the school; this had now risen to 57 categories which had been a major effort. He hoped that other non-compliant areas would be addressed by September but in the long term, once the website was compliant, there was a larger piece of work around the quality of information provided. The Headteacher provided some examples of areas of the website in need of improvement, but noted that this was not currently a priority. He added that if the school joined a larger trust, the website would be changed anyway to match those of the trust’s other schools.</p> <p>The Chair of the Trust Board thanked the Headteacher, and all those staff who had contributed to the significant effort in improving the website in such a short timescale, given the other challenges faced this year.</p> |            |
| 11. | <p><b>SLT Staffing Structure</b><br/>Previously distributed.</p> <p>Trustees noted the detailed SLT staffing structure which had been previously distributed.</p> <p><b>A trustee queried why the SENDCo was not part of the SLT structure.</b> The Headteacher explained that in some schools the SENDCo was part of the SLT but was often not. The main issue was around the financial implications as a SENDCo who was part of the SLT would need to be paid a salary on the leadership scale. He noted that, at Norton, the SENDCo’s non-contact hours were comparatively low compared with other similar schools and that increasing this would be a more significant priority than including the SENDCo within the SLT. He also added that the SENDCo would be line managed by the Deputy Headteacher.</p> <p><b>In response to a question, the Headteacher confirmed that he was confident that the new SLT structure would have a positive impact in the longer term.</b> He noted that there would be 19 new staff starting in September, with 17 leaving at the end of the year, and a number of reconstituted</p>   |            |

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|     | <p>roles. He observed that he had spent a considerable amount of time refining the SLT structure after many months of interim leadership.</p> <p><b>In response to the Chair’s question, the Headteacher advised that the new Deputy Headteacher had been meeting with him online on a fortnightly basis and had visited the school to take part in interviewing.</b> He had allocated her an initial task of managing the inclusion room and associated staff team.</p>   |  |
| 12. | <p><b>Policy Review</b></p> <p><u>Transport Policy</u><br/><u>Transport Contract</u><br/>Previously distributed.</p> <p>The SBM advised that there had been minor changes to the policy and the contract had been expanded to include other payment options. He noted that the debt recovery process was working.</p> <p><b>A trustee asked what the transport subsidy was and when it would be reviewed.</b> The SBM advised that the subsidy was 60%; the transport company had agreed to keep same rates this year.</p> <p><b>A trustee queried whether there should not be some reference to COVID-19 measures in the policy.</b> The SBM explained that this was covered in separate policies and therefore did not need to be explicit in the Transport Policy.</p> <p>The SBM noted that the bus contract would need to be re-tendered in the second half of the Spring Term 2022.</p> <p><b>Resolved:</b><br/><b>Trustees unanimously approved the Transport Policy and Contract.</b><br/><b>Proposed: Karron Young    Seconded: Jill Donaldson Hodges</b></p> <p><u>Mobile Phone Policy</u><br/>Previously distributed.</p> <p>There was some discussion about the term “illegal” in Section 3.3. It was agreed that this particular word should be removed from the policy.</p> <p>The Chair raised some concerns about the sanction of confiscating a mobile phone overnight, as students may need access to their phones at school time. The Headteacher explained that his main aim was to uphold the principle that students must not access their mobile phones during the school day, as this could lead to safeguarding concerns.</p> <p><b>Resolved:</b><br/><b>Trustees unanimously approved the Mobile Phone Policy subject to the amendments discussed.</b><br/><b>Proposed: Karron Young    Seconded: Luke Ives.</b></p> |  |
| 13. | <p><b>Governance</b></p> <p><u>Governor visit reports</u><br/>Previously distributed.</p>  |  |

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|     | <p>Trustees noted the link visit report completed by Jill Donaldson Hodges and Kelly Dunn, who had met with the Deputy Headteacher on 5<sup>th</sup> and 18<sup>th</sup> May 2021, regarding the Behaviour and Attitudes, and Personal Development areas of the RAP. Ms Donaldson Hodges invited trustees to use the same report template for their visits and to feed back any improvements. She reminded trustees that they must complete their online safeguarding and Prevent training as soon as possible and also read the relevant sections of the Keeping Children Safe in Education statutory guidance before the meeting on 15<sup>th</sup> July.</p> <p>Ms Donaldson Hodges also referred trustees to a number of new online modules offered on the NGA Learning Link platform and encouraged them to access those which were relevant to their link role, as training would underpin the impact of the Board's governance.</p> <p>The Clerk advised that the governor training programme for 2021/22 had just been released.</p> |  |
| 14. | <p><b>Determination of matters to be regarded as confidential</b></p> <p>There were no items recorded as a confidential minute.</p>  |  |
| 15. | <p><b>Any other business</b></p> <p>There was no other business.</p>   |  |
| 16. | <p><b>Dates and times of future meetings – tbc</b></p> <p>Trustees noted that the next meeting of the Trust Board was scheduled for 15<sup>th</sup> July, at which the following would be covered:</p> <ul style="list-style-type: none"> <li>• election of Chair and Vice Chair of the Trust Board</li> <li>• committee membership</li> <li>• terms of reference for committees</li> <li>• approval of Trust Board and LGB minutes from the last meetings</li> <li>• meeting dates for next year, including budget monitoring meetings.</li> </ul> <p>There would be a budget monitoring meeting before this Trust Board meeting, as previously agreed.</p>   |  |

Meeting ended at 8.35pm

Signed: Luke Ives

Date: 20<sup>th</sup> October 2021

Mr L Ives (Chair)

## ACTION PLAN FROM THE LOCAL GOVERNING BODY - BUSINESS MEETING held on Thursday 24<sup>th</sup> June 2021

### To be added to the rolling action plan

| Action |  | Item | Person(s) | Timescale                         |
|--------|--|------|-----------|-----------------------------------|
| 1.     | Share draft governance improvement plan with the Headteacher and with trustees, for comment. | 4    | JDH       | Before the end of the summer term |
| 2.     | Contact Ryedale District Council re: Section 106 funding.                                    | 6    | DM/LI     | ASAP                              |
| 3.     | Present a full list of Health and Safety recommendations, and an action plan, to trustees.   | 7    | DM        | Before the end of the summer term |
| 4.     | Circulate the internal audit report, with an action plan to address the recommendations.     | 7    | DM        | Before the end of the summer term |
| 5.     | Investigate options for outsourcing the catering service.                                    | 9    | DM        | As appropriate                    |

### ITEMS FOR FUTURE AGENDAS:

#### Trust Board

- Start Budget 2021-22
- election of Chair and Vice Chair of the Trust Board
- committee membership
- terms of reference for committees
- approval of Trust Board and LGB minutes from the last meetings
- meeting dates for next year, including budget monitoring meetings
- outcome of applications for Section 106 funding (September)