

South Bank Multi Academy Trust

Trust Board

Minutes of the Meeting held on Tuesday 9th June 2020

6.00 pm by Video Conference

Present:	Edwin Thomas	Chair of Trustees
	Rob Bennett	
	Pat Boyle	
	Jill Hodges	
	Andrea Preston	Non-Executive Trustees
	Richard Milner	
	Ian Wiggins	
In attendance:	Adam Cooper	Deputy Trust Principal
	Michael Gidley	Chief Finance Officer
	Trevor Burton	Executive Headteacher
	Rod Sims	Head of School – York High School
	Nicki Mitchell	Chair of Governors – York High School
	Gemma Greenhalgh	Head of School - Millthorpe
	Renee Rainville	Chair of Governors - Millthorpe
	Sophie Triffitt	Clerk to the Board of Trustees

1 WELCOME, APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST AND CHANGES TO BUSINESS INTEREST FORMS

- 1.1 For the record of the minutes the meeting took place virtually.
- 1.2 The Chair welcomed attendees
- 1.3 Absence
Apologies were received for Michelle Blake and Jo Edwards.
- 1.4 Declarations of Interest (previously issued)
Trustees were asked to inform the clerk of any updates to their Business Interest Forms.

2 MINUTES OF 19TH MAY 2020 MEETING AND ACTIONS UPDATE

- 2.1 The minutes were agreed as an accurate record of the meeting to be signed by the Chair subject to the correction of job titles.
- 2.2 The Action Plan was carried over to the next meeting.

3 TRUST BOARD SELF REFLECTION

- 3.1 The Chair asked Trustees to consider how the Trust Board ensure fair challenge and rigour whilst being considerate of the pressures on the leaders across the Trust.
- 3.2 A Trustee recognised the added difficulty and pressures of the current situation but felt that Trustees need to excise their duty and challenge particularly in these uncertain times.
- 3.3 A Trustee asked if the Trust are meeting their employer duty in providing supportive development and training around resilience, time management and prioritisation.
- 3.4 Trustees felt they were delivering on their duty to challenge and support but agreed that challenge should be framed in an empathetic and supportive way within the message of the trust and appreciation that Trustees do have for the leaders across the Trust.
- 3.5 A Trustee questioned if the link and structure between the Heads, LGBs, Trustees and Trust Principal is clear, or creates pressure on certain individuals.

Gemma Greenhalgh, Mike Gidley, Trevor Burton, Renee Rainville, Rod Sims, Nicki Mitchell and Adam Cooper joined the meeting at 6.20pm.

4 COVID-19 WIDER SCHOOL REOPENING (PAPERS PREVIOUSLY ISSUED)

- 4.1 The Chair recorded thanks to the secondary leaders for their hard work over the COVID-19 period and the pressured process for wider reopening.

Health and Safety Compliance

- 4.2 Trustees had no questions on the health and safety compliance report.
- 4.3 The York High Head of School clarified that induction for all staff will take place on the 12th June.

Secondary School Risk Assessments and Plans (PAPERS PREVIOUSLY ISSUED)

- 4.4 The Millthorpe Head of School explained that Year 10 have been split into three groups and then sub divided into six groups for their subject based bubbles. Students will remain in the same bubble for English, Maths, Science, Geography and History sessions. Over three days every student will have a 2.5 hour intensive session in each subject to supplement home learning and this will also inform the development of strategies and delivery of distance learning. There will be staggered entry and exit to school and the school site will be marked with two metre distance spacers. It was decided that the first session will focus on wellbeing / mental health delivered by the senior team and PHSE specialists and will inform the pastoral support plan.

Jill Hodges joined the meeting at 6.30pm.

- 4.5 The York High Head of School noted that there had been a high level of collaboration across the secondary schools. York High School practices will mirror those in place at Millthorpe and York High have a three stage plan for Year 10 opening. Stage 1 is for the first two days to focus on fifteen minute one to one meetings to check on learning and wellbeing. Stage 2 is for induction days with bubbles of nine pupils coming into school on staggered times with a focus on welcome, procedures, social distancing, behaviour and wellbeing. Stage 3 is the

subject lessons for the teaching of Maths, English, Science, History and Geography on the same model as Millthorpe.

- 4.6 A Trustee asked how parents and students are feeling about returning to school and what the take up will be.
- 4.7 The Millthorpe Head of School confirmed that there is a positive take up rate of 75/80%. A Frequently Asked Questions document has been shared and a Home School Agreement developed to detail expectations. There is a challenge that there is no control of activity outside of school but it is stipulated in the Home School Agreement that the expectation is that students are practicing social distancing.
- 4.8 The York High Head of School reported that families are keen for the return to school. There has been a lot of communication from school and there is strong community support and trust in what has been put in place. So far there have been only three refusals to attend one to one sessions from the typically hard to reach group who have been contacted.
- 4.9 The Chair asked for governing body feedback.
- 4.10 The York High Chair of Governors confirmed that governors agreed the Risk Assessment and are very supportive of the plan and appreciative of the huge amount of communication between school and parents.
- 4.11 The Millthorpe Chair of Governors confirmed that governors agreed the Risk Assessment and there had also been a positive level of communication. Governors had points of concern on the wider reopening. Governors questioned if the Risk Assessment was a live document that could be updated through ongoing monitoring and how changes will be managed when there is a change in national policy.
- 4.12 The CFO confirmed there is a line of communication to communicate changes to national policy and local level changes at school can be fed into the Trust. The Risk Assessments can be changed at school or Trust level dependent on local and national changes but any changes to Risk Assessments would need to go back through to the Health and Safety Advisor through the Trust Business Manager.
- 4.13 A Trustee asked if there is an open channel with the Health and Safety team to check if a change would be substantive and need full assessment or is a tweak to be managed internally. The CFO confirmed that is the case.
- 4.14 Governors had also challenged that test, track and trace is not yet in place in York and would be an increased risk to suspected cases and questioned if there is a Trust view on use of PPE.
- 4.15 The CFO explained there is a weekly reporting mechanism to confirm health and safety procedures are working properly in school and gives the opportunity to report any case of Covid-19 symptom and actions taken which provides an audit trail.
- 4.16 Governors recognised that if track and trace is not in place the risk assessment is not as effective as it would be. Trustees recognised this concern but agreed it was an item out of the Trust's control.
- 4.17 A Trustee was reassured with the standard of the Risk Assessment, action plans and the scrutiny by governors.

- 4.18 The Executive Headteacher noted that the documents are very similar and any differences across the two schools are based on their specific plans. Whilst the document is a useful template it does state that it is a live document and must be modified but have been instructed by the health and safety team that it must not be changed.
- 4.19 A Trustee asked if the staffing is a risk. The Executive Headteacher explained that specific functions such as premises management or subjects being delivered face to face are risk areas but contingency plans will be in place which would involve cover or cancelling a session.
- 4.20 A Trustee asked if schools will write to parents after the Board decision. The Executive Headteacher explained that parents are expecting schools to open on the 15th and letters are prepared with specifics to welcome students back next week.
- 4.21 A Trustee asked if many students travel on public transport. The Executive Headteacher confirmed that very few students travel to Millthorpe or York High School on public transport.
- 4.22 A Trustee asked if the impact to BAME pupils and staff has been assessed as part of the Risk Assessments. The Executive Headteacher explained that there has been no evaluation of evidence but any member of BAME staff has been given the opportunity to speak to a senior member of staff or has been contacted to discuss any anxieties. Staff are happy to attend as a result of the stringent social distancing plans. Impact to children is difficult to distinguish as the children under 18 are significantly less effected but the family of BAME children may be of higher risk. The York High Head of School noted that an equality impact assessment had been undertaken as part of consultation with unions.
- 4.23 **Resolution:** Trustees agreed to progress the wider reopening of the MAT secondary schools.
- 4.24 Rod Sims and Nicki Mitchell left the meeting.
- Applefields Project
- 4.25 It was clarified that Trustees had wanted to be assured that there had been governor scrutiny, assurance of where liability for cost overrun would sit, clarity on lease arrangements and a signed contract with CYC.
- 4.26 The Millthorpe Chair of Governors reported that governors had a proposal paper and were reassured that any area of challenge was managed. There had been questions around build dates, management structure, health and safety responsibilities, communication between school and Trust, contract and lease structure. Governors wanted to ensure the rental fee is fair and that a review period is built in and a link governor for the project was appointed and will follow the project through the summer build and report back to the Chair of Governors. Governors discussed the capacity of the School Business Manager to manage the project in addition to the MUGA build taking place but were assured this should be a straight forward build. Governors had also received clarity on the role division of the SBM and the CFO / central team.
- 4.27 A Trustee asked for the CFO to be updated with any questions / concerns that arise through the project.
- 4.28 The CFO explained that the fee is calculated based on a formula for running costs and square footage.

- 4.29 The CFO reported that the funding agreement format has been agreed with CYC. CYC legal decided against a licence to occupy and brought in a sub-lease agreement for CYC / Applefields with South Bank MAT having the head lease that would benefit Millthorpe if Applefields were not occupying the space. Legal have raised no objections to the contents of the contracts. The CFO has requested the sub lease should only cover the use of the building by Applefields. CYC have will only sign the agreement to lease at the same time as the funding agreement is signed and the funding agreement is with the Chief Executive for signature.
- 4.30 CYC would not provide a guarantee of any increase in costs but the contractor has guaranteed the fixed price subject to confirmation of letter of intent by 10th June.
- 4.31 The CFO summarised that a cost overrun guarantee is in place if the Trust sign the letter of intent by tomorrow (10th June), the funding agreement is in place but not signed and lease is agreed but awaiting CYC confirmation of acceptance of the change made.
- 4.32 A Trustee asked if the ground work has been completed. The CFO confirmed not but the company have worked in an area adjacent to the site.
- 4.33 A Trustee asked how utility costs are calculated. The Executive Headteacher explained that it is calculated on a square metre calculation. The buildings are zero energy but there will be cleaning costs paid for by Applefields and a recharging of a proportion of energy costs.
- 4.34 A Trustee asked if access to amenities such as parking and use of school field and toilets is covered in the lease. The CFO confirmed this is part of the lease agreement.
- 4.35 A Trustee asked if the security systems are hard wired and is the responsibility of Trust staff. The CFO confirmed that responsibility of the building is with Trust staff and is covered in the lease.
- 4.36 The CFO explained that the letter of intent includes a clause of £100k spend up to signing of the JCT contract which will not be done until the funding agreement is signed.
- 4.37 A Trustee noted that the Applefields students are integrated and asked if there is liability cover for any incident involving Applefields students on the Millthorpe site. The Executive Headteacher confirmed that the Millthorpe insurance covers anyone on site and they will be on roll as a guest pupil as the school is not funded for them. The CFO confirmed the risk protection arrangement would cover these students.
- 4.38 A Trustee asked if the Applefields staff would be covered. The CFO confirmed Applefields staff would be covered by the risk protection arrangement.
- 4.39 The Executive Headteacher noted that Manor have run a satellite provision for a number of years.
- 4.40 The Head of School explained that there will be a benefit to Millthorpe of additional space in the next two years to support the increase in high needs children coming through to secondary school.
- Trevor Burton, Gemma Greenhalgh and Renee Rainville left the meeting at 7.40pm.**
- 4.41 Trustees were uncomfortable approving commitment to the build without sight of the documents. The CFO confirmed that the funding is ring fenced and there is confirmation of intent to sign the documents.

- 4.42 It was confirmed that Trustees have had sight of the draft funding agreement.
- 4.43 **Action:** CFO to circulate the draft funding agreement and lease documents.
- 4.44 A Trustee asked what the worst case scenario is if CYC do not deliver on the funding. The CFO explained that there is £440k school condition allocation that could be called upon in a worst case scenario to not impact the reserve.
- 4.45 The CFO confirmed that there is recognition from Maxine Squires, Assistant Director of Education, of the situation the Trust are in.
- 4.46 Trustees were satisfied that Millthorpe governors had scrutinised the proposal but wished to see the paper they had received and the minutes of their meeting.
- 4.47 The CFO wanted to ensure there is an additional layer of project management with any additional instruction on the agreed project to sit at CFO level.
- 4.48 A Trustee noted that the build is a simple project and the greatest areas of risk are the ground works and the unsigned funding agreement.
- 4.49 A Trustee raised concern on the accuracy of the proposal documents provided to governors as corrections were noted and that there is a financial risk with having no signed funding agreement. Those at CYC who have provided assurance on the funding agreement do not have authority to sign it off so signed approval cannot be assumed. A Trustee noted that there are minutes of the Executive Board meeting where the funding was committed.
- 4.50 A Trustee confirmed that they would want a signed funding agreement, minutes of the Millthorpe LGB meeting and the proposal document updated to reflect the questions raised by Millthorpe governors.
- 4.51 A Trustee noted that if there was an increase in cost this could be reflected in the sub lease.
- 4.52 **Resolution:** Trustees agreed not to approve the Applefields project until the funding agreement is signed.
- 4.53 A Trustee noted the need to document the Trustee process and related documents.
- 4.54 **Actions:** Applefields documents (funding agreement, draft letter of intent, lease and licence documents and draft Millthorpe LGB minutes) to be circulated for comment by 2pm 10th June and if all documents are in place with a signed funding agreement authority was given to the Chair of Trustees and Finance and Audit Committee Chair to sign the letter of intent.
- Primary School Updates and Monitoring (PAPER PREVIOUSLY ISSUED)
- 4.55 The Chair reported very positive parent feedback on the Woodthorpe wider reopening.
- 4.56 The Chair noted that the government guidance on further primary school reopening has moved the decision for wider reopening to schools and Trustees agreed that there should be a statement from the Trust to support the schools to make decisions based on their local context, community, capacity and risk assessments.
- 4.57 A Trustee provided feedback from link trustee attendance at a governor meeting that there was a desire for collaboration and opportunities across the Trust to support wider reopening and online learning. The Trustee suggested the need to consider how the Trust can support collaboration. The Deputy Trust Principal noted the need to consider bubbles and health and safety for any physical collaboration.

4.58 It was noted that there should not always be consistency or a shared approach across the Trust, but that any inconsistencies should be based on the needs of individual schools and with clear reasoning for differences in decisions and approach.

4.59 A Trustee noted the importance of staff wellbeing and ensuring staff get a break over the summer as schools have been working over the Easter and half term holidays and any potential need to work over the summer is voluntary and staff are fairly remunerated.

Suspected Cases Policy (PAPER PREVIOUSLY ISSUED)

4.60 **Resolution:** Trustees approved the Suspected Cases Policy subject to 2.1 being updated to state that at the time of writing these are the symptoms and should they be changed by Public Health England they will be the recognised symptoms and home testing to be referenced in 2.9.

Millthorpe MUGA

4.61 The CFO explained that the Millthorpe Community Use Document is part of the planning condition. The CFO confirmed it is a standard Sports England model document and has been checked by the legal advisors with personalised elements being the opening times and site plan.

4.62 **Resolution:** Trustees agreed for the Chair of Trustees to sign the Community Use Document for the Millthorpe MUGA.

The CFO and Deputy Trust Principal left the meeting at 8.50pm.

5 APPLEFIELDS PROJECT UPDATE

5.1 Discussed earlier in the agenda.

6 SUCCESSION PLANNING AND RECRUITMENT UPDATE

Chair of Trustees

6.1 The Chair reported that a Member with experience in sourcing Chairs of Boards suggested establishing a search committee to agree a job description and make a judgement on whether the recruitment should go external.

6.2 **Resolution:** It was agreed for Jill Hodges to Chair the search committee, Pat Boyle and Richard Milner to be on the committee and an invitation extended to Member Clare Antrobus.

6.3 The Chair reported that there was an internal expression of interest.

Interim Trust Principal

6.4 The Chair reported that there were two expressions of interest and Trustees were delighted that there were expressions of interest and leaders were willing to step up for the additional responsibility and to support the Trust.

6.5 Trustees agreed to run a structured selection process with a job description, letter of application and interview and to advertise the post at L33 as this was where the interim post was benchmarked.

6.6 Ian Wiggins, Jill Hodges, Richard Milner, Pat Boyle and Rob Bennett volunteered to support the Interim Trust Principal selection process.

Trust Development

6.7 The Chair reported that the Members were supportive of the Trustees reviewing the values and strategy of the Trust.

7 ANY OTHER BUSINESS

7.1 There were no items for discussion under AOB.

The meeting closed at 9.10pm.

Meeting Decisions
Trustees agreed not to approve the Applefields project until the funding agreement is signed.
Trustees agreed to progress the wider reopening of the MAT secondary schools.
Trustees approved the Suspected Cases Policy
Trustees agreed for the Chair of Trustees to sign the Community Use Document for the Millthorpe MUGA.
It was agreed for Jill Hodges to Chair the search committee for a new Chair and for Pat Boyle and Richard Milner to be on the committee and an invitation extended to Member Clare Antrobus.
Trustees agreed to run a structured selection process with a job description, letter of application and interview and to advertise the post at L33

9th June 2020

Item	By	Action	Date
4.43	CFO	CFO to circulate the draft funding agreement and lease documents.	Complete
4.54	CFO / Chair	Applefields documents (funding agreement, draft letter of intent, lease and licence documents and draft Millthorpe LGB minutes) to be circulated for comment by 2pm 10 th June and if all documents are in place with a signed funding agreement authority was given to the Chair of Trustees and Finance and Audit Committee Chair to sign the letter of intent.	Complete
6.5	Chair	Chair to issue job description for role of Interim Trust Principal, and run a fair and open application process.	June 20

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Chair of South Bank Multi Academy Trust