



**Minutes of The Diverse Academies Audit and Risk Committee  
meeting held on Tuesday 5 November 2019  
at 5.00 pm at the Diverse Education Centre**

A = absence	Governor name	Initials	Role
A	Mrs P Bryn-Jones	PBJ	Retford Oaks Academy (ROA)
	Mr G Gadie	GG	ROA
A	Mr T Hill	TH	Tuxford Primary Academy (TPA)
	Mr P Mabbott	PM	DAT Trustee
	Mr M Quigley	MQ	DAT Trustee
	Mr D Schwarz	DS	DAT Trustee (observer)
	Mr I Storey	IS	DAT Trustee (Chair from ARC/06/19/20)

In attendance: [staff or other invited persons]

	Staff name	Initials	Role
A	Mr C Pickering	CP	Chief Executive Officer
	Mrs K Bonser	KB	Business, Development, Project and Standards Manager
	Mr N Holmes	NH	Senior Executive Leader
	Ms K Soanes	KS	Temporary Clerk

Invited attendees

	Mr J Creed	JC	Head of Internal Audit, ICCA
	Mr P Knight	PK	Executive Assistant Principal From minute number ARC/01/19/20 to ARC/03/19/20

Item No	Item	Action/ by who/when
<b>ARC/01/19/20</b> Agenda item 1	<b>Welcome from Chair</b> Mr Quigley welcomed attendees to the meeting and introductions were made. It was noted that Mr Quigley would not continue to Chair the Audit and Risk Committee meeting due to his position as Chair of the DAT Board. An election would be held later in the meeting.	
<b>ARC/02/19/20</b> Agenda item 2	<b>Apologies for absence</b> Apologies for absence were received and accepted from Mrs Bryn-Jones, Mr Pickering and Mr Hill.	

ARC/03/19/20  
Agenda item 3

**Update re. Safeguarding audit and follow-up 2018/19 in attached report.**

Mr Knight provided an overview of the safeguarding report which detailed the actions taken and lessons learnt since the compliance audit process undertaken in 2018/19. The following matters were highlighted:

- Whistleblowing – some academies had received a red RAG rating in 2018/19. From September 2019, the protocol had been tweaked to include the Principal as well as the Designated Safeguarding Lead (DSL) in the first rung of reporting. Testing had begun and of the three academies that had been visited staff had provided better assurance that they understood the whistle-blowing process;
- RAG rating categories had been changed as requested by the Committee at their last meeting. There were now three gradings: green, amber and red. The yellow rating had been removed and the categories now aligned with standard audit procedure.

*Mr Mabbott joined the meeting.*

- The safeguarding audits had been aligned to the academy improvement reviews (AIRs), however, interim checks were taking place if there was a long gap. Regular reviews of actions arising from the audits were undertaken. This included gaining written evidence as well as verbal updates, as had been requested by the Committee;
- A DSL team networking group meeting was held three times a year to provide additional training and to check compliance;
- When safeguarding best practice was identified at an academy this was cascaded to all schools;
- The Ofsted inspection results at two of the most challenging academies, Holgate and Queen Elizabeth, had resulted in a secure outcome being given for safeguarding;
- Culturally safeguarding across the Trust was very strong and the DSLs in all of the fourteen academies were highly skilled practitioners. There was still some work to embed the division of responsibilities between the DSL and HR.

**In response to Trustee questions:**

- All academies were informed prior to an audit taking place. An annual programme was in place that was shared with the academies. **Mr Storey** expressed concern that a red rating was achieved when academies knew of audit inspections in advance. Mr Knight explained that a red rating did not necessarily mean that all staff were unaware of safeguarding procedures. It indicated that at least one person was not aware and this indicated a potential risk for the academy. Mr Knight assured the Committee the improvement had occurred this year and where gaps were identified remedial action was undertaken by the DSL. Where academies had moved from amber to red then immediate action was taken;

- Breaches and near misses were recorded at each academy through the risk managers onto the risk register. This was then scrutinised by the leadership team. Mrs Bonser informed members that there was a low volume being reported. **Mr Mabbott** questioned whether this was inconsistent with the outcome of the audits and indicated an over-reliance on central functions. Mrs Bonser noted that risks should be a standard agenda item on Senior Leadership Team meeting agenda.
- Statutory procedures and policies: Staff were required to sign that they had received safeguarding training. Mr Quigley provided an example where assurance could also be gained in relation to Trust policies through staff signing to state they had received and read them. Mr Knight informed members that staff were only currently required to sign that they had read the Keeping Children Safe in Education (KCSIE). Mrs Bonser was reviewing software provided by TheSchoolBus which would help the academies to monitor compliance with policies. Mr Knight informed members that MyConcern could be used to record staff signing that they had read and understood policies. Tuxford Academy was using MyConcern in this way and this approach could be rolled out across other academies. Members commented that using software to record that staff had read and understood policies would be helpful. The large volume of policies was noted and the Committee suggested that they were prioritised and apportioned across the academic year. Mrs Bonser informed members that the software would cost approximately £400 per academy and that it also provided additional resources. The Committee supported the further exploration of introducing software to record staff signing that they had read and understood policies;
- DSLs had to complete level 3 safeguarding training which had to be renewed every two years. Mrs Bonser checked that DSLs were compliant in this regard. A SharePoint site was used to share resources, policies and training with DSLs

Mr Knight outlined the key areas that he recommended were prioritised in 2019/20, as follows:

- Mental health provision: this linked with safeguarding and the Trust was investing in training DSLs and their staff. Working with Adverse Childhood Experiences (ACEs) was being led by the safeguarding team and training was being delivered. It was noted that mental health provision was high on the agenda for Ofsted and was formally part of the inspection framework. The East Leake Academy had just been through the new framework with their recent Ofsted inspection.
- A Safeguarding Audit 2019 summary was tabled at the meeting which covered safeguarding compliance and culture, strengths/opportunities, weaknesses/threats and monitoring/quality assurance;
- Training DSLs to use software such as MyConcern the safeguarding software and records system and to cascade this to their staff. It was agreed that it would be helpful for governors with

**KB**

	<p>the safeguarding lead to have access to the MyConcern as a trusted user. Mr Knight stated that this did happen in some academies and he would take this forward for all academies; and</p> <ul style="list-style-type: none"> <li>• County lines, child sexual exploitation and the use of social media continued to be a priority for safeguarding. More training was being provided which included safer internet use.</li> </ul> <p>Mr Knight was thanked for his attendance and he left the meeting.</p>	
<b>ARC/04/19/20</b> Agenda item 4	<p><b>Declaration of interest and any changes to declarations already made</b></p> <p>There were no declarations of interest, either direct or indirect, for any items of business on the agenda.</p>	
<b>ARC/05/19/20</b> Agenda item 5	<p><b>Election of Chair of the committee</b></p> <p>One nomination for Chair was proposed; Mr Storey. Mr Quigley seconded the proposal.</p> <p>It was <b>resolved unanimously</b> that Mr Storey be appointed Chair of the Committee for the remainder of the current academic year.</p>	
<b>ARC/06/19/20</b> Agenda item 6	<p><b>Terms of Reference for this Committee from updated SoD</b></p> <p>The Audit and Risk Committee terms of reference were approved and adopted.</p> <p>Members discussed the remit of the Audit and Risk Committee and how this differed from the Finance and Resources Committee as they wished to ensure delineation of work and avoid duplication.</p> <p>Mr Creed explained that Finance and Resources Committees (F&amp;R) usually focused on the performance of the organisation, and Audit and Risk Committees scrutinised the control framework and risk. Mrs Bonser stated that she would present the Committee with any risks identified at the F&amp;R meetings. She was also in the process of reviewing the Academies Financial Handbook (AFH) 2019 to identify any new areas for scrutiny. Mrs Bonser would advise the Committee at their next meeting the outcome of the review.</p> <p>Mr Storey mentioned the possibility of a holistic assurance map showing how assurance of compliance with the requirements of external regulations and internal policies was provided.</p> <p>See confidential note.</p>	<b>KB</b>
<b>ARC/07/19/20</b> Agenda item 7	<p><b>Standing Agenda Items:</b></p> <ol style="list-style-type: none"> <li><b>1. Minutes of the Audit and Risk Committee meeting dated 25 June 2019</b></li> </ol> <p>The minutes of the meeting, having previously been circulated were agreed and signed by the Chair.</p> <ol style="list-style-type: none"> <li><b>2. Matters arising action log</b></li> </ol>	

(i) *AC/40/1819 Audit Account response*

Mrs Bonser would check that Smith Cooper auditors had reviewed the actions and that they were fully discharged.

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(ii) *AC/45/1819 Audit Account response*

The Nottinghamshire County Council Health and Safety school audit checklist and the self-assessment form that were used at all DALP academies had been sent to members for information. Mrs Bonser informed members that the local authority checked compliance at the academies against these criteria. Members commented that the forms indicated that comprehensive audits were being undertaken.

### 3. External Audit Reviews

Mrs Bonser informed members that there were no external audit review reports and that these would be available from December.

### 4. Internal Reviews and Audits including procurement

(i) *AC/41/1819 Risk Register Review*

Mr Quigley informed members that the risk register had not been included owing to the number of items on the agenda.

Mrs Bonser advised that two risks would be added to the register as follows:

- Projection of pupil numbers as inaccuracy impacted funding. It was noted that the DfE often asked questions in relation to the accuracy of the forecasting. She noted that last year the variance was 3% of the whole budget which was considered to be low. Mrs Bonser was investigating the discrepancy and reported that half of this was due to the accuracy of predicting 6<sup>th</sup> form numbers;
- Attrition and mobility needed to be monitored; and
- Procurement of alternative provision.

**It was agreed** that as the Audit and Risk Committee met three times a year that the risk register would be reported at each meeting.

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(ii) *Procurement, Value for Money, Best Value 2019/20*

A draft report had been shared with the executive team. Mr Creed provided an overview of the main issues and noted that the outcome grading was 'reasonable' due to the need to embed procurement procedures. The full report would be available for the next Committee meeting.

JC

(iii) *Staff Expenses*

A draft report had been shared with the executive team. Mr Creed provided an overview of the main issues and noted that the outcome grading was 'reasonable' due to some housekeeping issues. No fraudulent activity had been found.

JC

The full report would be available for the next Committee meeting.

(iv) Role of Accounting Officer – report previously circulated

At the request of the Committee the audit reviewed the arrangements in place for the Accounting Officer to discharge their duties in accordance with the AFH 2018. The outcome was substantial assurance and no significant weaknesses had been found. Mr Creed explained that the Trust had established an Accounting Officer Management Group (AOMG) which would meet nine times a year to support and facilitate the discharge of the responsibilities. A number of standing items had been added to the agenda in relation to compliance. At the time of conducting the report this group had met six times. **The Committee approved** the report and Mrs Bonser would continue to monitor the implementation of the recommendations. The AOMG meeting schedule had been shared with members and this included the terms of reference and agenda items for each meeting.

(v) Governance and Trustees – Scheme of Delegation

**The Committee agreed** to cancel this audit owing to Browne Jacobson LLP undertaking a Governance review in 2019. It would be replaced in the schedule by an audit in relation to the procurement of Alternative Provision.

KB/JC

(vi) Audit Planning September 2019 – August 2020

Mrs Bonser provided an overview of the internal audits planned for the academic year. **In response to a question**, Mr Holmes explained that the Academy Business Reviews were separate to Academy Improvement Reviews as they had been too unwieldy when combined, although it was important that they were aligned

**5. Any policies to be approved**

There were no new policies to be approved.

<p><b>ARC/08/19/20</b> Agenda item 8</p>	<p><b>Executive items</b></p> <p><i>1. Accounting Officer Report including risk and compliance report</i></p> <p>In the absence of Mr Pickering, Mrs Bonser provided an overview of the Accounting Officer Compliance Report. The following items were highlighted:</p> <ul style="list-style-type: none"> <li>• There had been no major compliance issues;</li> <li>• Health and safety: there were a few statutory items identified as non-compliant in relation to renewal dates. Andrew Wilson, Head of Estates and Facilities Management was overseeing remedial action;</li> <li>• GDPR: Three academies required a 6-month review. A significant risk of non-compliance had been identified at Holgate Academy and was on a two-weekly monitoring programme for progress. Mrs Bonser was next visiting the academy on 27 November 2019 to monitor the action plan. This related to staff training and a number of more minor compliance matters. Queen Elizabeth's and National Church of England Academy's were at medium risk of non-compliance. Additional mid-year audits were planned for these two academies. <b>Mr Mabbott</b> noted the importance of local accountability and academies recording breaches. In response to a question, Mrs Bonser noted that a retention policy was in place and it was checked that this was implemented. There had been 10 data breaches, 2 FOI requests and 2 SARs. Refresher training had been delivered to all local academy GDPR teams on 27 September 2019. Mrs Bonser would check that this training had been disseminated when the audit was undertaken;</li> <li>• ESFA correspondence: A letter had been received in relation to the role and responsibilities of Trust Accounting Officers. Mr Pickering was reviewing this and would report back to the Board;</li> <li>• Risk Management: A fully scored risk register was in place and was being reviewed currently;</li> <li>• DAT and NCEAT Accounts: These were on target. [See confidential note];</li> <li>• Safeguarding: No significant compliance issues had been identified in the audits undertaken to date.</li> </ul> <p>It was noted that the report went to both the Audit and Risk Committee and the DAT Trust Board and this appeared to be duplication, the Audit and Risk Committee would normally receive the report when the scheduling of meetings allowed this.</p> <p><b>It was agreed</b> that a breach of GDPR, FOIA and SAR procedures would be reported to the Audit and Risk Committee.</p> <p><i>2. Levels of Authority 2019/20 (from ToR)</i></p> <p>The current and proposed purchasing rules were reviewed. The Committee approved the new rules. This included increasing the limit to academies spend from £3k to £5k which members agreed would reduce bureaucracy.</p>	<p><b>CBP</b></p> <p><b>agenda</b></p>
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<p><b>ARC/09/19/20</b> Agenda item 9</p>	<p><b>Trustee Items</b></p> <p>1. <i>Indemnity Assurance re SLAs (query from G&amp;P meeting)</i></p> <p>A copy of the indemnity assurance had been circulated to members. In response to a question, Mrs Bonser confirmed that the certificate was displayed in each academy.</p> <p>2. <i>ICCA governance review</i></p> <p>See minute <b>ARC/07/19/20</b> above.</p>	
<p><b>ARC/10/19/20</b> Agenda item 10</p>	<p><b>Exception reporting to be advised to the Partnership Board</b></p> <p>None</p>	
<p><b>ARC/11/19/20</b> Agenda item 11</p>	<p><b>Date and time of next meeting</b></p> <p>1. Tuesday 31 March 2020</p> <p>2. Tuesday 23 June 2020</p>	
<p><b>ARC/12/19/20</b> Agenda item 12</p>	<p><b>1. Equalities Act consideration</b></p> <p>All discussions took note of the Equalities Act.</p> <p><b>2. Nolan Principles</b></p> <p>It was agreed that the discussions and decisions had been made in accordance with the Nolan principles.</p> <p><b>3. Determination of confidentiality of business</b></p> <p>Trustees considered whether anything discussed during the meeting should be deemed as confidential.</p> <p>It was agreed that discussions within ARC/06/1920 and ARC/08/1920 should remain confidential to attendees at this meeting and Trustees.</p>	
	<p>The meeting closed at 6.50 pm</p> <p>Signed.....(chair) Date.....</p>	