

Minutes of the Diverse Academies Trust Board Meeting Wednesday 30 March 2022 at 5pm, via Microsoft Teams

Quorum Required:3

Trustees Present: 6

Trustee name	Initials	A = absence
Mrs M Blore	MB	
Mr M Quigley MBE (Chair)	MQ	
Mr J Rolph	JR	
Mr D Schwarz	DS	
Mr R Shearing	RS	
Mr I Storey	IS	

In attendance (staff or other invited persons):

Staff name	Initials	Role	A = Absence
Mr D Cotton	DC	Chief Executive Officer and Accounting Officer	
Mrs J Harrison Hill	JHH	Company Secretary and Governance Professional	

Agenda item number	Item	Action by who/when
1 DAT/88/2122	Apologies for absence There were no apologies for absence.	
2 DAT/89/2122	Declaration of interest and notification of any changes to declaration made There were no declarations of interest, either direct or indirect, for any items of business on the agenda. The chair asked if anyone had any declarations to update. Trustees confirmed that the declarations given at the beginning of the academic year were correct	
3 DAT/90/2122	Approve minutes of the meeting dated Wednesday 02 February 2022 The minutes of the meeting, having previously been received were agreed by the chair	
4 DAT/91/2122	Matters Arising: DAT/70/2122 (DAT/18/2122 Discretionary Leave Policy Action: Clerk send back to policy lead with comments and informing them that this has not been approved. To remain as matter arising until next policy review. DAT/72/2122 Chief Executive Officers Report Action: Agenda item: MAT Ofsted review, for Board meeting held on 30 March 2022. Complete see agenda item 8.	

	<p>DAT/83/2122 Trustee Items Action: Mrs Harrison Hill to put together a report for Governance and Partnership Committee to provide an action plan and fresh approach for expanding recruitment of Trustees. Complete Mr Quigley updated the Board that interview for candidates had been postponed due to the panel having Covid, interviews will now take place on 27th April 2022.</p> <p>DAT/84/2122 Executive items: Action: Chair of Board to write to Thrumpton Primary and Bracken Lane Primary on behalf of the Board to congratulate on Ofsted result. Complete.</p> <p>DAT/85/2122 Samuel Barlow Primary Academy Ofsted Section 5 Inspection. Action: Chair of Board to write to the school formally on behalf of the Board to congratulate once Ofsted have published the report. Complete.</p>	
<p>5 DAT/92/2122</p>	<p>MAT Ofsted Review Document: Copy of Appendix 1 March 2022 and CEO Board Report March 2022 was previously received by the committee. Mr Cotton referred to CEO Board report Introduction, reminding Trustees that a MAT inspection will have two stages. Stage 1 consists of inspection of schools and stage 2 is a review of the wider operation of the Trust. Copy of Appendix 1 March report is capturing questions from Ofsted and pulling together the information and evidence ensuring all captured in one place. This will be used at Committee meetings to discuss and ask detailed questions for reviewing at the next Board meeting. Mr Cotton also referred Trustees to the link provided in the CEO report to the MAT review portal where documentation is being gathered. Action: Trustees were asked to look through the MAT review area of the portal and flag any areas where they feel further documentation is required. Trustees queried the format a MAT review is likely to take and were informed that this was difficult to confirm due to the lack of reviews over the last two years. Trustees were apprised that a MAT review is optional as it is not an inspection, a weeks’ notice would be given, and interviews would likely take place with Executive leaders, Trustees, Governors, and Principals. Dialogue would be based around current Ofsted reports and how the Trust enables school improvement to happen. A discussion took place regarding the White Paper released this week and its commitment to grow strong trusts by 2030. The four strands focused upon within the Paper are high quality and inclusivity of education, schools’ local identity and strategic governance, value for money, and developing the workforce. The Trust is already in a strong position to articulate and evidence how these areas are supported. Trustees enquired if there is any feedback from previous reviews which could be shared and Mr Cotton agreed to circulate questions which were asked at a Multi Academy Trust (MAT) review carried out locally in past years. Action: Clerk to circulate questions from local MAT Ofsted review and add to Board agenda for discussion at next meeting.</p>	<p>Trustees</p> <p>JHH</p>
<p>6</p>	<p>Chief Executive Officers Report</p>	

<p>DAT/93/2122</p>	<p>Document: <i>CEO Board Report March</i> was previously received by the Board. Trustees noted the report. Trustees questioned if the new Academy Business Leader role mentioned in 4.1.1 appointment had been made and queried if it was a senior post. Mr Cotton confirmed that the appointment had been made for Primary following a reshuffle of current posts and in Secondary was yet to be appointed, the post would be a replacement of posts left and not replaced, it was confirmed that it is not part of the trust senior executive team but would be a senior role within the academy context</p>	
<p>7 DAT/94/2122</p>	<p>Self-Evaluation Review <i>(Matter Arising: DAT/71/2122 Action: Review of complete self-evaluation and develop action plan at Board meeting 30 March 2022)</i> Document: <i>Board Self Evaluation Review 2021-22 Final and Diverse Academies Self Evaluation Action Plan</i> documents were previously received by the Board. The above documents were reviewed by trustees. Trustees queried if the individual sections of the action plan would go to relevant committees, and it was confirmed that they would. Trustees raised that further work was required on the action plan to ensure joined up thinking and feedback/comments would be sent to Mrs J Harrison Hill to edit the document. Action: Comments/feedback on Action plan to be shared with Governance Professional.</p>	<p>Trustees</p>
<p>8 DAT/95/2122</p> <p>DAT/96/2122</p>	<p>Committee Meeting Update from Chairs <u>8.1 Audit and Risk Committee update (9/2/2022)</u> Mr Storey, Chair of Audit and Risk Committee updated the Board on work carried out by the Committee and matters discussed: The new internal auditors are undertaking their first task of reviewing any outstanding actions from the previous year. The Health and Safety Audits carried out by Nottinghamshire County Council have been positive. The Board have now attended the risk appetite workshop, the first draft of the risk register is in place and is to be reviewed at the next Committee meeting. The Committee reviewed and approved the Risk Policy, Risk Statement and operating procedures. The Year-end Financial Statements Report and Management Letter were reviewed by the Committee. Insurance arrangements were reviewed with no issues raised. Mr Storey informed the Board that an external company was being approached to carry out tests to cyber security within the Trust. <u>8.2 Standards and Outcomes Committee update (09/03/2022)</u> Mr Schwarz, Chair of Standards and Outcomes Committee updated the Board on work carried out by the Committee and matters discussed: Informing the Board that an update on Post 16 provision and high-level measurers had been provided. The Committee were apprised of the progress measures being severely disrupted for a number of years, due to suspension of examination processes during Covid, until cohorts with relevant measures progress through the years.</p>	

<p>DAT/97/2122</p>	<p>A detailed presentation was received on Post 16 with concerns regarding the economic viability of Post 16 classes. Typically, an A Level class requires 12 students to be economically viable, 75% of A level classes have 11 students or fewer, 43% with 5 students or less.</p> <p>A review is underway investigating making the Post 16 offer more financially stable and a better educational experience using a combination of collaboration, virtual and other methods of delivery. The Board were updated that the Committee had found attendance to be positive, achieving higher than the national average. Mental Health issues have increased across the Trust, resources for counselling are being stretched by this situation.</p> <p>Information regarding the upcoming examinations will give greater clarity on areas of the syllabus to be tested to ensure same depth but not breadth that would normally be tested in a typical year. Ofsted inspections in Primary and Special Schools undertaken recently have focused on curriculum development. Primary Executive Principals are developing Middle Leaders and the adaptation of curriculum to meet the needs of all pupils.</p> <p>Mrs Blore informed the Board that as Safeguarding Trustee she had met with Mr Knight on 15th March, and updated the Board on the positive findings highlighting: Holgate Academy had very good examples of best practices regarding educational Visits, Retford Oaks Academy promoting best practice in Mental Health provisions, East Leake Academy has a Mental Health Counsellor in place, and Wainwrights Academy has an excellent ELSA (Emotional Literacy Support Assistant) provision.</p> <p><u>8.3 Finance and Resources Committee Annual Report & committee update (16/03/2022)</u></p> <p>Mr Rolph, Chair of Finance and Resources Committee updated the Board on work carried out by the Committee and matters discussed:</p> <p>The Committee had reviewed and approved the SRMSAC return and Gender Pay Gap report.</p> <p>Mr Rolph reported that the Committee had analysed the current financial situation and found it to be favourable.</p> <p>The Committee received a presentation from Sarah Green, Head of HR regarding professional standards, and also dealt with an issue regarding Teacher Pension Scheme, the nil pay resulted in an issue with indexation on Teachers Pension being affected so a pay increase of £1 was agreed for the year.</p> <p>The Committee discussed the submission of a bid for The Holgate Academy school building programme.</p> <p>The financial risks were reviewed, currently they are impacted by inflation on varying areas e.g., salaries, NIC contributions, energy bills. The EFSA have indicated that they will cover the NIC then funding will be built into the general Annual Grant. Energy inflation costs are expected to be covered by the EFSA for the short term. These risks will continue to be monitored until more information is known.</p> <p>Trustees questioned if PFI schools' energy bills are negotiated by the academy or out of our control, and it was confirmed that they are out of the Trusts control and are managed by the PFI company.</p> <p>Trustees then followed up asking if there is a Trust wide energy contract to secure bulk deals and it was confirmed that where contracts end at the same time these are negotiated in bulk.</p>	
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<p>DAT/98/2122</p>	<p><u>8.4 Governance and Partnership Committee update (23/02/2022)</u> Mr Quigley, Chair of Governance and Partnership Committee updated the Board on work carried out by the Committee and matters discussed: The Committee had agreed and finalised the Governance and Partnership sections of the self-evaluation review. The Board Vice Chair role description was approved. The Committee discussed and approved the recruitment plan for new Trustees and 4 new applications have been received. Retrospectively noted approval for Chair of Queen Elizabeth Academy, Samuel Barlow and Wainwright joint Academy committee. The Committee noted the need to be looking at succession planning for role of Chair of Board, as current Chair can only serve another two years. From reviewing exit questionnaires and discussions the committee were aware that work/time pressure has been the main reason for Governors leaving.</p>	
<p>DAT/99/2122</p>	<p><u>Policies approved at committees</u> Governance and Partnership Committee:</p> <ul style="list-style-type: none"> ○ Staff Privacy Notice <p>Audit and Risk Committee:</p> <ul style="list-style-type: none"> ○ Mental Health and Wellbeing principles ○ Accessibility Policy ○ Covid 19 appendix to Safeguarding and Child Protection Policy ○ Risk Policy ○ Risk management operational guidance ○ Risk Management Policy Statement <p>The above policies were noted by Trustees and ratified.</p>	
<p>DAT/100/2122</p>	<p><u>Policies for Board Approval</u> Safeguarding & Child Protection Policy This policy was approved by the Board.</p>	
<p>9 DAT/101/2122</p>	<p>Statutory Updates, Changes to legal documents and Companies House filing No items were reported.</p>	
<p>10 DAT/102/2122</p>	<p>Trust Management Accounts –</p> <ul style="list-style-type: none"> ○ Review financial viability ○ Review variances between budget and actual income and expenditure ○ Review KPI's <p>Documents: <i>Financial Performance Jan 2022 and Financial Performance Feb 2022</i> were previously received by the Board. Mr Rolph updated the Board regarding the two documents, explaining that the Finance and Resources Committee have reviewed the documents in detail showing a healthy financial position, as discussed in the minutes under item 8.3 risks in the future relate to inflation increases. No further questioned were raised, Trustees noted that the documents provided enable them to be kept informed.</p>	
<p>11 DAT/103/2122</p>	<p>Annual Requirements</p> <ul style="list-style-type: none"> ● Gender Pay Gap Report ● SMRSAC submission <p>Documents: <i>Draft Gender Pay Gap report March 2022</i> was previously received by the Board.</p>	

	<p>Mr Rolph informed the Committee that both reports were reviewed and discussed at the Finance and Resources Committee, the gender pay gap has narrowed slightly. Both reports were approved. The questions requiring responses for the SMRSAC submissions were reviewed and the Committee were content that the trust was compliant.</p>	
<p>12 DAT/104/2122</p> <p>DAT/105/2122</p> <p>DAT/106/2122</p> <p>DAT/107/2122</p>	<p>Trustee items:</p> <ul style="list-style-type: none"> • Appointment of Trustees under Article 58 (co-opted trustee) <p>The Board were informed that the Governance and Partnership Committee members had interviewed Mr L Donald, currently a Governor within the Trust as a potential Trustee and recommended him to the Board for appointment.</p> <p>The Trustees appointed under Article 50 (Mr Rolph, Mrs Blore and Mr Storey) agreed to appoint Mr L Donald under Article 58 as a co-opted Trustee with effect from 30/03/2022.</p> <p>Action: Mr Donald to be invited to the next Board meeting on 25 May 2022 and invited to attend committee meetings as an observer. The Chair informed the Board that further interviews have been arranged for 27th April for a further 4 applicants.</p> <ul style="list-style-type: none"> • CONFIDENTIAL: This item was deemed confidential and is recorded in the confidential minutes. <p>Two documents requiring signature from the Chair at Queen Elizabeth's Academy were not signed due to Chairs absence from the meeting. The documents had been referred to trustees for approval and signature by the committee.</p> <p>Trustees approved the Queen Elizabeth Academy Health and Safety Appendix and agreed electronic signature by the Chair of the Board.</p> <p>Trustees approved the proposed Geography Trip subject to the necessary approval by Nottinghamshire County Council.</p> <p>Chairs correspondence since last meeting:</p> <ul style="list-style-type: none"> • CI-0112626 Parental Complaint & Response <p>Document: <i>CI-0112626 seeking assurance response Holgate Academy</i> and document <i>Your reference CI-0112626 Parental Complaint The Holgate Academy</i> were previously received by the Board.</p> <p>The Chair informed the Board that assurance had been provided and no further communication had been received.</p>	
<p>13 DAT/108/2122</p>	<p>Executive items:</p> <ul style="list-style-type: none"> • Change of age range at Tuxford Primary Academy -Fast Track Application - Making Significant Change <p>Documents:</p> <ul style="list-style-type: none"> • <i>Fast Track Form,</i> • <i>Appendix 1 Nursery figures for past 3 years,</i> • <i>Appendix 2 Tuxford Town Council response to Bassetlaw District Council local plan,</i> • <i>Appendix 3 Full Admissions Consultation and</i> • <i>Appendix 4 TPA PAN 5 Year Budget Plan</i> <p>were previously received by the Board.</p> <p>Further to the Board meeting on 6th October 2021 when Trustees agreed the proposal for Tuxford Primary Academy reduction in PAN to 30 and change of age range to 3-11 both from 2023/24,</p> <p>Trustees agreed the fast-track application to be submitted to the DfE in respect of the change of age range (which constitutes a significant change).</p>	

<p>DAT/109/2122</p> <p>DAT/110/2122</p> <p>DAT/111/2122</p> <p>DAT/112/2122</p>	<p>CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes.</p> <p>CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes</p> <p>CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes</p> <ul style="list-style-type: none"> • IRIS Connect Renewal <p>Document: <i>IRIS Connect Renewal Paper to the Trustees</i> was previously received by the Board</p> <p>Mr Cotton informed Trustees that the cost of the proposed renewal and consultancy package was included in the budget setting and recommended renewal from September 2022.</p> <p>Trustees agreed to the 3-year renewal and consultancy package as detailed in the document.</p>	
<p>14</p> <p>DAT/113/2122</p>	<p>Determination of confidentiality of business</p> <p>Trustees considered whether anything discussed during the meeting should be deemed as confidential. It was resolved:</p> <ul style="list-style-type: none"> • An Item discussed within agenda item 12 DAT/105/2122 and associated document would remain confidential to attendees and Board Trustees indefinitely. • Items discussed within agenda item 13 DAT/109/2122, DAT/110/2122 would remain confidential until final reports are published. • Item discussed within agenda item 13 DAT/111/2122 would remain confidential until Trustee and Regional Schools Director final approval. <p>Equality Act consideration</p> <ul style="list-style-type: none"> • Trustee considered if there had been any Equality Act implications and resolved that there were none. Trustees were trying to increase Board diversity through recruitment. • Trustees considered that Ofsted reports confirms Trust is providing Special schools are receiving the best chance to succeed. <p>Nolan Principles</p> <ul style="list-style-type: none"> • Attendees were content that all decisions made adhere to the seven Nolan principles. <p>Consider if any items need to be reported to Charities commission.</p> <ul style="list-style-type: none"> • Trustee resolved that no items need to be reported to the Charities commission 	
<p>15</p> <p>DAT/114/2122</p>	<p>Date and time of next meeting: Wednesday 25 May 2022, Diverse Education Centre, Retford, 5.00pm</p>	

The meeting closed at: 6.43pm

Approved by the Chair: on 25 May 2022 minute number DAT/117/2122