

Minutes of the Diverse Academies Trust Board Meeting Wednesday 5 October 2022 at 5pm, at Diverse Education Centre, Retford

Quorum required: 3

Trustees Present: 8 (6 in person, 2 via virtual link)

Trustee name	Initials	A = absence
Mrs M Blore	MB	
Mr L Donald	LD	Virtual, left 16.58
Miss N Marriott	NM	
Mrs J Mordue	JM	
Mr M Quigley MBE (Chair)	MQ	
Mr J Rolph	JR	
Mr D Schwarz	DS	
Mr R Shearing	RS	A
Mr I Storey	IS	virtual

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/01/2223	Appoint Chair Mrs Harrison Hill informed the Board that the only expression of interest for the position of Chair had been received from Mr Quigley. The Trustees agreed the appointment of Mr Quigley. Mr Quigley took over the meeting as Chair.	
2. DAT/02/2223	Appoint Vice Chair The only expression of interest for the role of Vice Chair was received from Mr Storey. The trustees agreed to the appointment of Mr Storey as Vice Chair. A discussion took place regarding the succession of Mr Quigley as Chair once his four-year term of office comes to an end. Mr Quigley will discuss with Mr Storey and arrange for shadowing of the Chair and Mr Cotton. Mr Quigley informed the Board that Mrs Blore had relinquished her role of Safeguarding and Alternative provision Trustee.	
DAT/03/2223		

	Mr Donald had previously expressed an interest in the role should it become vacant. The Board agreed to appoint Mr Donald as Safeguarding and Alternative Provision Link Trustee. The Board thanked Mrs Blore for all the significant work carried out in her role as Link Trustee.	
3. DAT/04/2223	Apologies for absence Apologies were received and agreed from Mr Shearing. Mr Donald and Mr Storey were attending virtually as agreed. Mr Quigley informed the Board that after each item discussed he would give the opportunity for the virtual attendees to raise any questions or comments.	
4. DAT/05/2223	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.	
5. DAT/06/2223	Minutes of the meeting dated Wednesday 13 July 2022 Agreed. The minutes of the meeting, having previously been received were agreed by the Chair.	
6. DAT/07/2223	Academic results 2021/2022 Presentation Document: <i>Outcomes and Strategic Improvement objectives 2022</i> was presented and shared post meeting. Mrs Thornton and Mr Holmes attended the meeting to present on the Academic results 2021/2022. <u>Key stage 4 & 5</u> Mr Holmes summarised to the Board the disruptions to the examination process over last few years. Highlighting that 2022 results year was a transition towards normal examination processes. Special considerations were in place, such as topics being covered in exams announced, to enable the teaching to focus on those areas due to missed teaching time. Ofsted training has now taken place to inform inspectors how data will be used. Once this information is known it will be disseminated within the Trust via CPD. <u>Primary</u> Mrs Thornton explained the changes which took place in Primary regarding accountability, with a national reception baseline introduced. Key Stage 1 SATs are being removed from 2023. The materials will continue to be utilised inside the Trust to enable a measure at the end of key stage 1 because it was determined that not having this measure would be a risk. <u>Pupils in Year 6</u> The impact of Covid on maturity and knowledge of pupils to sit exams in year 6 has led to a focus on ensuring adapting curriculum and developing maturity. This impact has been particularly challenging in disadvantaged communities particularly for Hillocks Academy, which joined the Trust during lockdown. The results on the slides were discussed. Highlighting that Samuel Barlow Academy and Hillocks Academy require further work to improve results. <u>Key stage 2</u>	

	<p>Significant recovery and improvement were highlighted in key stage 2. Noting that Thrumpton Primary Academy had achieved its best ever outcomes. Samuel Barlow Academy showing significant improvement since 2019.</p> <p>Tuxford Primary Academy outcomes were reported as broadly in line with national average, but progress measures were not where they needed to be. Additional support is being put in place to support recovery and ensure assessment to drive progress.</p> <p>The overall findings are progress in reading for white FSM boys is not at a level where it is required to be.</p> <p><u>Special Schools</u></p> <p>The Board was informed that, due to the complex challenges they face, the lockdown had a substantial negative impact on Special Schools, affecting not only academic development but also halting physiotherapy support.</p> <p>The impact on communication was significant. The response was to prioritise communication and improvements are being seen in this area.</p> <p><u>Secondary Attainment 8</u></p> <p>Mr Holmes referred to the table detailing the Attainment 8 average score. Highlighting that Walton Academy, East Leake Academy and Tuxford Academy are slightly above average Attainment 8 score. Retford Oaks Academy, Holgate Academy are below national average Attainment 8 scores.</p> <p>Comparison to attainment 8 scores in 2019 were highlighted. Noting that Tuxford Academy was affected by the number of pupils placed by the Local Authority. Holgate Academy are slightly down but Trustees were cautioned that this is on a low position to begin with.</p> <p>Queen Elizabeth's Academy has made significant progress. Walton Academy was highlighted as highest achievement in attainment 8 noting this was largely due to the cohort being 100% girls, nationally girls perform well. This is expected to reduce as boys begin to filter through to Key stage 4.</p> <p>Trustees questioned which year boys would be in key stage 4 and it was confirmed that this would be next year.</p> <p>It was highlighted that boys FSM pupils' gap is also an issue in secondary results.</p> <p>Trustee asked how the disparity between girls and boys differs from the national picture. It was affirmed that the gap mirrors the national figure, with the gap between disadvantaged and non-disadvantaged increasing which is a focus going forward.</p> <p>Trustees were informed that all students in key stage 5 who wanted to continue onto university had successfully secured a place. Three students from East Leake had secured Oxbridge places.</p> <p><u>Summary</u></p> <p>Progress in reading is a concern. Impact of poor oracy in Secondary and students' inability to articulate themselves places a focus on speech and language. Ofsted are placing greater importance on student voice.</p> <p>Some of the negative behaviours are related to not being able to communicate effectively resulting in poor behaviour and attendance issues.</p> <p>Strategic Objective 2 is focusing on improving reading of all children and application to the wider curriculum.</p>	
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	Trustees thanked Mr Homes and Mrs Thornton for the presentation and had no further questions. Mr Homes and Mrs Thornton left the meeting at 16:29	
7. DAT/08/2223	<p>Matters Arising: Matters Arising: DAT/118/2122 (DAT/94/2122 Self Evaluation Review) Action: Trust Board referred commissioning an external review to the Governance and Partnership Committee Mr Quigley updated the Board that Browne Jacobson had been commissioned to carry out the External Review. The presentation to Governance and Partnership Committee did not go ahead to ensure the review was carried out as soon as possible to support a MAT review should one arise. Browne Jacobson was the best price received and having carried out the previous audit were considered to be suitable to undertake a review to follow up previous recommendations. The External review will take place on 1st November 2022 and 4th November 2022. This item is now complete.</p> <p>DAT/119/2122 Equalities Act and review of training Action: Trustees who were unable to attend the online LGBTQ+ Diversity and Inclusion unconscious bias training to confirm to J Harrison Hill once they have watched the recorded session. The Board agreed for the link to the training to be sent to Trustees who had not yet confirmed that had watched the training.</p> <p>DAT/125/2122 Policies for approval by Board Action: Inform policy holder of immediate link update required for Safeguarding, Child Protection and Low-Level Concerns policy. Amendments to the policy have been actioned, and the Standards and Outcomes Committee has recommended for approval. See agenda item 10. This item is now complete</p> <p>Action: Review of Special Educational Needs and Disability Policy by Standards and Outcomes committee by November 2022. Amendments to the policy have been actioned, and the Standards and Outcomes Committee has recommended for approval. See agenda item 10. This item is now complete</p> <p>DAT/126/2122 Articles of Association agreement to adopt new articles Action: Governance professional to start the process of adopting the new Articles of Association The required documents have been sent to the DfE. A Delivery Officer has been assigned to the process and is dealing with the request. This item is now complete.</p>	
8. DAT/09/2223	<p>Chief Executive Officers Report Document: CEO Board Report October 2022 was previously received by the Board. The Board report was noted and reported on the following areas:</p> <ol style="list-style-type: none"> 1. Introduction 2. Vision, ethos and strategic direction of the organisation <ul style="list-style-type: none"> Strategic Objective 1: Develop a high-performing organisation which is agile and sustainable within an ever changing global context. Strategic Objective 2: Secure the best outcomes for all pupils and students, so they achieve their full potential Strategic Objective 3: Embed the integration of school business professionals to enable school improvement 3. Educational performance of the organisation and its pupils 	

	<p>Safeguarding; culture and compliance Behaviour, Culture and Attendance Secondary outcomes and examinations Key Stage 5 Results 2022 GCSE Results 2022 Primary Outcomes Ofsted Exception high risk reporting Secondary The Holgate Academy – Post-Ofsted Response Plan Primary/ Special Academies</p> <p>4. Financial and business performance of the organisation Developing school business professionals Value for Money and Academic Return on Investment Finance Position (as at end of July 2022) Business Operations People Standard Operating Procedures Systems Compliance Risk Management</p>	
DAT/10/2223	<p>Mr Cotton brought to the Trustees attention the impact of two insets days at the start of the year to provide the opportunity to reset and re-induct new staff and live broadcast to all staff following the return into settings.</p> <p>The inset discussed the year's priorities with an emphasis on building teams and people reenforcing that high-performing individuals results in successful schools.</p> <p>The Board were informed that a school improvement workshop is taking place the following day for Principals, Business Leaders and Executive Principals, with a focus on high performing people and teams. There are six workshops planned across the year, linked to priorities and key workstreams.</p>	
DAT/11/22/23	<p><u>Strategic objectives</u></p> <p>The report and Strategic Plan Appendix 2 outline key workstreams that examine the existing situation, the desired future state, and how to work collectively to meet these objectives.</p> <p>Mr Cotton invited Trustees to ask any questions regarding the report.</p>	
DAT/12/2223	<p>CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes.</p>	
DAT/13/2223	<p>Trustees referred to the Strategic objectives and enquired about the plan that sits behind it which enables prioritisation. Mr Cotton explained that whoever is leading on the strand of the objective workstream will work with individual academies to look at the priorities within the setting, related to the objective, and construct the plans around this to enable academies to have their own specific plans.</p> <p>Trustees raised visibility of the key milestones to understand progress and tracking and Mr Cotton explained that the key milestones will be different in each setting, key performance indicators will be used by academy committees and principals and will report back at a global level. This will then be reported to Trustees at the end of each term.</p>	
DAT/14/2223	<p>Trustees agreed the appointments of Ms D Percival as Principal at Queen Elizabeth's Academy and Mr L Dickinson as Acting</p>	

	<p>Principal at Retford Oaks Academy until December 2022 as detailed in the CEO report.</p> <p>Discussion took place on the process of recruitment and appointment</p>	
<p>9. DAT/15/2223</p>	<p>Strategic Objective Review</p> <p>Documents:</p> <ul style="list-style-type: none"> • <i>Appendix 1 SO's end of year 21-22 reviews</i> • <i>Appendix 2 SO's 2022-2023</i> • <i>Strategic Plan 2021-2026</i> <p>were previously received by the Board.</p> <p>Trustees queried how the community element progress being approached this year to ensure more effective. Mr Cotton updated the Board that an external consultant had been commissioned to support community engagement with Executive Leadership team. Review of methods of response to stakeholder questionnaires, for parents, students and staff, taking a more centralised approach.</p>	
<p>10. DAT/16/2223</p>	<p>Committee Meeting Update from Chairs</p> <ul style="list-style-type: none"> – Standards and Outcomes Committee meeting update (21/09/2022) <p>Mr Schwarz, Chair of Standards and Outcomes Committee provided the Board with an update from the Committee meeting:</p> <ul style="list-style-type: none"> – Two policies were being recommended to the Board for ratification. SEND policy and Safeguarding, Child protection and Low level concerns Policy. – The committee had received a presentation for an in depth look at how the primary schools within the Trust are improving reading using launchpad and also tracking progress in early years. – The Committee wanted to convey their support to staff at The Holgate Academy. – Discussion took place within the committee regarding concerns within the process for policy review and substantial improvement required. <p>Mr Cotton provided the Board with an update on the work that is being undertaken to review the process and the <i>Policy Approval Operational Guidance</i> flowchart was distributed and discussed showing process and quality assurance which has been put in place prior to committee approval. The additional step of assessment for legal advice has been added for policies with technical and/or high risk contents.eg safeguarding and SEND. Policy writers are to be given training by an external policy writing expert.</p> <p>Trustees discussed that it would be helpful if one committee owns the process of policy guidance, and it was agreed that Audit and Risk Committee would take this role.</p>	
<p>DAT/17/2223</p>	<ul style="list-style-type: none"> – Finance and Resources Committee meeting update (26/09/2022) <p>Document: Financial performance June 2022 was previously received by the Board.</p> <p>Mr J Rolph, Chair of Finance and Resources Committee provided the Board with an update from the Committee meeting:</p>	

	<ul style="list-style-type: none"> – Review of policies delegated to the committee and the time of year they are due was started to evenly distribute the workload. – Managing Grievances policy, Staff Grievances Policy, Disciplinary Policy, Whistleblowing policy were approved by the Committee. – Safer Recruitment Policy was approved subject to a minor amendment regarding DBS checks. – Pay and Reward Policy is recommended for ratification by the Board. – CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes. – CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes. – CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes. <p>Trustees asked if the salaries increases had been benchmarked externally and it was explained that the budget was set using information available at the time from government bodies regarding potential staffing pay increases, these are not officially confirmed until October but have significantly increased since the budget was set.</p> <ul style="list-style-type: none"> – Energy costs were budgeted through looking at likely trends and doubled from the previous years budget, due to unforeseen circumstances of Ukraine war this could result in the expenditure exceeding the budget. The government have confirmed that the 1st half of the year expenditure will be supported but the rest remains unknown. – National Insurance surcharge was allowed for in budget setting, the government are now reversing this, it is unknown at this stage if funding for this will be recouped. – A revised budget is being drawn up for forecast one. <p>Trustees questioned if academies were on fixed energy contracts and if central procurement was utilised to ensue best deals. It was clarified that some are on fixed contracts, some expire at different times, the PFI contracts are not within our control. Procurement is carried out centrally to ensure best value.</p> <ul style="list-style-type: none"> – Mr Rolph reminded Trustees that the Finance and Resources Committee meeting held to be held on Monday 21 November 3.00pm at Diverse Education Centre, is open to all trustees as the year end accounts will be presented by the auditors. <p>Trustees referred to the finance document querying a clawback of £100k for Coaching. It was made clear that this related to funds for the National Tuition Programme. The report on how the money was spent had already been sent in. It was not yet known whether the underspend will be recovered.</p>	
DAT/18/2223	<p><u>Audit and Risk Update</u></p> <p>CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes.</p>	
DAT/19/2223	<p><u>Annual Committee reports to Governance and Partnership</u></p> <p>Documents: Committee Annual Report Template A&R FR Committee Report 01.07.22 SO Committee Annual Report to Board</p>	

	<p>The above documents are usually received by the committee, Mr Quigley referred to the documents, explaining that these are the remit of Governance and Partnership Committee to review the effectiveness of Committees. The documents have been brought to Board due to the pending External Governance Review. Trustees noted the reports. No further questions were raised.</p> <p>DAT/20/2223</p> <p>Policies approved at Committees</p> <p>Standards & Outcomes Committee</p> <ul style="list-style-type: none"> • SEND Policy • Safeguarding, Child protection and Low level concerns Policy • Induction Policy for Early Careers teachers • Attendance Policy <p>Finance and Resources Committee</p> <ul style="list-style-type: none"> • Managing Grievances policy • Staff Grievances Policy • Disciplinary Policy • Safer Recruitment Policy • Pay and Reward Policy • Whistleblowing policy updated 	
	<p>DAT/21/2223</p> <p>Policies for approval at Board:</p> <p>Documents: <i>Pay and Reward policy, SEND policy and Safeguarding, Child protection and Low-level concerns Policy</i> were previously received by the Board.</p> <p>Trustees agreed ratification of approval for SEND policy, Safeguarding, Child protection and Low-level concerns Policy, and Pay and Rewards Policy.</p>	
11. DAT/22/2223	<ul style="list-style-type: none"> • Review Self Evaluation Action Points <p>Document: <i>Diverse Academies Self Evaluation Action Plan (updated September 2022)</i> was previously received by the Board. The Board agreed the updated self-evaluation plan. An addition had been to one of the Governance and Partnership items and will be confirmed at the Committee meeting.</p>	
12. DAT/23/2223	<p>Statutory Updates, Changes to legal documents and Companies House filing</p> <p>Document: <i>Tuxford Primary Academy RD Sig Change Approval</i> had previously been received by the Board.</p> <p>The Board was notified by Mrs. Harrison Hill that two students who were 2 years old were still enrolled in Tuxford Primary Academy. The Board then agreed to carry out the deed of variation beginning on January 4th 2023, when the children will be 3 years old. As of now, the academy does not accept any students less than 3 years old.</p> <p>A new supplemental funding agreement is required Mrs Elway, Head of Governance and Mrs Crispin are working with Solicitors to progress this.</p>	
13. DAT/24/2223	<p>Annual Requirements</p> <p>No annual requirements to report.</p>	
14. DAT/25/2223	<p>Trustee items:</p> <ul style="list-style-type: none"> • The Board were notified of Members reappointment of Trustee Mr I Storey with effect from 27/09/2022 under article 50. Minute number AGM/13/2122. 	

DAT/26/2223	<ul style="list-style-type: none"> • External Governance Review report 2019 <p>Document: <i>Governance review- December 2019</i> and <i>Action plan from Governance Review 2019</i> were previously received by the Board.</p> <p>The documents were shared with the Board in advance of the External Governance review.</p> <p>No questions were raised.</p>	
15. DAT/27/2223 DAT/28/2223 DAT/29/2223 DAT/30/2223 DAT/31/2223 DAT/32/2223	<p>Executive items:</p> <ul style="list-style-type: none"> • CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes. • Retford Oaks Academy Ofsted Report <p>The Board commented that the Ofsted report for Retford Oaks was a positive, acknowledging that prior to joining the Trust they had only achieved requires improvement.</p> <ul style="list-style-type: none"> • CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes. • CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes. • CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes. <p>Any Other Business raised:</p> <p>Mr Cotton raised that there are no changes requested from the academies to the admissions and so therefore required agreement for the Trust not to undertake the consultation process. Confirming that Trustees will still be required to determine the admission arrangements in February 2023.</p> <p>Trustees agreed that there was no requirement for a consultation process to be undertaken on admissions.</p>	
16. DAT/33/2223	<p>Determination of confidentiality of business</p> <p>Equality Act consideration</p> <p>Nolan Principles</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 8 DAT/12/2223 should remain confidential to attendees and Trust Board. - Three Items discussed within agenda item 10 DAT/17/2223 should remain confidential to attendees and Trust Board. - An Item discussed within agenda item 10 DAT/18/2223 should remain confidential to attendees and Trust Board. - An Item discussed within agenda item 15 DAT/27/2223 should remain confidential to attendees and Trust Board. - An Item discussed within agenda item 15 DAT/29/2223 should remain confidential to attendees and Trust Board until complete. - An Item discussed within agenda item 15 DAT/30/2223 should remain confidential to attendees and Trust Board until outcome made public. - An Item discussed within agenda item 15 DAT/31/2223 should remain confidential to attendees and Trust Board until outcome made public. <p>Equalities Act consideration</p> <ul style="list-style-type: none"> - The Board considered the progress and further action required to improve outcomes for disadvantaged and gender gaps. <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 	
17. DAT/34/2223	Date and time of next meeting: Wednesday 7 December 2022 at Diverse Education Centre, Retford.	

The meeting closed at: 18:28

Minutes agreed by Chair: 7 December 2022, minute number DAT/37/2223