

**Minutes of the Diverse Academies Trust Board Meeting  
Wednesday 1 February 2023, 4.00pm at Diverse Education Centre, Retford**

**Quorum required: 3**

**Committee members present: 9**

<b>Trustee name</b>	<b>Initials</b>	A = absence
Mrs M Blore	MB	
Mr L Donald	LD	Virtually until 5.25pm
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	
Mr I Storey	IS	

In attendance: [staff or other invited persons]

<b>Staff name</b>	<b>Initials</b>	<b>Role</b>	A = Absence
Mr D Cotton	DC	Chief Executive Officer & Accounting Officer	
Mrs J Harrison Hill	JHH	Company Secretary & Governance Professional to Board	

<b>Item No</b>	<b>Item</b>	<b>Action/ by who/when</b>
1. DAT/63/2223	<b>Apologies for absence</b> There were no apologies, all Trustees attended the meeting. Mr Donald attended via virtual link and left at 5.25pm.	
2. DAT/64/2223	<b>Declaration of interest and any changes to be advised</b> 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. Mr Quigley reported a declaration of interest update that he had been elected as Chairman of Bassetlaw Conservative Association with effect from 27/01/2023.	
3. DAT/65/2223	<b>Trustee Introductions</b> To help the Board better understand the talents held by the Board and to work more collaboratively together, each Trustee offered a brief summary of their expertise and areas of strength. Additionally, this ensured that all incoming trustees were familiar with one another.	
4. DAT/66/2223	<b>Minutes of the meeting dated 7 December 2022</b> The minutes of the meeting, having previously been received were agreed and signed by the chair.	

5.  
DAT/67/2223

**Matters Arising:**

**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. One trustee was yet to watch the recording.

**DAT/40/2223 Growth Strategy**

**Action:** Landing page with value proposition to attract schools wanting to join the trust.

**Action:** Further detail to support Growth Strategy.

Mr Cotton updated the Board that the landing page is under development, further details are being added to the Growth Strategy and will be brought back to the Board at a future meeting.

**DAT/41/2223 Brazel v Harpur Trust case pay decision**

**Action:** Apply Option three: Automatically apply the 'Brazel' ruling and pay the backpay using the new calculation for existing staff. The Board were informed that further legal advice on how to implement the calculations had been given for pro rata basis due to days worked.

**Trustees commented** that the ruling is currently under review by the Government.

Mr Cotton clarified following Trustees questioning, that payment calculations were still be carried out, and further information from the government is awaited following the consultation in progress.

**DAT/43/2223 External Governance Review**

**Action:** Mrs Harrison Hill to request validation process to be carried out for named comments by Browne Jacobson.

Browne Jacobson had responded to the request for validation of comments and assured Trustees the report's contents reflect what was being communicated. This item is now complete.

**Action:** Action plan to be developed.

Document: *External Review Action Plan January 2023 v1* was previously received by the Board.

**Trustees agreed** to pause adding updates to the action plan until after the task and finish group had concluded its meetings with Chairs of Governors as discussed in agenda item 10 Review of Communication.

**DAT/46/2223 Audit and Risk Committee update**

**Action:** Committees to consider any areas for Internal Audit programme 2023-24 and inform Mr Storey.

Mr. Storey reminded Trustees that to ensure more coordinated thinking when it comes to audit planning committees had been asked to provide suggestions on any areas they believed would benefit from an internal audit, or if none, to send a nil response.

Mr Storey also raised any item discussed at committees related to risk be raised with either himself or Mrs Harvey.

**Action:** Committees to discuss any items for Audit and Risk planning for internal audit.

**DAT/47/2223 Governance and Partnership Committee update**

**Action:** Trustees who do not wish to stand as Chair to indicate their interest at the next Board meeting if they are interested in being part

**Committee  
Agendas**

	<p>of a task and finish group to look at the appointment process of the next Chair of Board.</p> <p>Trustees discussed a task and finish group, it was agreed that Miss Marriott, Mrs Mordue and Mr Rolph would form a working party to discuss.</p> <p><b>Action:</b> Governance professional to set up meeting for task and finish group.</p> <p><b>Action:</b> Guidance on best practice for appointing Chair of Board to be shared with Trustees.</p> <p>NGA document Getting the right people around the table was previously received by the Board.</p> <p><b>Action:</b> Agenda item for Governance and Partnership Committee to reflect if an item needs to be added to Committee agendas: items to refer to Academy Committees</p> <p>This item has been added to Governance and Partnership agenda.</p>	<p><b>Gov Professional</b></p>
<p>6. DAT/68/2223</p> <p>DAT/69/2223</p> <p>DAT/70/2223</p> <p>DAT/71/2223</p> <p>DAT/72/2223</p> <p>DAT/73/2223</p>	<p>Chief Executive Officers Report</p> <p>Confidential Document: <i>CEO Board report Feb 2023</i> was previously received by the Board.</p> <p><u>Attendance</u>-Mr Cotton highlighted from the CEO Board report that following a decline in attendance for staff and pupils' due to illness at end of last term, more positive attendance figures were seen in January 2023.</p> <p><u>Teacher Strikes</u>-An update was provided to the Board on the strike which a number of teachers had taken part in. Planning had been difficult as Unions had advised staff to not inform Leaders if planning to strike but plans were in place to ensure settings were safe. A review is being undertaken to assess the impact and approach to the following strike days planned. The strike held today had gone as smoothly as possible, one picket line had been in place. The next planned strike days are 15 and 16 March 2023.</p> <p>Following <b>Trustees questioning</b>, Mr Cotton confirmed that those entitled to free school meals had been provided with a lunch the day before to take home.</p> <p><u>CONFIDENTIAL</u> This item was deemed confidential and is recorded in the confidential minutes.</p> <p><u>Equality Diversity and Inclusion (EDI)</u>- The Board were updated that Mrs Saxelby is working with an external EDI consultant with the outcome to produce a plan to deliver training and develop policies addressing EDI.</p> <p><b>Trustees queried</b> if the baseline is understood of EDI within the Trust and it was clarified that this was not yet known and one of the reasons for engaging with an external consultant was to measure this. <b>Trustees requested</b> a look at the EDI external consultant outcomes prior to wider circulation.</p> <p><b>Action:</b> EDI outcomes from external consultant to be shared with Trustees prior to wider circulation.</p> <p><u>Governance Conference</u>- A Governance and Leadership conference is being planned for July 2023, with themes being explored, and looking to secure external speakers that fits with the key priorities. A discussion took place regarding the change in format of the conference and the need to vary the formats to find the most suitable approach.</p> <p><b>Trustees agreed</b> that there is an opportunity to seek feedback from Governors during the review of communication discussions on topics</p>	<p><b>DC</b></p>

<p>DAT/74/2223</p>	<p>to cover in the conference. And suggested that Academy Committee agendas could also include asking what they would want to be covered.</p> <p><b>Action:</b> Mrs Elway to feedback to Governance Professionals to include on LAC agendas for discussion on topics for Governor conference.</p> <p><b>Trustees commented</b> that the Trust needs to be multifaceted and be positively promoting what is being addressed to meet Governors concerns.</p> <p>Mr Cotton asked if trustees had any further questions on the Board report.</p> <p><b>Trustees referred</b> to 4.7 of the report Policies- raising concern regarding the requirement for shorter policies with principle based statements and then operating procedures referring to the new Health and Safety Policy which was very lengthy.</p> <p>Mr Cotton responded that the process of achieving brevity in the policies will take some time due to the capacity required and the importance put on that need for capacity. Currently the policy is compliant.</p> <p><b>Trustees raised</b> that the purpose of the policies are to inform staff and parents, raising the length of the documents make this prohibitive.</p> <p>Mr Cotton noted the concerns of Trustees.</p> <p><b>Action:</b> Miss N Marriott offered to provide example templates of policies which are separated into principal statements and operating standards.</p> <p><b>Risk Appetite Meeting-</b> Trustees and Chief Executive Team are attending a risk appetite meeting on 9<sup>th</sup> March 2023. Mrs Harvey will be preparing pre reading to ensure the meeting is effective and efficient.</p>	<p><b>Gov professional</b></p> <p><b>NC</b></p>
<p>7. DAT/75/2223</p>	<p>Committee Meeting Update from Chairs</p> <ul style="list-style-type: none"> <li>• <u>Finance and Resources Committee update (23/01/2023)</u></li> </ul> <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"> <li>• Presentation was received by the Committee from Head of Estates and Head of IT on buildings and capital investments and IT investment over next 3-4 years.</li> <li>• More reliance on section 106 funding due to overall capital grants from DfE not sufficient</li> <li>• Finance Management Accounts were reviewed for end of November, at this point a profit is still being shown. The effects of pay awards for teachers, which are not fully funded, are starting to be seen.</li> <li>• CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes.</li> </ul> <p>Following <b>Trustees querying</b> funding of the energy cost increase post April 2023, it was confirmed that funding will cease in April 2023. Some academies are on fixed term contracts and so increases are not yet impacting.</p> <ul style="list-style-type: none"> <li>• The Finance and Resources Committee reviewed the levels of cash which are in a good position and investment opportunities are being investigated for proposal to the Committee at a future meeting.</li> </ul>	

DAT/76/2223

- Policies were reviewed which included Health and Safety Policy and Gender Pay report, explaining that the gap in the gender pay report is not due to equal pay but created due to jobs held within the Trust by females.
- The Committee reviewed and approved the purchase of Ed Class alternative provision at a cost of £76k having first liaised with Chair of Standards and Outcomes on the quality of the provision.

- Standards and Outcomes update (18/01/2023)

Mr D Schwarz, Chair of Standards and Outcomes Committee provided the Board with an update from the Committee meeting:

- The committee were presented with the new Safeguarding report which provoked informed discussion. Mr Knight will now attend part of the Standards and Outcomes Committee meetings to present the report findings. A review of the report format will be undertaken in the summer term.
- CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes.
- Reputation within some communities is one of the biggest challenges raised by staff.
- The Committee noted the formal report following Walton Academy Ofsted visit.
- Discussion was held regarding the Committees planned visit to The Holgate Academy discussing areas that would be most beneficial to explore.
- Mr Schwarz fed back to the Board that the visit by the Committee to The Holgate Academy had been very positive. An extensive programme was in place with each Trustee meeting different staff members and seeing different areas of the school. Approximately half a dozen classes were seen. Discussions with teachers and students were held. The enthusiasm and passion for pupils and what is being done to improve the school was very clear.
- The committee members that attended the visit expressed that public relations are important for The Holgate Academy to communicate the improvements. Building condition is a concern, and short-term improvements to catering facilities, common areas, stairs, pupil toilets will better support development while waiting for the new build.
- Pupil behaviour was reported as better than expected during the visit.
- Consideration to the support the Chair of Governors can be offered needs to be addressed.

Mr Cotton agreed that the narrative within a community of generations of families can be difficult to change, good news stories such as the School Rebuild Programme will help but this will take time.

Mr Donald left the meeting at 5.25pm.

DAT/77/2223

### **Policies approved at Committees**

Standards & Outcomes Committee

- Early Years Foundation Stage Policy
- Early Years policy Academy Appendix
- Supporting Students with medical conditions

<p>DAT/78/2223</p>	<ul style="list-style-type: none"> <li>• Provider Access</li> </ul> <p>Finance and Resources Committee</p> <ul style="list-style-type: none"> <li>• Gender Pay report.</li> <li>• Health and Safety</li> <li>• Financial Regulations</li> </ul> <p>Policies for approval at Board:</p> <ul style="list-style-type: none"> <li>• Admission Policy</li> <li>• Admission appendices</li> <li>• Gender Pay report</li> <li>• Health and Safety Policy</li> </ul> <p>The Board ratified all the polices as agreed approved at committee stage.</p> <p>The Board <b>approved</b> the Admissions policy.</p> <p>The Board <b>approved</b> the Gender Pay report.</p> <p>The Board <b>approved</b> the Health and Safety Policy.</p>	
<p>8. DAT/79/2223</p> <p>DAT/80/2223</p>	<p><b>Statutory Updates, Changes to legal documents and Companies House filing</b></p> <p>Document: <i>Response from Delivery Officer re Changing Articles of Association</i> was previously received by the Board.</p> <p>The Board discussed the options set out in the document.</p> <p>The Board agreed that following the recent letter from the DfE informing of in principle approval to sponsor the proposed new primary free school at Thoresby Vale, Edwinstowe.</p> <p>The changes to Articles and update of supplemental funding agreement would be carried out with the legal work required for the new school.</p> <p>Document: <i>FSP Decision Letter Sponsor Jan 2023</i> was previously received by the Board.</p> <p><b>Trustees congratulated</b> all involved in the bid for the application to sponsor the new primary free school in Thoresby Vale, commenting that this recognises the strength of the Trust.</p>	
<p>9. DAT/81/2223</p>	<p><b>Annual Requirements</b></p> <ul style="list-style-type: none"> <li>○ Determination of Admission Arrangements for September 2024</li> </ul> <p>Document: <i>Trust Board report Admissions Policy for the Academic Year 2024, and Admission Policy, Admission appendices</i> were previously received by the Board</p> <p><b>Trustees determined</b> the admission arrangements for the Academic Year 2024.</p> <ul style="list-style-type: none"> <li>○ Modern Slavery Statement</li> </ul> <p><b>Trustees approved</b> the Modern Slavery Statement and agreed use of Chair of Board’s electronic signature for the document</p>	
<p>10. DAT/82/2223</p> <p>DAT/83/2223</p>	<p><b>Trustee items:</b></p> <ul style="list-style-type: none"> <li>• Chairs Correspondence <ul style="list-style-type: none"> <li>○ Diverse AT Meeting letter 20230105 (The Holgate Academy response to meeting)</li> </ul> </li> </ul> <p>Confidential Document: <i>Diverse AT Meeting letter 20230105</i> was previously received by the Board.</p> <p>CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes.</p> <ul style="list-style-type: none"> <li>○ 20230124_PRIVATE CAS-474899 CoT outcome letter and summary of concerns</li> </ul>	

	Confidential Document: 20230124_PRIVATE CAS-474899 CoT was previously received by the Board.	
DAT/84/2223	CONFIDENTIAL: This item was deemed confidential and was recorded in the confidential minutes	
DAT/85/2223	<ul style="list-style-type: none"> <li>Proposal for Time Limited Review of Communication with Chairs of Academy Committees</li> </ul> <p><b>Trustees discussed</b> forming a task and finish group to carry out one to one meetings with Chairs of Governors to review communication following the External Governance Review. The Board wish to improve the relations as a Board with Academy Committees and would like to test the current position through informal discussion. Mr Schwarz, Miss N Marriott and Mr R Shearing volunteered undertake this review.</p> <p><b>Trustees considered</b> what was sought to be produced from the review and concluded it was feedback to the Board to highlight common themes for a decision on action.</p> <p><b>Action:</b> Governance Professional to set up one to one meetings.</p> <p><b>Action:</b> Feedback to by task and finish group to Board meeting on 22 March 2022</p>	
DAT/86/2223	<ul style="list-style-type: none"> <li>CST Trustee Training – Essential Trustee programme and Chair Development Programme</li> </ul> <p>The links to the training programmes available were shared with the trustees should they wish to develop further as a Trustee.</p>	JHH DS
11. DAT/87/2223	<p><b>Executive items:</b></p> <ul style="list-style-type: none"> <li><u>Appointment of Principal Retford Oaks</u> (Mr L Dickinson) Mr Cotton confirmed the appointment of Mr L Dickinson as Principal at Retford Oaks had previously been approved via email by Trustees.</li> </ul> <p>Trustees noted the previous approval provided by email and formally <b>ratified the appointment</b> at the meeting.</p>	
DAT/88/2223	<ul style="list-style-type: none"> <li><u>The Holgate Academy update</u></li> </ul> <p>Mr Cotton reminded the Board that every half term a review meeting is held to ensure the improvement plan is progressing.</p> <p><b>CONFIDENTIAL:</b> This item was deemed confidential and was recorded in the confidential minutes.</p>	
DAT/89/2223	<p><b>AOB:</b></p> <ul style="list-style-type: none"> <li><b>CONFIDENTIAL:</b> This item was deemed confidential and was recorded in the confidential minutes.</li> </ul>	
DAT/90/2223	<p><b>Determination of Confidentiality</b></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"> <li>- An Item discussed within <b>agenda item 6 DAT/71/2223</b> until process of change is complete.</li> <li>- An Item discussed within <b>agenda item 7 DAT/75/2223</b> should remain confidential to attendees and Trust Board.</li> <li>- An Item discussed within <b>agenda item 7 DAT/76/2223</b> should remain confidential to attendees and Trust Board.</li> <li>- An Item discussed within <b>agenda item 10 DAT/82/2223</b> should remain confidential to attendees and Trust Board.</li> <li>- An Item discussed within <b>agenda item 11 DAT/88/2223</b> should remain confidential to attendees and Trust Board indefinitely.</li> <li>- An Item discussed within <b>agenda item 11 DAT/89/2223</b></li> </ul>	

	<p>should remain confidential to attendees and Trust Board until process is complete.</p> <p><b>Equalities Act consideration</b> The Board considered the Gender Pay Gap report and were updated on the Brazel ruling.</p> <p><b>Have decisions been made according to the 7 Nolan Principles</b> - Attendees were content that all decisions made adhere to the seven Nolan principles.</p> <p><b>Consider any item to be referred to Charities Commission</b> - Trustee resolved that no items need to be reported to the Charities commission</p>	
12.	Date and time of next meeting: <b>Wednesday 22 March 2023, 5.00pm</b> at Diverse Education Centre, Retford.	

The meeting closed at: 18:09

Minutes agreed by Chair: