



A meeting of the Hart Schools Trust Board was held on Wednesday 25 January 2023 starting at 08.00 by videoconference.

## PRESENT

Andrew Simmons (Chair)  
Hilary Clifford  
Kit Davies (Vice-chair)  
Jonathan Ellam  
Paul Extance

Socrates Karidis  
Mark Lewis (Chief Executive)  
Vicky Parsey  
Sahreen Siddiqui  
Helen Stanton-Tonner

## IN ATTENDANCE

Paul Harte (Group Finance Director)

Robert Dale (Company Secretary/Clerk)

## WELCOME

- Trustees welcomed Paul Extance, joining for his first meeting as a Trustee. He was a Hertfordshire resident, with a professional background as a chartered accountant and experience as a Finance Director and Financial Controller including in mergers and acquisitions. Currently, he was working part-time with early stage companies, helping them to grow.

## ITEM 1A: APOLOGIES FOR ABSENCE

- Louise Lee.

## ITEM 1B: DECLARATIONS OF INTEREST

- Kit Davies declared that he was a member of the Board of WENTA and the Board of the Hertfordshire Virtual School. Jonathan Ellam declared that he was employed by HFL Education (formerly Herts for Learning) as a governance advisor.

## ITEM 1C: MINUTES OF THE PREVIOUS MEETING

- The minutes of the business meeting held on 6 December 2022 were agreed as an accurate record and would be signed accordingly.

## ITEM 1D: MATTERS ARISING/ACTIONS

- These had been addressed as follows:
  - Consider how to use lessons from the ETF evaluation process in reviewing the effectiveness of the Trust Board. **Action under way.** This will be further followed-up in 2023.
  - Complete work on the revised Instrument and Articles of Association for the Trust and confirm ESFA approval prior to submission to the Trust Board in July 2022. **Action under way.** The revised Articles and Funding Agreement were currently with DfE and a response was awaited. An anomaly had also been identified in respect of the 'capacity' figure for the Roebuck Academy – which currently excluded the Nursery. A process would need to be followed to have

this error in the record corrected. In addition, the local authority wanted to include a variation in the Academy lease relating to the relationship with the separate pre-school which occupied part of the building under a separate lease from the local authority. Initial legal advice was being sought on dealing with this.

## ITEM 2: HST PERFORMANCE UPDATE

- The paper summarised the current position across the Trust's two schools. The CEO highlighted some additional points:
  - Since the paper had been written, mock examination data for the TAA Y11 and Y13 cohorts had been further analysed. Overall results looked positive when compared with SISRA mock data - but this might not be a reliable guide to the final outcome in the summer.
  - There was a clear gap in achievement data between Pupil Premium (PP) and non PP learners. This was not just evident from mock results, but also in attendance, progress and participation in enrichment activity and clubs. There was considerable effort already going into trying to close this gap; the next Governor in School morning at TAA would be monitoring this in more detail.
  - The Open element of the Progress 8 measure was currently weaker than the Core subject element; individual subjects such as Spanish were of particular concern and interventions were being made where necessary. In addition, lessons from other schools had been identified and a wider vocational offer was being prepared for the next academic year. This would include IT and health and social care qualifications which would fit within the Open element of the Progress 8 measure.
- Trustees asked:

**Question:** *Had the fact that the BTEC landscape would be radically different by 2025 informed the decision to introduce new vocational options?* The CEO had been assured that the proposed framework would remain relevant but would seek additional confirmations.

**Question:** *What were the contingency plans for BTEC exam dates given the recent announcement of industrial action?* These could be covered by other staff; a catering examination was taking place during the week of the first strike and was going ahead as scheduled.

**Question:** *Were the proposed new vocational qualifications BTEC L2?* Yes, and it was understood that a subsequent replacement might be a transitional T-level. Schools were in general not well set up to deliver the full T-level which required a considerable level of work experience built into the programme. A range of vocational qualifications would cease to be funded (including several Business and IT qualifications) and not all would have direct T-level replacements.

**Question:** *Was there enough leadership capacity to handle both the ongoing challenges of improving outcomes in the Trust, taking part in personal development and networking opportunities and taking on additional schools?* The CEO confirmed that he believed that he could do so at present but was keeping workload under constant review. He was in regular discussions with the TAA LGB Chair and would continue to seek her guidance.

**Question:** *What was the latest situation in respect of the lighting contract?* The company was being given a further chance to respond, but if this was not satisfactory, further advice – including legal advice if necessary – would be taken.

**Question:** *How was forecast sixth form recruitment?* At this point in time, it looked positive and there should be just over 100 students across Y12 and Y13 in 2023/24.

**Question:** *Recognising that attendance was a national issue, what was the leadership team doing to improve it in both schools?* The attendance team had been expanded, with more telephone contacts, home visits, work with external agencies, support to overcome barriers to attendance linked to poverty, the allocation of reduced timetables where appropriate and so on. The school was open to new ideas for tackling the issue; industrial action was not helpful in this context.

**Question:** *How was the Progress 8 Open element defined?* These were subjects which were outside the core and outside the 'English baccalaureate' list and included modern languages, music, art, drama and some science options. In other schools, these subjects often 'propped up' a school's Progress 8 score, with core subjects faring less well; at TAA, the opposite was true. Core subject results were better than the Open element.

**Question:** *How were the schools handling forthcoming industrial action?* Neither school would be able to open as normal. At TAA, some 70% of staff were in the National Education Union (NEU) and were expected to strike on 1 February. There would be enough cover available to have Y11, 12 and 13 in school, with the sixth form undertaking supervised independent study. In other year-groups, Students with SEND and other vulnerable students were being offered the chance to come into school as well. Free school meals would be available for families entitled to receive them to collect – but to minimise waste, they were being asked to order them in advance. At Roebuck, Y2 and Y6 would be in school with similar provision available for SEND or vulnerable learners. Other Stevenage headteachers were taking a similar approach; government advice to hire football coaches or use volunteers was unhelpful in terms of maintaining good industrial relations. The March mock examinations had been moved so that they coincided with the later strike days; these could be supervised more easily than could a normal timetable. In some primary schools, enrichment activities were being arranged. At TAA, homework would be set for year groups not in school on strike days.

**Question:** *What was the expected participation rate from teachers?* That would not be known until the day of the strike.

**Question:** *What would happen to teachers calling in sick on that day?* The leadership team had discussed this and agreed that they would be prepared to take a sickness call on trust on the first strike day; for subsequent or repeated sickness absences on strike days, a medical certificate would be required.

**Question:** *Would teachers taking strike action lose pay?* Yes, there would be a deduction of 1/365<sup>th</sup> of salary. Teachers not on strike were required to be on site whether or not their year groups were in school so that it was clear who was participating and who was not.

- Trustees supported the approach being adopted by the headteachers of both schools towards managing provision on strike days and handling the ongoing relationship with staff. While they recognised the context for staff dissatisfaction - which included the fact that school funding from the Department for Education was not being increased even to cover the existing offer - Trustees regretted the necessity of closing the schools for some learners and hoped that a satisfactory resolution for the dispute could be found soon.

- **The Trust Board accepted** the report.

### ITEM 3: P4 (DECEMBER 2022) MANAGEMENT ACCOUNTS

- The year to date (YTD) position was better than budget but the year-end forecast was being retained; much of the difference was considered to relate to the timing of costs and receipts. It was now possible to hold cash in interest-bearing accounts and anticipated receipts this year were expected to cover the newly introduced bank charges. Andrew McLeod had done excellent work on this development.

**Question:** *Could the cost of the new back-up gas boiler at TAA be covered without affecting this year's out-turn?* Quotes for a replacement were being obtained, but it was believed that the costs could be met by redeploying existing budget provision.

**Question:** *What would the position be if the bid to complete fire safety work was unsuccessful?* The bid had been submitted to bring the relevant buildings up to current standards, but completion was not required for continuing occupation. Some of the planned works might be undertaken, should the bid be unsuccessful, but the whole project would not go ahead. The premises would still be compliant but the project would improve safety.

**Action:** Provide a statement about fire safety compliance at TAA for the next meeting.

**Question:** *Was the proposed work on the Roebuck heating equipment essential?* The bid was in respect of a ground source heat pump installed when the new building had been constructed but which had never operated properly. The supporting bid writing consultancy had indicated that this was the only capital investment need at the school large enough to be suitable for a Capital Improvement Fund (CIF) bid.

- **The HST Board was satisfied** with the latest financial position reported.

### ITEM 4: RISK REGISTER

- Since the last meeting, one new risk had been opened (**Risk 11** - That a failure to recruit and retain exceptional staff impacts on each school's ability to meet targets in the school's development plan). This reflected the continuing difficulty in the school sector of attracting and keeping good staff. Post mitigation, the risk was RAG-rated as Green, but included both teaching and support staff, with the latter vacancies often harder to fill because of relatively low remuneration.
- A higher score had been given to **Risk 10** (Disruption to learning following potential strike action following a ballot of teaching unions) because strike dates had now been announced. Although the risk was rated post mitigation as Green, as had previously been discussed, neither Roebuck nor TAA would be able to remain open for all pupils and was giving priority to particular year-groups and vulnerable learners.
- Lower scores had been given to Risks 6 (That the Trust lacks sufficient members, board directors and local governing body members to meet the terms of its articles) and 8 (That TAA Sixth Form reduces in size due to low student enrolment numbers). This followed effective mitigation actions in both areas.
- A Buzzacott webinar on ESFA and charity governance had been arranged for 9 February 2023, and a link had been circulated to Audit & Risk Committee members. This would also share case studies on Financial management of a growing MAT and Governance and risk within a Trust.

**Question:** *Was the staff recruitment/retention risk one of quality alone, or quality and capacity?* It was both; the risk description would be adjusted accordingly. Mitigation measures could be slightly different for each type of risk.

**Action:** Adjust the Risk Register as suggested by the Audit & Risk Committee.

- Subject to the changes suggested being made, **the Trust Board endorsed** the latest iteration of the Risk Register.

#### **ITEM 5: AUDIT & RISK CHAIR'S REPORT**

- The Committee had not met since its previous report to the Board on 6 December 2022, but would do so later in March. The paper circulated with the agenda provided an update on ongoing actions and a preview of the next agenda.
- Following the Committee Chair's retirement from the Trust Board and Committee, Jonathan Ellam had agreed to take on the role (at least on an interim basis) and was keen to bring in some fresh experience. The most recent Trustee recruitment process had deliberately set out to find suitable candidates with financial qualifications, skills or experiences and had succeeded in doing so.
- **The Board agreed** that Paul Extance should be appointed to the Audit & Risk Committee with immediate effect.

**Action:** Confirm this appointment and ensure meeting dates are communicated.

- **The Trust Board accepted** the report.

#### **ITEM 6: LOCAL GOVERNING BODY REPORTS**

##### *The Roebuck Academy*

- The LGB had not met since its previous report to the Board on 6 December but was due to meet in February. The main subsequent development had been the identification of a new Chair to take over from the interim Chair (Andy Palmer). An existing member of the LGB (Nadia Hodges, a curriculum director at North Hertfordshire College and a former pupil of the school) had agreed to take on the role with effect from the summer term. She would not be joining the Trust Board, however (the draft revised Instrument and Articles did not make LGB Chairs ex officio Trustees) and consideration would need to be given to managing the link with local governing bodies in a different way in future (perhaps through periodic Chairs Meetings). This would also be significant in the context of Trust growth.
- **The Trust Board welcomed the news that a new LGB Chair had been identified and agreed** to appoint Nadia Hodges as Chair with effect from 17 April 2023.

##### *The Thomas Alleyne Academy*

- The LGB had not met since its previous report to the Board on 6 December, but was due to meet in February. Its main priorities this year had been on sixth form growth and on reducing the achievement and other gaps between Pupil Premium (PP) and other learners. This included attendance, progress, achievement and engagement gaps with correlations between them and the recent Governor in School morning had considered in detail the actions being taken. These included continuing to strengthen pastoral support, ongoing home calls and home visits in respect of non-attendance, action to identify and overcome barriers to attendance or participation (such as subsidising participation in enrichment activities). Other ideas to extend support were always welcome.
- The Board noted that the school was part of a bid to Mission 44 (Lewis Hamilton's charity) which sought to support vulnerable and disadvantaged learners through life

science and technology projects (rather as the Airbus challenge had done a few years previously). Past experience of such projects had showed that they could be very effective for the participants. The outcome of this bid was expected shortly.

- Trustees agreed that the actions being taken by the school were right, while noting that they were also resource intensive. Personalised contact with students and families, including immediate follow-up for non-attendance was considered key with follow-up meetings with family to reinforce awareness that every day in school counted. It was appreciated that industrial action was unhelpful in this context, however.
- **The Trust Board accepted** the reports.

## ITEM 7: TRUST DEVELOPMENT

- A confidential schedule had been circulated with the meeting pack showing schools with which conversations about the Trust were taking place. One of these (with Ashtree Primary School) had recently resulted in a decision to progress to a proposal for conversion and some due diligence had started. The Board thanked Jonathan Ellam for his support in making a presentation to the school's Governing Body.
- There was a long way to go before a final decision on this could be made; there was a known quality risk (the school had received two successive Requires Improvement (RI) judgements from Ofsted) and a possible financial risk. The initial impression was that the school had an unduly large and costly leadership team, and comparatively unchallenging governors. Discussions with local authority colleagues would inform the initial due diligence process for Ashtree.
- Another local primary school was also very interested (Lodge Farm) but was not yet as far down the road.
- Governors agreed that contact with the local authority finance and quality teams would be key to this work. They congratulated the CEO on taking forward the Board's directions so effectively.

**Question:** *Was there a succession plan for the Trust's existing senior leaders?* Both schools had senior and middle leaders with the potential to step up to the next level; depending on the circumstances, testing this against external candidates would be the preferred approach.

**Question:** *In the event that one or both of the primary schools currently interested in conversion actually joined the Trust, would a Primary Executive head role be considered?* Yes, this was certainly one option and would be considered when the time was right.

- Members asked that a detailed progress report on due diligence activity be given to the next meeting, including – for example – considerations such as the likely timing of a future Ofsted inspection of Ashtree Primary School, and the Trust's capacity to deliver change and maintain the quality of existing delivery. Conversations with other schools should also be maintained over this period. Templates for due diligence activity would be welcome from any colleagues.

**Action:** Include Due Diligence update on the agenda for the next meeting.

- **The Trust Board welcomed** the report.

**ITEM 8: POLICIES REVIEW**

- Three Policies were proposed for consideration and approval at this meeting:
  - Admissions Policies (including Sixth Form Admissions) for TAA and Roebuck.
  - A Trust-wide CCTV Policy.
- The proposed Admissions Policies from both schools for 2024/25 had been circulated. Roebuck was consulting on a change to its existing policy, introducing a rule giving priority to children of staff working at the school. This was a criterion which most schools had (including TAA) and should not be controversial. The proposed wording for the rule was in line with the law and regulation governing school admissions.
- TAA was proposing no changes to its Admissions Policy and members once again noted the potential for this to be referred to the Office of the Schools Adjudicator. Members recognised that there was an increased risk that such a reference in respect of Rule 4 (giving priority to Roebuck pupils) would succeed but also noted that the number of children possibly affected remained low in number and as a proportion of the Published Admissions Number (PAN).
- The CCTV Policy outlined the background for the deployment of this technology across Trust schools, the use to which such personal data would or could be put, and who had access to it. For the avoidance of doubt, the system in place did not have facial recognition capability. The Policy fulfilled the Trust’s obligations under the Data Protection Act 2018 to define clearly the legal basis for such processing.
- **The Trust Board approved:**
  - The proposed 2024/25 Admissions Policies for the Roebuck Academy and the Thomas Alleyne Academy.
  - The proposed Trust-wide CCTV Policy.

**Action:** Arrange to have the final policies published on the Trust/School websites and provided to the local authority as required.

**ITEM 9: ANY OTHER BUSINESS**

- None.

**ITEM 10: DATE OF NEXT MEETING**

- Wednesday, 29 March 2023, starting at 09.00, in the Conference Room, the Thomas Alleyne Academy, Stevenage and by videoconference (Microsoft Teams).

.....

Signed as an accurate record: Chair

.....

Date

## ACTION LOG

Date	Item	What	Who	When
14/07/21	6.	Consider how to use lessons from the ETF evaluation process in reviewing the effectiveness of the Trust Board.	Robert Dale	30/09/21
25/05/22	2.	Complete work on the revised Instrument and Articles of Association for the Trust and confirm ESFA approval prior to submission to the Trust Board in July 2022.	Robert Dale	30/06/22
25/01/2023	4.	Adjust the Risk Register as suggested by the Audit & Risk Committee.	Mark Lewis	03/03/23
25/01/2023	3.	Provide a statement about fire safety compliance at TAA for the next meeting.	Mark Lewis	17/02/23
25/01/2023	5.	Confirm this appointment [of Paul Extance to the Audit & Risk Committee] and ensure meeting dates are communicated.	Robert Dale	17/02/23
25/01/2023	7.	Include Due Diligence update on the agenda for the next meeting.	Robert Dale	17/02/23
25/01/2023	8.	Arrange to have the final policies published on the Trust/School websites and provided to the local authority as required.	Robert Dale	17/02/23