



A meeting of the Hart Schools Trust Board was held on Wednesday 29 March 2023 starting at 09.00 in the Conference Room, the Thomas Alleyne Academy, Stevenage and by videoconference.

PRESENT

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

Socrates Karidis
Louise Lee
Mark Lewis (Chief Executive)
Vicky Parsey (by videoconference)
Sahreen Siddiqui (by videoconference)

IN ATTENDANCE

Paul Harte (Group Finance Director)

Robert Dale (Company Secretary/Clerk)

ITEM 1A: APOLOGIES FOR ABSENCE

- Helen Stanton-Tonner.

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 29 January 2023 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.

- Adjust the Risk Register as suggested by the Audit & Risk Committee. **Action complete.** The risk relating to staff recruitment and retention was re-expressed to cover both quality and capacity as the Board had suggested.
- Provide a statement about fire safety compliance at TAA for the next meeting. **Action complete.** Fire safety concerns at TAA related to completing the replacement of Fire Doors in A,B,C E and F blocks as the existing doors are non fire-rated. Current guidelines ask that all doors to classrooms should have a 30 minute fire rating and vision panel installed to assist with visibility for teachers and students alike. The 30 minute fire door would also assist the emergency services in the event of a fire and minimise spread (as we do not have a sprinkler system installed due to the age of the buildings). Included in the CIF bid in addition were fire compartmentation works within the ceiling voids to restrict the spread of a fire. The present arrangements are not up to current standards, but there is no immediate or time-dependent requirement to upgrade. There is no update on the outcome of the CIF bid, but this is expected in April.
- Confirm this appointment [of Paul Extance to the Audit & Risk Committee] and ensure meeting dates are communicated. **Action complete.** Paul had attended his first meeting on 16 March 2023.
- Include Due Diligence update on the agenda for the next meeting. **Action complete.** This matter would be covered at Item 2.
- Arrange to have the final policies published on the Trust/School websites and provided to the local authority as required. **Action complete.** The local authority had been notified that Admissions Policies had been determined before the required deadline and the policies had been added to websites.

ITEM 2: ASHTREE PRIMARY SCHOOL – DUE DILIGENCE (CONFIDENTIAL)

- Trustees discussed accepting the Ashtree Primary School into the Trust. The school had passed a formal resolution seeking to join and the initial request had been passed to the Regional Schools Director. The opportunity had several strengths – shared values and proximity to the Roebuck Academy - and taking on a new school would be a real opportunity for the Trust.
- Against that, the school faced some significant issues, including a very difficult financial position with a recovery plan that did not see a surplus being achieved until 2024/25. More detail about proposed adjustments (which had only been communicated late on 28 March) would be needed to assess whether these were appropriate. A response from the local authority about how the existing cumulative deficit would be addressed was also awaited.
- The school was experiencing a falling roll – partly as a result of local demographics, but exacerbated by reputational issues – and this would lead declining revenue for the foreseeable future. There were governance weaknesses, including low governor attendance and a seeming reluctance to make difficult decisions. There were risks around a ‘tired’ estate, albeit these were likely cosmetic rather than structural needs.
- The local authority had recently expressed worries about the Trust’s capacity to deliver, given the current Roebuck Headteacher’s move back to the North West. Trustees asked:

Question: *How had the significant deficit arisen?* The belief was that the school had been reluctant to reduce its costs in line with a declining income; there were a large number of staff

holding 'Teaching and Learning Responsibility' (TLR) awards which increased salary costs and there was a generally costly staff team.

Question: *Did the Trust have the resources to turn the school round?* Even with the impending departure of the Roebuck Headteacher, the CEO was confident that there was strength in depth and that a turn around could be managed, provided the financial position was resolved. The local authority had advised that they would cover redundancy costs.

Question: *Realistically, could the school return to being a two form entry?* Because of the demographic trend of a smaller primary age population, this was unlikely. Restoring the school's reputation would secure a strong one form entry school but there was a risk that the position would get worse before it got better.

Question: *Were the financial projections underpinning the current recovery plan based on a one-form entry?* It was believed so, but the supporting detail was awaited.

Question: *What was the cash position?* It was likely that careful management of cash between schools would be required for the initial two years.

Question: *Longer term, were one form entry primary schools viable?* Less so than if they were two form entry. Much depended upon associated support and leadership structures.

Question: *What was the state of the curriculum?* Currently, this was weak with weak subject leadership. There were high levels of SEND in the school, and a considerable level of non-inclusive support. At this stage, there was a material risk that an Ofsted inspection would find the school to be inadequate.

Question: *Was there a risk that the school would be directed to join a larger MAT?* Yes, particularly if there should be an Inadequate Ofsted outcome.

Question: *How long might it take to turn the school around?* Realistically, this would take at least four years, perhaps longer.

Question: *Would this project affect the current recruitment to replace the departing Roebuck headteacher?* This had been covered in the recruitment advertising.

Question: *Had accessing the Trust Capacity Fund (TCaF) been considered?* Not yet; this would be explored.

- Trustees were content to proceed with caution; they had three asks from the local authority with the CEO was charged with following up:
 - Addressing the historic deficit so that the Trust was not required to bear this.
 - Capital or other investment to improve the physical condition of the estate.
 - Resolving staff issues including covering redundancy provisions.
- This was not a decision to proceed with accepting the school; there were some significant risks and Trustees wanted to be sure these had been adequately mitigated before taking such a decision.
- Contact with a review group of Trustees would be maintained during the ongoing due diligence activity.
- **The Trust Board welcomed the progress made** with this opportunity.

ITEM 3: TRUST DEVELOPMENT

- The paper summarised the current state of conversations with other local schools. These continued to be positive but none were as far advanced as with Ashtree.
- **The Trust Board welcomed** the report.

ITEM 4: HST PERFORMANCE UPDATE

- The paper summarised the current position across the Trust's two schools. The CEO reported that in both cases, the gap in attendance, engagement, progress and achievement between disadvantaged and non-disadvantaged cohorts had not been reduced. While this was not an issue confined to Trust schools, the team was not satisfied and was seeking to be creative in remedying the position. Ongoing discussions with a MAT leaders' group was exploring good practice in this area and any reasonable suggestion would be tried.
- Behavioural challenges were rising; this year, it was likely that six permanent exclusions might be required, compared with two in 2021/22. Movement between schools in the area was at a more elevated level and the number of 'fair access' requests had grown. Even when schools were able to put forward good evidence to suggest that the proposed admission would not be in the best interests of the child, parental choice, and the lack of available specialist provision meant that these submissions from schools were ignored. While TAA would continue to be an inclusive school and would do its best to support any child joining it, there were serious challenges at a much higher level than hitherto.
- A colleague had recently represented the Trust a national conference on equality, diversity and inclusion.
- Further industrial action during the summer term was a risk given the immediate response to the latest government pay offer – which continued to be not fully funded.
- A recent complaint was being initially considered by the headteacher but might progress to TAA governors if it could not be resolved at this stage.
- Trustees asked:

Question: *How many applications for Y12 had been received to date?* Around 80, of which between 50 and 60 might be expected to join.

Question: *Was TAA still holding 'learner at risk' disciplinary panel meetings?* Yes, but a number of situations had escalated very rapidly.

Question: *Had any firm commitments been made to Ashtree about professional support?* Not at this stage.

Question: *Was the mobility shown in the TAA numbers on roll changes related to exclusions?* For Y10, none of the three losses related to permanent exclusions (which this year to date had involved one Y8, one Y9 and one Y11).

Question: *Was there a need to consider whether the TAA approach to behaviour management needed adjustment?* Behaviour for learning (in classrooms) remained good. The increased level of behavioural challenge reflected a number of 'repeat offenders' and was often associated with a refusal to engage with learning, truanting lessons even if the student remained on site, and poor behaviour during unstructured time. The increased volume related

to the current drive to place more children with additional support needs into mainstream settings, without also providing the resources to provide for those needs.

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

ITEM 5: P5 (JANUARY 2023) MANAGEMENT ACCOUNTS

- Trustees considered the latest monthly report, noting that the increased use of agency staff relates to two staff on long-term sick leave and the unexpected extension of a maternity leave; these have been covered in part by senior leaders, but they had also needed time for their own responsibilities.
- Trustees noted that the average pay increase for support staff at Roebuck was 8.2% and the omitted number '8' would be corrected in the paper.
- **The HST Board was satisfied** with the latest financial position reported.

ITEM 6: RISK REGISTER

- Two new risks had been added to the Risk Register:
 - **Risk 12** - That TAA is referred to the Office of the Schools Adjudicator (OSA) following significant increase to Roebuck allocation.
 - **Risk 13** - Failure to recruit a suitable Head teacher at Roebuck following the resignation of the current Head.
- The first had been discussed as part of the CEO's performance report. In respect of the second, as selection process had been scheduled for 25 and 26 April 2023, with a panel interview expected to take place on the second day. Participation by one or two trustees (ideally those with a primary background) would be greatly appreciated. Trustees asked:

Question: *How much interest had been shown in the role?* Six people had asked to have school tours. It would be interesting to see how many took their applications further and how they performed during the selection process. The objective was to recruit a new head teacher who could carry forward the momentum achieved by Lynsey Young.

Action: Consider participating in the Panel Interview on 26 April.

- **The Trust Board endorsed** the latest iteration of the Risk Register.

ITEM 7: AUDIT & RISK CHAIR'S REPORT

- The new Audit & Risk Chair reported on the meeting held on 16 March 2023. He had welcomed Paul Extance to the meeting, who brought considerable financial experience to bear. There had been a good level of challenge from all members.
- The Committee had discussed the risk register in some depth, and had considered an internal scrutiny report on cyber security with a focus on TAA (Roebuck was undergoing the same process at present). This included nine recommended actions which were being addressed.
- Reports on following up actions from previous internal scrutiny activity were also considered; most actions had been closed or were in the process of being completed.

- The Committee had reviewed a draft Pay Policy and made recommendations for adjustments – which had been incorporated into the policy proposed at Item 9 on this agenda.
- One suggestion from a report made to the ESFA was that the Trust should have a Finance Committee. The Audit & Risk Committee had discussed this, including whether the role could be combined with its own, but felt that at this stage of the Trust's development, responsibility should rest at Board level. Should the Trust grow significantly, a separate Finance Committee might become necessary, but at this stage, the Board should be fully engaged in overseeing the Trust's financial position.
- **The Trust Board accepted** the report.

ITEM 8: LOCAL GOVERNING BODY REPORTS

The Roebuck Academy

- A new Chair had been identified (Nadia Hodges) who would take over from Andy Palmer (Vice-chair and current interim Chair) at the end of the academic year. There had been a good governor in school morning recently, which had carried out a subject deep dive and the same approach was being considered at TAA. Local governors had been informed about Lynsey's departure, but had not had a chance to discuss the implications at the LGB. However, governors were very satisfied with the position of the school at present and remained active and engaged.

The Thomas Alleyne Academy

- The current priority was growing the sixth form, and applications for September 2023 suggested that the Y12/Y13 total would be at or above 100 – the anticipated level.
- There continued to be gaps in respect of attendance, progress and achievement between disadvantaged students and the cohort as a whole. Governors were monitoring this closely and supported the approach currently being taken by the school. A high level of behavioural challenge was being encountered leading to a larger than usual number of suspensions and exclusions.
- The LGB Chair was carrying out one-to-one interviews with governors to discuss their views about the effectiveness of the LGB and to see what ideas for innovation might be brought forward. A report would be made to a future meeting of the Board.
- The school's approach to teaching Relationships, Sex and Health Education (RSHE) would be considered in detail at the next meeting – just to ensure that governors were clear about how this was being approached.

Question: *Was there an expectation that sixth form numbers would continue to grow?* There was new leadership and some broadening of the offer, with academic and vocational options available in 2023/24, but physical capacity would become a limiting factor if numbers rose above 120 overall.

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

ITEM 9: POLICIES REVIEW

- The ongoing review of policies had identified that a Trust-wide Pay and Progression Policy was needed and had shared an earlier draft with the Audit & Risk Committee. The changes suggested by this body had been incorporated into the version before the Board and it was accordingly recommended. A final check on the consistency of

terminology (eg Managing Director/ Chief Executive would be carried out before publication.

- **The Trust Board approved** the proposed Trust-wide Pay and Progression Policy.

Action: Arrange to have the final policy published on the Trust/School websites.

ITEM 10: ANY OTHER BUSINESS

- None.

ITEM 11: DATE OF NEXT MEETING

- Wednesday, 24 May 2023, starting at 08.00, by videoconference (Microsoft Teams).

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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
29/03/23	6.	Consider participating in the Panel Interview on 26 April.	All Trustees	19/04/23
29/03/23	9.	Arrange to have the final [Pay and Progression] policy published on the Trust/School websites.	Robert Dale	31/05/23