



A meeting of the Hart Schools Trust Board was held on Wednesday 24 May 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)  
Andrew McLeod (Chief Finance Officer)

Robert Dale (Governance Professional)

## 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.
- Andrew Simmons declared that he had joined the governing body of Ashtree Primary School.

## ITEM 1C: MINUTES OF THE PREVIOUS MEETING

- The minutes of the business meeting held on 29 March 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 Agreements were currently with DfE and a response was awaited.

**SECRETARY'S NOTE:** While the meeting was taking place, Eversheds confirmed that DfE had approved the new Funding Agreements including a revised capacity figure for Roebuck, which now took account of the Nursery. The school's capacity is now recorded as 420 + 52 (472) which is made up of YR to Y6 at a Published Admissions Number of 60 for each year group plus a Nursery capacity of 52. Arrangements for signature were now being made.

- Consider participating in the Panel Interview on 26 April. **Action complete.** A successful recruitment process for the Roebuck headteacher had been completed. There had been a competitive field and plenty of challenge to the candidate, but the current Deputy Head (Andy Mari) was successful. The support of governors and Trustees had been appreciated.
- Arrange to have the final [Pay and Progression] policy published on the Trust/School websites. **Action complete.** This was an HR Policy so was not required to go on school websites but was now on the staff intranet.

## ITEM 2: TRUST DEVELOPMENT AND ASHTREE PRIMARY SCHOOL DUE DILIGENCE

- Trustees considered financial due diligence and other matters associated with the proposal that Ashtree Primary School should join the Trust. Since the previous meeting, further detailed financial due diligence had been undertaken. The position for 2022/23 and 2023/24 was less concerning than initially thought and a workable plan for reducing staff costs had been put in place. A much reduced loss for 2022/23 had now been identified by Herts County Council and HFL (who were dealing with the school's financial information) and there was a better carry forward together with a surplus plan for 2023/24. This had been achieved by (a) putting in place a plan to reduce staff numbers to match pupil numbers and agreeing a temporary cap on the PAN; and (b) by identifying revenues that had not previously been included in financial reports.
- There were remaining gaps and risks; a three cash projection was not yet available and some of the assumptions about costs for 2023/24 were lacking evidence. There was also an estates risk - with capital bids for replacement boilers turned down by HCC and some as yet unidentified problems with drains. Fire safety improvements identified as a risk in the paper would now be addressed as the local authority had approved expenditure on this. There was also one remaining redundancy planned for 2023/24 and clarity would be required about whether the local authority would cover the costs. A nursery on an adjacent site had just received a new lease and details needed to be reviewed.
- The local authority had taken responsibility for the school's finances away from the governing body and created a finance action group, which was being supported by Mark Lewis and Andrew Simmons.
- Andrew Simmons noted that he had also joined the Ashtree Governor Body as an Associate Governor and so would not contribute to the discussion nor express a view about the decision required of the Board.

**Question:** *What were the main changes between the initial financial review and the latest version?* First, the staffing in the original 2023/24 budget was for a one and a half form entry; a temporary cap restricting intake to one form (30) had been agreed which had permitted a larger redundancy programme to be put in place. All but one of these would take place this year; one more would take place in the next academic year. Clarity over whether this would be part of the local authority's recovery plan or not would be sought.

**Question:** *To what extent had confidence in the current leadership team changed since the previous meeting?* Closer engagement suggested that there was capacity to improve with support. A stronger governing body was also now providing more clear and decisive leadership. With a more structured central service and improved staff morale, there was an opportunity to develop and it was suggested that the current leadership could be encouraged to become more effective over a short period of time. The current headteacher had lacked support/mentoring and there had been weak governance.

**Question:** *The projected surplus of only £18k for 2023/24 could disappear quickly if there had been some weak cost assumptions or urgent capital improvements needed; what was the current assessment of these risks?* The point was well-made; some of the elements in the 2023/24 budget did not appear well-supported by evidence, and there was uncertainty about lease income. However, these were mostly marginal. The capital risk was more significant although it was understood that the boiler replacement request had been in the manner of a wishlist rather than an urgent necessity. Further scrutiny of the financial information would be carried out.

**Question:** *How would the proposed staff reductions affect quality?* They were based on a lower intake so should not be disproportionate. There would be a need to challenge the current staff mindset, who believed that their curriculum was good, when there was room for improvement, and to enhance morale. But this was something within the capacity of the Trust's staff to achieve. Influence had already been applied to the recovery plan by arguing against the immediate removal of Teaching and Learning Responsibility points; there were too many and they would need to be reduced, but given that they were protected for three years, removing them would make no immediate impact on the financial position and would potentially negatively impact staff attitudes.

**Question:** *What were the chances of the annual intake growing back to support a two form entry?* Given local demographics, the prospects were very limited for the foreseeable future. However, the temporary cap could be applied for on an ongoing basis until there was a better understanding of what would be best for the school. It was likely to be better to aim for a good, strong one form entry school – although this would create some redundant estate. However, there were potential options for using this.

**Question:** *What were the arrangements for the Nursery lease?* More information about this was needed – and it was recognised that such arrangements brought their own challenges. However, having a co-located pre-school facility would potentially secure a pipeline of pupils.

**Question:** *How essential was the boiler replacement?* It was understood to be aimed at improving energy efficiency rather than an urgent necessity. Options were being discussed with the newly established finance group.

**Question:** *How could the Board ensure that the CEO had the capacity to take on all these additional responsibilities?* A number of duties at TAA (essentially to ensure that the headteacher was highly visible around the school during the school day) had been handed over to other staff. These amounted to 17 over a fortnight and reallocating them freed up a substantial amount of time. There was also a very capable deputy who was keen to develop her skills and experiences and had agreed to take over some elements of the headteacher's role including some parent conversations and complaints. The new headteacher at Roebuck would also need support initially, so this was not just about Ashtree. The Board agreed that the CEO's workload should be carefully monitored.

**Question:** *Were the school's reported reserves free or restricted in any way?* This was to be clarified during further discussions at the finance group.

**Question:** *Had a bank statement been provided?* Not yet.

**Question:** *Why did the latest outline budget project losses in the longer term?* This potentially reflected ongoing decline in pupil numbers.

**Question:** *Had the contract register been reviewed?* This had not been fully updated yet, but was under review. More evidence was needed to support the energy cost forecasts.

- Trustees recommended that key indicators of school leadership and administration be checked; these would include how Pupil Premium and Sports Premium funding was used and recorded; how PPA cover was managed; and the state of the IT infrastructure (hardware and software). It was considered that PP funding could be better deployed by the school, and this would improve the financial position.
- Recognising that further due diligence work was ongoing, **the Board agreed** that to support the school's application to the Regional Director to join the Hart Schools Trust. Trustees asked particularly that clarification about the future redundancy situation be obtained.

**Action:** Prepare letter of support for the Ashtree Primary School submission to the Regional Director to join the Hart Schools Trust.

- The Board noted other ongoing developments including conversations with the headteacher of Barnwell secondary school, and with the Diocese of St Albans. It welcomed the suggestion that a proposal for creating specialist support provision would come forward in the next academic year.
- **The Trust Board welcomed the progress made.**

### **ITEM 3: HST PERFORMANCE UPDATE**

- The summer testing and exam season had got under way. Y6 and Y2 SATs had just taken place and GCSE and A-level exams had started. Attendance at TAA exams had been good and students were generally reacting positively.
- TAA was experiencing a higher than average level of suspensions and exclusions at present. This partly reflected increased pressure on mainstream schools because of the lack of availability of specialist provision, but it was not satisfactory to simply react to these challenges by applying disciplinary sanctions. The school was working on proposals to create 'in-house' alternative provision and hoped to present those to the Board in the autumn term.
- An Equality, Diversity and Inclusion audit had just been completed at TAA and would be conducted at Roebuck shortly.
- Andy Mari had succeeded in his application for the role of head teacher at Roebuck from the autumn term. Recruitment for a replacement Deputy headteacher had been deferred until the autumn term also and appropriate conversations were taking place with the remaining senior leadership team about this.
- Trustees agreed that the Trust's Business Manager (Kate Prince) would attend future Board meetings as she was leading for the CEO on many operational matters.
- Since the paper had been written, confirmation had been received that one of the three Capital Improvement Fund (CIF) bids submitted this year had been successful. The successful bid related to additional fire safety work at TAA (c£400k). The previously approved roofing work was now going ahead albeit with a reduced scope because of the extra expectations required of 'heritage' materials. This would be start in June and be completed some time in the autumn term; disruption from scaffolding and loss of parking would be managed sensitively.

**Question:** *Were underlying reasons for exclusions being analysed - for example, considering the capacity of the SENCo to provide support?* Only one of the five permanent exclusions related to an individual on the SEND register; this person had been an in-year entry from

specialist provision who was unsuited to mainstream education, but the school's representations had been ignored. There was a lack of specialist resources or facilities outside the school to handle these cases – which was part of the reason the CEO was proposing to develop in-house capacity.

**Question:** *Was there any pattern to exclusions?* At present, the excluded learners were mostly girls who were actively refusing to respond to any element of school life, and issues were escalating very quickly, despite the school putting in support, making adjustments and attempting to engage with families.

**Question:** *Was there any scope to put mentoring arrangements in place?* Yes; MCR Pathways was being used to support 'at risk' learners, but in the case of the excluded learners, incidents had either escalated too fast for a mentoring offer to be effective or had been so serious that they could not be ignored.

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

#### **ITEM 4: P7 (MARCH 2023) MANAGEMENT ACCOUNTS**

- The March report was consistent with previous reports, in that both schools were slightly better than budget year-to-date (YTD) but the full year forecast remained in line with budget, primarily because any increased surplus was likely to be used to undertake minor estates works over the summer break. Trustees asked:

**Question:** *The figure for debtors and creditors in the Balance Sheet was larger than might have been expected. Were these actual debtors and creditors or accruals and prepayments?* Yes, the overwhelming majority of these values were accruals and prepayments.

**Question:** *How easy was it to stay on top of income and clawbacks associated with permanent exclusions?* Provision was made as soon as an exclusion was identified; clawbacks might take some time to appear, and it was essential to match individuals being excluded with income for that student, especially where these were in-year admissions. There was careful administration required.

**Question:** *A weakness in the school's practice in completing Purchase Orders had been noted by auditors before; what could be done to ensure this was properly addressed?* Having Andrew McLeod present in the schools more often would help develop the compliance culture.

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

#### **ITEM 5: RISK REGISTER**

- Trustees reviewed the current iteration of the Risk Register and supported the closure of Risk 12 ("That TAA is referred to the Office of the Schools Adjudicator (OSA) following significant increase to the allocation of TAA places to Roebuck pupils") as the local authority had advised that it did not propose to make a referral in respect of the 2024/25 application criteria and the deadline for a member of the public to make a referral had passed.
- Trustees agreed that a risk or risks associated with the proposed conversion of Ashtree Primary school should be added; this would be done in discussion with the Audit & Risk Committee at its next meeting.
- **The Trust Board endorsed** the latest iteration of the Risk Register.

**Action:** Add a risk or risks associated with the proposed Ashtree conversion.

## ITEM 6: AUDIT & RISK CHAIR'S REPORT

- The Committee had not met since its previous report; the paper circulated with the meeting pack identified the main topics for discussion at its next meeting. It was noted that there was a considerable quantity of new guidance emerging from DfE and ESFA at present, including guidance on the Five Pillars of Quality for Multi-academy Trusts (MATs). There was a suggestion that an Academy Governance Code might be developed in future (potentially competing with the existing Corporate Governance or Charity Governance Codes). A review of the Academy Trust Handbook to make it more accessible was also said to be under way.
- The Committee expected to have a detailed discussion about risks associated with the proposed Ashtree conversion.
- **The Trust Board accepted** the report.

**Action:** Ensure there is a separate agenda item for considering Ashtree conversion risks on the next Audit & Risk Committee agenda.

## ITEM 7: LOCAL GOVERNING BODY REPORTS

### *The Roebuck Academy*

- Governor engagement remained excellent, with good attendance at LGB meetings, governor in school sessions and governor training. The recent LGB meeting had considered the school's support for learners on the SEND register and for looked after or previously looked after children. A new Maths scheme of work (Maths No Problem) was being implemented from the Autumn term as the previous scheme was no longer available in the UK.
- Nadia Hodges would take over as Chair from the autumn term, and Andy Mari would take over as headteacher at the same time.

### *The Thomas Alleyne Academy*

- Governors had undertaken a review of the Personal, Social, Health and Economic (PSHE) curriculum at TAA, considering its Intent, Implementation and Impact. This was a subject that had been a matter of fevered interest in the nation media and governors had welcomed the chance to understand what the curriculum covered, when and how. Trustees would also welcome the opportunity to hear about how PSHE was delivered in both schools.
- Other matters kept under regular review by the LGB included the school's support for SEND learners; sixth form development, and equality, diversity and inclusion.
- **The Trust Board accepted** the reports.

**Action:** Add a presentation on the PSHE curriculum to a future Board agenda.

## ITEM 8: PROPOSED CALENDAR OF MEETINGS 2023/24

- A proposed calendar of meetings was reviewed; since the paper had been circulated, the Roebuck LGB had asked whether its summer 2024 meeting could be delayed by around a week to permit the immediate reporting of SATs results. This would imply delaying the Board meeting into the final week of the summer term. Trustees were unsure when SATs results would be confirmed and were not confident that this would

be in time for the proposed LGB meeting date. They also strongly preferred not holding a Trust Board meeting in the final week of term.

- Trustees noted that the proposed date for the May meeting would be in half term and suggested that it be moved.
- The proposed date for the September meeting of the Audit & Risk Committee was not possible for the Committee chair; an alternative date would be agreed separately.
- Subject to these adjustments being made, **the Trust Board approved the proposed calendar of meetings** for 2023/24.

**Action:** Update the proposed calendar of meetings for 2023/24 and issue diary appointments.

**ITEM 9: ANY OTHER BUSINESS**

*Future governance arrangements at Ashtree Primary School*

- There would be a need to strengthen governor engagement at Ashtree Primary school if conversion went ahead and some Trustee support would be very welcome. Members were invited to reflect on this, although the conversion process was likely to take the majority of the next academic year.

**ITEM 10: DATE OF NEXT MEETING**

- Wednesday, 12 July 2023, starting at 09.00, in the Conference Room, TAA, Stevenage, and by videoconference (Microsoft Teams).

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Signed as an accurate record: Chair Date

**ITEM 11: INFORMATION PAPER**

- A paper analysing mock exam results and forecasting summer outcomes at TAA had been circulated for Trustees' information.



## 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
24/05/23	2.	Prepare letter of support for the Ashtree Primary School submission to the Regional Director to join the Hart Schools Trust.	Robert Dale	31/05/23
24/05/23	5.	Add a risk or risks associated with the proposed Ashtree conversion [to the Risk Register].	Mark Lewis	31/05/23
24/05/23	6.	Ensure there is a separate agenda item for considering Ashtree conversion risks on the next Audit & Risk Committee agenda.	Robert Dale	31/05/23
24/05/23	7.	Add a presentation on the PSHE curriculum to a future Board agenda.	Mark Lewis	31/05/23
24/05/23	8.	Update the proposed calendar of meetings for 2023/24 and issue diary appointments.	Robert Dale	31/05/23