



A meeting of the Hart Schools Trust (formerly the North Hertfordshire Studio Schools Trust) Board was held on Wednesday 30 March 2022 starting at 08.00, by videoconference.

PRESENT

Andrew Simmons (Chair)
Kit Davies (Vice-chair)
Geoff Cleverdon
Hilary Clifford
Jonathan Ellam

Socrates Karidis
Mark Lewis (Managing Director)
Vicky Parsey

IN ATTENDANCE

Paul Harte (Group Finance Director)

Robert Dale (Company Secretary/Clerk)

GENERAL

- Trustees were reminded that the previously scheduled meeting had necessarily been cancelled because of the effect of COVID-19 infections on a number of participants. Trustees agreed that because Vicky Parsey had unfortunately to leave the meeting early, Item 7 would be moved to follow Item 2.

ITEM 1A: APOLOGIES FOR ABSENCE

- Stephen Marshman.

ITEM 1B: DECLARATIONS OF INTEREST

- The Chair declared that he was Chair of the Corporation Board for North Hertfordshire College and Trustee of another Multi-academy Trust (the Agora Learning Partnership).
- Kit Davies declared that he was a member of the Board of WENTA and had joined the Board of the Hertfordshire Virtual School. Jonathan Ellam declared that he was employed by Herts for Learning as a governance advisor. Vicky Parsey declared that she was CEO of Aspire Academies Trust.

ITEM 1C: MINUTES OF THE PREVIOUS MEETING

- The minutes of the meeting held on 1 December 2021 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 ongoing.** This work was suspended while conversations with the ACES Academy Trust were under way but would now re-start.
- Circulate the approved Audit & Risk Committee Terms of Reference. **Action complete.** These have now been circulated.

- Confirm these remuneration decisions to the HR team. **Action complete.** Remuneration decisions were communicated and implemented in December 2021.
- Conduct high level due diligence work and prepare a 'go/no go' recommendation. **Action complete.** The decision was made not to pursue the proposed merger with the ACES Academy Trust.
- Develop outline structure for merged trust for review. **Action complete.** This work was taken forward but ceased when the decision was taken not to proceed.

ITEM 2: HST PERFORMANCE UPDATE

- Admissions to both schools in September 2022 were good with places allocated up to both schools' PAN. At TAA, the intention was to recruit c50 learners to the sixth form and the position was good at this point, though of course applications would need to be confirmed in due course.
- COVID-19 infection rates were causing substantial challenges with senior leadership team (SLT) members covering a large proportion of the gaps created by staff sickness absence; it was difficult to get supply cover because of high infection rates as well. 14 staff had been off on Monday 28 March, although this had reduced somewhat since. Disruption to teaching and student absence was creating real worry about summer outcomes, with attendance among Y11 negatively affected by a small number of persistent absentees. This was likely to have an impact on Progress 8 scores – although because other heads had similar concerns, it was very difficult to predict the benchmark level. Y13 forecast results looked rather more positive. Y6 SATs were another cause for concern. More positively, a number of Y13 students had received Russell Group University offers, including one to read history at Cambridge (the first Oxbridge offer for more than a decade). Additional support to help secure the required grades was in place.

Question: *Was there any benchmark data for attendance?* No national data was available. Anecdotally, Roebuck attendance (c95%) was high in comparison with other local primaries. TAA was more variable between year groups with Y11 consistently below 90%; a real cause for concern.

Question: *How confident were both schools about coping with continuing high levels of staff absence?* For planned absences, supply cover could generally be arranged, and there were in-school resources (such as supply cover supervisors) that could be called upon. However, at present, an SLT meeting was taking place every morning to discuss the needs that day and the SLT was taking the strain. It was noted that there was a similar picture at North Hertfordshire College (NHC).

Question: *What plans were there should any student or staff member fall ill on an overseas trip?* The only overseas trip planned this year was to Iceland and the relevant advice from government was being taken. Additional insurance cover had also been taken out.

Question: *Were there any concerning trends in staff absence?* No; the absences were either COVID-19 related or for other genuine personal reasons. One person with a declared disability was receiving support through the absence management process.

- Some excellent work on Equality Diversity and Inclusion (EDI) was under way, with Matt Cox taking the lead having participated with Mark Lewis in the Hertfordshire County Council Great Expectations programme. Work to review the curriculum, taking account of student voice provided by excellent school councils at both school, and

TAA would also be looking to include parent group feedback. Several student initiatives (such as Eco week, and meat-free Monday) had been implemented and a range of enrichment activity including an overseas trip (to Iceland) had been organised. Sports activities at both schools had been accompanied by success in local competitions with one TAA team in a District final. The recent Art and Music showcase had been excellent and well-supported.

- Roebuck had displayed empathy and resilience in supporting the school community following the death of a student shortly after a medical diagnosis.
- Both schools were as ready as possible for the switch on of the new Management Information System (MIS) (Arbor) after Easter. Teachers had found the tool easy to use and seemed happy with the change.
- Governors welcomed the fact that despite the ongoing challenges of COVID-19 the schools were doing their best to operate as normally as possible and to continue to make continuing improvement in provision. Work to overcome anti-vaccine messaging was being undertaken at North Hertfordshire College and the schools might wish to consider lessons learned from approaches taken by the college.
- Creating a culture of belonging was a positive way of expressing EDI concepts and governors were pleased that this was a key aspect of the programme consistent with the Trust's values.

Question: *What issues were created by the departure of a couple of heads of department at TAA?* The chance was being taken to look at provision in these areas and provide fresh impetus to Music and Drama and Media.

Question: *Were there any concerns about the MIS replacement project?* There was confidence that all would go smoothly – but until the new term was well under way there was always a risk of teething troubles.

Question: *What was the risk that the so far unresolved complaint might go further?* A firm response had been given and was thought to be justified; should there be a further communication if might be necessary to involve a governor panel.

Question: *What implications for the schools would there be from the obligation to have a specified minimum number of opening hours?* This was mandated to be in place by September 2023. There would be no effect on Roebuck because it was already operating with those hours. At TAA however, school hours had been reduced slightly by shortening lunch and break times (**not** by reducing teaching time). This was because shortening lunch and break times had reduced the level of behaviour issues and increased participation in clubs and school societies. It was frustrating to have this level of micromanagement applied to school arrangements. Consideration was being given to how to address this including discussions with the Trades Unions and reviewing what other schools in the area were doing.

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

ITEM 7: TRUST DEVELOPMENT (ORAL)

- Discussions had taken place with HCC over HST's interest in taking on Martins Wood Primary school, where Mark Lewis was still participating in the Interim Executive Board (IEB). However, the Regional Schools Commissioner (RSC) had 'parachuted in' a North London Trust to operate the school without considering more local options. There was unhappiness in the school community about the process including the lack

of transparency. The Board recognised that (a) government policy favoured larger Trusts and that there was a climate in which consolidation was expected; (b) that there was no clear and transparent process associated with the approval of conversions.

- Discussions with the ACES Academy Trust had now come to an end primarily because it had become clear during the process of engagement that there was less congruence in values and approach than had appeared initially. The process of engagement had been valuable in developing a clearer understanding of what the Trust would look for in a future partner. There was work already in hand to 'tidy up' aspects of the Trust's governance documentation and structures to make engagement easier in future. These included consideration of the Sponsor relationship with the college, an overlap between Member and Trustee appointments (formerly not prohibited but not acceptable under the latest guidance) to be addressed, and minimising governance overlap with the college to mitigate the risk of related party transactions arising. Strengthening the Trust's financial foundations would also assist future discussions.
- It was likely that any combination with another Trust under present circumstances would be a 'takeover' of HST by the other party, simply because HST operated only two schools. What was important in those circumstances was protecting the ethos and values that HST espoused.
- There were some indications that a historic reluctance to see Trusts develop on a quasi-local authority basis might be changing. The different arrangements for regional schools commissioners perhaps reflected that Hertfordshire would now be in an East of England RSC.

Question: *How realistic a prospect did the Barnwell conversations represent?* HST was one of their preferred options, but there was no immediate prospect of conversion. There were matters the school wished to tackle first.

Question: *Could Fearnhill be brought into a discussion?* Potentially, although this prospect was being driven by HCC rather than the school. It was noted that the Trust taking over Martins Wood was intending to establish a Primary hub in Stevenage suggesting that it might be difficult to secure primary conversions in the near future. Some challenging conversations might need to take place with RSC officials about whether previous statements about Trusts with two or more RI schools not being permitted to take on more were still applicable.

- A strategy workshop for the Board to consider future approaches towards growth would be arranged with pre-reading, resources and potential questions to be addressed circulated in advance.

Action: Propose date for Strategic Thinking workshop.

- **The Trust Board accepted** the report.
- Vicky Parsey left the meeting

ITEM 3: P6 (FEBRUARY 2022) MANAGEMENT ACCOUNTS REPORT

- The original budget for 2021/22 had been for a forecast surplus of £75k but the current forecast (before capital allocation) was £176k. This meant that the operating reserves deficit would be fully recovered during the year even if all the Capital Improvement Fund (CIF) bids were successful – all had included elements of match funding from the Trust. In the longer term, the intention was to rebuild a modest level of operating reserves, taking into account the continuing need for capital investment in the estate

and other facilities. The cashflow forecast for both schools out to August 2023 showed a positive and improving position.

- The budget planning process for 2022/23 had begun and a consolidated proposal should be available for consideration during May. A discussion about future capital investment would be part of this process, and business planning was also taking account of rising energy costs and potential pay increases.

Question: *What was the fire improvement work identified in the capital programme?* There was a rolling programme of work of which this was the second of two waves. Bids were being made for particular blocks, and this could complete the programme

- **The Trust Board was satisfied** that financial performance in 2021/22 had been strong to date **and accepted** the report.

ITEM 4: CORPORATE RISK REGISTER

- Since the previous meeting, the risk associated with the replacement of the Management Information System (MIS) had been added and the project was progressing well, with the implementation expected to be completed on time. There had been time for training and testing but the real test would come after Easter. Till then, the mitigations were thought sufficient to reduce the risk to a tolerable level.
- Trustees asked whether rising energy costs should be added to the register; it was noted that TAA had a biomass boiler installed, which although not affected by rising gas prices was affected by the war in Ukraine as in normal circumstances, large amounts of fuel pellets came from Russia, but alternatives had been sourced. Both schools subscribed to an energy buying consortium for other energy which provided some bulk purchasing power.
- Trustees also asked whether the staff risks raised in the Performance Report should be added to the Register.

Action: Consider whether Energy cost and staff risks should be added to the Risk Register.

- The Audit & Risk Committee had discussed the register in detail at its recent meeting and recommended it to the Board.
- **The Trust Board endorsed** the latest iteration of the Risk Register.

ITEM 5: INTERNAL AUDIT REPORT – SAFEGUARDING REVIEW

- This report had been considered by the Audit & Risk Committee at its recent meeting.
- The Safeguarding Internal Audit report from Herts for Learning (HfL) provided strong assurance in respect of the Trust's safeguarding practice, while making recommendations for enhancements – largely relevant to TAA rather than Roebuck. The common theme among these recommendations was strengthening the documentation and providing more detail in procedures and processes to mitigate the risk of knowledge being lost in the event of key personnel moving on.
- The recent Governor in School event at TAA had also discussed the report and improvement actions, taking the view that while not being complacent, the report demonstrated a strong culture of safeguarding across the Trust.

- **The Trust Board welcomed** the assurance provided by the report and asked for an update on addressing the recommendations at a future meeting.

Action: Add progress report on implementation to a future HST Board agenda.

ITEM 6: ESTATES MANAGEMENT SELF-ASSESSMENT

- This was the first time this DfE tool had been completed for TAA. Six actions were identified to address self-assessed areas of weakness:
 - Produce an estate vision.
 - Ensure board accountability explicitly includes the estate.
 - Set out and communicate accountability, roles and responsibilities for all strategic estates functions.
 - Review existing emergency planning policies and incorporate estates specific responses.
 - Agree estate performance measures at board level and introduce a formal management process.
 - Review what condition survey data was used to produce the maintenance plan.
- The plan would include the creation of a Business Manager role to support the Estates Team with proper documentation and recording. A detailed action plan would be shared with the Board at a future meeting.

Action: Present an Estates Action plan update to the Board.

- The Trust Board accepted the report.

ITEM 8: AUDIT & RISK CHAIR'S REPORT

- The Audit & Risk Committee had met on 28 March 2022. As well as the regular consideration of the Risk Register, the Committee had discussed the Internal Audit report on Safeguarding, also reviewed by the Board, progress in addressing Post-audit report and Internal Audit report recommendations and the ESFA's response in respect of the Related Party Transaction and Chief Financial Officer appointment.
- One of the Post-audit report recommendations related to the structure of the Trust's management accounts. Without some costly consultancy, which was currently not felt to be a priority, the additional granularity in reporting suggested by Buzzacott would be difficult to produce. However, the finance team was working with the auditors to implement as much of their advice as possible within current constraints.
- Progress in resolving the Corona Energy dispute had also been discussed.

Question: *What extra measures had been taken to mitigate the increased risk of cyber attack?*
There was a high level of awareness of the risk, but the replacement MIS project was absorbing all available IT resource at present. Simulated phishing attacks would be considered once this was completed and awareness raising would continue to make sure staff remained vigilant.

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

ITEM 9: LOCAL GOVERNING BODY REPORTS

The Roebuck Academy.

- The LGB had met virtually on 3 February 2022. Governors remained active and engaged and were currently considering the school's Equality, Diversity and Inclusion activity.

The Thomas Alleyne Academy

- The LGB had met in person on 27 January 2022 and a Governor in School session had also taken place during which governors had reviewed the MCR Pathways programme, a school-based mentoring programme "that supports young people to find, grow and use their talents" which the school was piloting. It was widely used on Scotland where it had proved very successful.
- Governors had also discussed the potential development with the ACEs academy trust and expressed a preference for growth locally if possible.
- **The Trust Board accepted** the reports.

ITEM 10: POLICIES REVIEW

- Admissions Policies for both schools for 2023/24 had been approved by their respective LGBs and would have been considered by the Trust Board meeting on 23 February which had unfortunately been cancelled as a result of COVID-19 infections. The LGB approved Policies had been submitted to the local authority by the required deadline (28 February) and so this minute was to record the fact of approval by the Trust Board.
- Changes to the draft Policies suggested by the local authority in their relevant Scrutiny Letters had all been incorporated.
- **The Trust Board approved** the Admissions Policies for 2023/24.
- Trustees noted that the TAA Policy retained Rule 4 for another year. This rule gave priority to pupils from the Roebuck Academy and had been the subject of a reference to the Office of the Schools Adjudicator (OSA) in 2018/19. Although the OSA had declined to uphold the reference, it was important for Trustees to keep the position under review and the fact that TAA was an increasingly popular choice, coupled with growth in the number of applications from Roebuck meant that a future challenge to the OSA had a higher prospect of success. The point would be considered again when the 2024/25 Admissions policy was reviewed in autumn 2022.
- The second Policy concerned the handling of Complaints. The suggested changes had been highlighted in the text and related to the experience of using the policy.
- **The Trust Board approved** the amended Complaints Policy.

ITEM 11: ANY OTHER BUSINESS

HST Website

- **Governors agreed** that the revised Trust website could go live and commended Kate Prince for her work to refresh and improve the site. Content would continue to be added to ensure compliance with ESFA expectations.

ITEM 12: DATE OF NEXT MEETING

- Wednesday, 25 May 2022, starting at 08.00 by videoconference (Microsoft Teams).

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Signed as an accurate record: Chair

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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 |
| 30/03/22 | 4. | Consider whether Energy cost and staff risks should be added to the Risk Register. | Mark Lewis | 29/04/22 |
| 30/03/22 | 5. | Add progress report on implementation [of the recommendations of the HfL Safeguarding audit] to a future HST Board agenda. | Robert Dale | 29/04/22 |
| 30/03/22 | 6. | Present an Estates Action plan update to the Board. | Mark Lewis | 13/05/22 |
| 30/03/22 | 7. | Propose date for Strategic Thinking workshop. | Mark Lewis | 13/05/22 |