

DULWICH HAMLET EDUCATIONAL TRUST (DHET)

Meeting of the BOARD OF TRUSTEES

Date: Thursday, 28 June 2018

Time: 18.30

Location: Dulwich Hamlet Junior School, Dulwich Village, London SE21 7AL

MINUTES

Present:	Crispin Tuckley	Chair	Chair
	Sonia Case	Executive Head Teacher	EHT
	Simon Latham	Trustee	SL
	Patricia Leahy	Trustee	PL
	Rafael Marks	Trustee	RM
	Christopher Parsons	Trustee	CP
	Karen Robinson	Trustee	KR
	Rebecca Tee	Trustee	RT
Clerk:	Kathleen Formosa		Clerk

1. Welcome & Apologies

- 1.1 The Chair opened the business of the meeting at 18.30, welcoming the members of the Board and others in attendance.
- 1.2 It was **noted** that all members of the Board were present at the meeting.

2. Declarations of Interest

- 2.1 RT declared as an interest that her daughter is currently a volunteer at Belham Primary School (BPS). She stated that she would withdraw from related decisions regarding staffing at BPS or across the Trust.
- 2.1.1 There were no other interests declared.

3. Minutes of the Previous Meeting

- 3.1 The minutes of the DHET meeting of 8 March 2018 (**Annex A**) were **confirmed**, subject to corrections to the numbering of items under point 9.

ACTION: Clerk to amend the minutes.

4. Matters Arising from the Minutes of the Previous Meeting

- 4.1 Matters arising from the minutes of the previous meeting (**Annex B**) were **noted**.
- 4.2 Those matters not reported as actioned or otherwise to be addressed on the agenda were **discussed** as follows:
 - Item 7.3.1 is pending. Following the strategy session, the Trustees will consider whether or not support will be sought from the National Governors' Association (NGA) to assist with the development of future planning.
 - Item 10.2.2 is no longer relevant. The Chair has sought legal advice on filing an objection to the trademarking of "the Hamlet" and learned that such trademark would be unenforceable.
 - Item 12.1.1 is in progress. General Data Protection Regulation (GDPR) policies are now in place at both schools and are being redrafted as needed to ensure it is clear that these are Trust-wide policies.

- Item 14.1 will be addressed as a matter of practice. It has been **agreed** that acronyms used in the minutes and in other papers for the Board will be spelled out in the first instance used and followed by the acronym in brackets, with the acronym alone being used thereafter.

5. Chair's Report

- 5.1 The Chair presented a summary of the discussion at the Trustees' 14 June 2018 discussion (**Annex C**). He reported that the main issue discussed was the proposed change to the EHT's role, and in particular the reduction in her hours.
- 5.1.1 EHT's comments in the summary of the discussion were **noted**.
- 5.2 A question was raised about the reduction in the EHT's hours and the development of the heads of school roles. In particular, it was asked whether these changes also imply deeper structural change within the schools.
- 5.2.2 It was **discussed** that leadership roles across the Trust are being looked at, as are key support roles. It was **confirmed** that the heads of school would continue to report to the EHT. It has been proposed that there should be new assistant heads appointed to help support the heads of school as they take on higher-level and possible trust-wide duties delegated by the EHT.
- 5.2.3 The mechanics of the assistant head roles and the range of their operational responsibilities at each school were **discussed** in detail. It was **noted** that the rationale for having and developing assistant head roles that are specific to one school vs. those that are trust-wide is expected to evolve over time.
- 5.2.4 It was **agreed** that job descriptions for the heads of school would be regularly reviewed as the Trust develops.
- 5.3 EHT reported that she has now announced to staff across the schools her intention to reduce her role to part-time. No announcement has been made to parents.

6. Executive Head Teacher's Report

- 6.1 The EHT's report (**Annex D**) was **taken as read**.
- 6.2 The Chair stated that the finances at BPS and at Dulwich Hamlet Junior School (DHJS) are currently sound and that they continue to be well managed. However, staffing across the schools would need to be looked at closely, and opportunities for finding efficiencies in staffing prioritised, in order to protect the schools' position.
- 6.2.1 Questions were raised about the support staff review and how the EHT intends to take this forward.
- 6.2.2 EHT reported that a consultation paper has been circulated. It has also been communicated that pay will now be linked to performance.
- 6.2.3 EHT suggested that a time management study of learning support staff should be the next step in order to establish, before making any firm recommendations for restructure, a clear view into the deployment of support staff and how their time is used across the schools.
- 6.3 EHT stated that as a companion to the review of support staff, there is ambition to examine what great teaching looks like. She proposed that work should be undertaken to understand and to document how the best teachers across the schools structure their lessons so that learning is effective, and so that one lesson builds upon another to reinforce learning.

[This portion of the minutes has been removed to Confidential Annex A.]

- 6.5 A question was raised about the potential for falling enrollment numbers at DHJS and why this was not covered in the EHT's report.

- 6.5.1 CP reported that the issue was discussed at Audit Committee. He clarified that falling enrollment is not an issue at DHJS, which continues to be full, but a risk to be noted as the number of children of primary school age is falling within the borough.
- 6.5.2 It was **discussed** and **agreed** that maintaining the outstanding status for both schools would be the best approach to ensuring continued full enrollment.
- 6.6 A question was raised about the status of negotiations with the Education & Skills Funding Agency (ESFA) regarding occupation of the top floor of BPS.
- 6.6.1 EHT stated that discussions continue. However, the larger issue is around the lease agreement covering a portion of the premises. This will be addressed early in the new academic year. She stated that uncertainties around occupation of the top floor of the school are not impacting teaching and learning.
- 6.6.2 Questions were raised about the caretaker's house next door to BPS and whether this might become available in the future.
- 6.6.3 EHT reported that the caretaker's house continues to be occupied by a former council employee. The occupant is interested in being an evening caretaker for the school, which will begin to offer adult learning classes in the evenings starting in the autumn.
- 6.6.4 EHT stated that discussions with the borough are under way about occupation, use and possession of the caretaker's house in the longer term.

7. Trust Development & Strategy

- 7.1 The Trust vision and strategy document (**Annex E**) was **taken as read**.
- 7.1.1 It was noted that the document sets out the following to-do list for Trustees:
- Take a decision on the relevance and usefulness of what we currently have
 - Identify what we haven't got
 - Decide who would produce a strategy and who the audience for this would be.
- 7.2 It was **agreed** that Trustees should avoid "reinventing the wheel" in establishing a strategy. It was **acknowledged** that a draft strategy may be pulled together from documents previously produced during negotiations with The Charter. Some documents may need updating but remain useful.
- 7.2.1 It was **noted** that the governance plan, scheme of delegation and other documents previously circulated by the Chair should be included as part of the future strategy.
- 7.2.2 EHT stated that she would be working on the Trust strategy in the near term in order to create a foundation for a proposal for growth of the Trust, and to explain what the vision and values threaded through all schools within the Trust should be.
- 7.2.3 EHT stated that the plan would also include the shape of the "product" the Trust offers (e.g., established core services and administration) that new schools would simply plug into should they join the Trust and guidance for an approach to supporting newly qualified teachers (NQTs) and cultivating teaching excellence.
- 7.2.4 Different approaches to achieving the strategy described and key questions to be asked of potential schools seeking to join the Trust were **discussed** at length.
- 7.3 It was **noted** that the key uncertainty around the Trust's vision is how and where expansion should be pursued.
- 7.3.1 The Trustees **acknowledged** the interim decision taken, following the conclusion of negotiations with The Charter, to not pursue growth for a year; and that this decision was taken specifically to allow time for reflection.
- 7.3.2 It was **agreed** that discussion would take place at the Trustee strategy session scheduled for 16 November 2018 to take stock of where the Trust is in terms of the development of a trust-wide strategy and vision.

- 7.3.3 It was **agreed** that in order to ensure a robust and inclusive discussion, the November strategy session would involve Trustees, local governing body (LGB) governors, EHT and school senior leaders. External facilitation will be considered as plans for the session take shape.
ACTION: Chair to consider whether external facilitation should be used.
- 7.3.4 Various approaches to structuring the strategy session were **discussed**. It was **agreed** that EHT and the Chair would take the lead in designing a plan for the day.
ACTION: EHT, Chair and LGB Chairs to ensure availability of meeting date in senior staff, Trustee and governor diaries.
- 7.3.5 It was suggested and **agreed** that language around strategy and growth for the Trust is put in terms of “development” in order to focus the day on the existing schools, their excellence, and how this might be distilled into a desirable “product” that other schools may want to adopt.
- 7.4 It was **noted** that Sir David Carter would be retiring as the National Schools Commissioner. It has been announced that Dominic Herrington, the Regional Schools Commissioner who oversees the Trust’s schools, will be taking over Sir David’s post on an interim basis.
- 7.5 The Chair reported that there was robust discussion of Trustee Board and LGB succession planning and recruitment at the recent meeting of trustees.
- 7.5.1 It was **agreed** that substantive discussion of recruitment for the Trustee Board would be undertaken in the autumn term. It was also **agreed** that various areas needing strengthening across the Trust would be looked at along with recruitment strategies.
- 7.5.2 The Chair invited Trustees whose terms of office are coming to an end to discuss with him their future intentions.
ACTION: Trustees near the end of their term to discuss their future plans with the Chair.
- 7.6 SL reported that the BPS LGB has proposed the appointment of three new governors in the autumn term (i.e., elected parent and non-teaching staff governors, and a co-opted governor), and another governor later in the academic year following an assessment of skills gaps on the LGB. Membership of the LGB will thus increase to nine members.
- 7.6.1 SL reported that the consensus of the BPS LGB is that a committee structure would be considered over the course of the coming academic year and, if agreed, for implementation in 2019/20.
- 7.7 KR reported that an action plan based on the recent skills audit of the Trustee Board has been drafted, and that eight actions are included in the draft.
- 7.7.1 It was stated that the draft action plan has been shared with the Chair. It was agreed that it should be shared with other members of the Board and discussed at the next meeting.
ACTION: Chair to circulate the action plan.
ACTION: Clerk to include discussion of the action plan on the October meeting agenda.
- 7.8 The Chair reported that he has circulated information on Department for Education (DfE) sponsored training for trustees and governors, and that three Trustees have expressed an interest.
- 7.8.1 The Chair requested that the Trustees who have expressed interest confirm to him their ability to attend all three dates for the training before making an application.
- 7.8.2 It was **noted** that two referees would be required for each Trustee as part of the application process. EHT confirmed that she could serve as a referee for multiple Trustees, should any wish to use her for a reference.

8. Trust Finance & Audit

- 8.1 Financial updates for 2017/18 for BPS (**Annexes F & F1**) and DHJS (**Annexes G & G1**) were **noted**. It was **confirmed** that these had also been discussed within each school and at the respective LGBs.
- 8.1.1 It was **noted** that at DHJS, stripping out the condition improvement fund (CIF), there is a small in-year budget surplus for the school.
- 8.2 The Trust schools three-year plans were **reviewed** along with the proposed budgets for 2018/19 (**Annexes H & I**).
- 8.2.1 It was **noted** that the budgets presented show allocations to the schools. There is currently no central Trust-wide budget pooling or top-slicing. The schools would be asked to determine their own detailed budgets for consideration by their LGB.
ACTION: LGB Chairs to confirm acceptance of the 2018/19 allocated budgets.
- 8.2.2 With reference to earlier discussions regarding restructuring, it was **noted** that the three-year plan demonstrates the pressing need for budget savings and possible restructuring. It was **acknowledged** that the three-year plans include among other assumptions that teacher pay will increase by 2% year on year, and that at DHJS there will be a £95K reduction in the staffing budget in year 2.
- 8.2.3 Questions were raised about the additional capital expenditure at BPS to be taken from reserves.
- 8.2.4 It was stated that the capital expenditure would be taken from a dedicated capital budget that is specifically earmarked for capital improvement. It was **noted** that there is no need to spend £75K every year, as these funds can be rolled over year to year to spend as required.
- 8.2.5 A question was raised about where the Trust's costs are represented in the budgets.
- 8.2.6 It was stated that costs for Trust-wide staffing and other expenditure is put onto one school's budget and the other school recharged proportionally on a per pupil basis.
- 8.2.7 It was **discussed** that it is difficult to see in the budgets where such recharging would take place, and that this should be clarified.
- 8.2.8 It was **noted** that discussion is in progress regarding moving to a system of top-slicing for the Trust. However, such an arrangement would require the Trust to produce its own three-year plan, separate to those of the schools.
- 8.2.9 The projected deficit in the DHJS three-year plan was **discussed**. It was **agreed** that the Trust should be thinking about contingency planning in order to mitigate the risks associated with changes to the national funding formula, financial difficulties within one of the schools, etc.
- 8.2.10 It was **agreed** that contingency plans should articulate each school's priorities and how teaching and learning would be preserved in difficult circumstances.
- 8.2.11 It was **noted** that the 2019/20 budget is a particular concern. It was **agreed** that work would need to begin in 2018/19 to find savings in the immediate term and to help reduce the severity of future projected deficits.
- 8.2.12 It was **noted** that maintenance costs for the buildings are quite high. It was **agreed** that these would be looked at in detail via Audit Committee to ensure that the schools are getting good value for money, and also to consider whether works can be contracted via the Trust to assist with finding efficiencies and reducing overall contract costs.
- 8.2.13 The three-year plans as submitted were **agreed**, including the budgets for 2018/19, subject to the detailed scrutiny of the LGBs.
- 8.2.14 It was **agreed** that maintenance costs for the schools' buildings would be scrutinized with an analysis to be reported back.
ACTION: CP to ensure scrutiny at Audit Committee and report back
- 8.3 The minutes of the Audit Committee held on 12 June 2018 (**Annex J**) were **noted**.

- 8.3.1 The following matters were **discussed**:
- Assurances were taken from the EHT that preparations for the external audit in the autumn are properly under way and the schools adequately prepared.
 - Audit Committee observed that internal audit reports were continuing to pick up on points raised in last year's internal audit. Dates for completion of these outstanding matters have now been confirmed.
 - EHT has done a lot of work to improve and clarify the risk management policy and risk register. Executive teams within each school have now been asked to take ownership of ongoing risk management.
- 8.3.2 CP reported that he has agreed to visit the Business Committee at DHJS, which has taken an interest in the risk register. He stated that the separation of roles between LGB business committees and Trust-level committees will need to be clarified.
- 8.4 The Academies Financial Handbook and the Chair's notes on relevant changes in the new handbook (previously circulated) were **noted**.
- 8.5 The DHET financial procedures (**Annex K**) were **reviewed** and **approved**.

9. Dulwich Hamlet Junior School

- 9.1 The minutes of the DHJS LGB (**Annex L**) were **noted**.
- 9.1.1 KR confirmed that most actions reported in the minutes were complete or substantially in progress.

10. Belham Primary School

- 10.1 It was **noted** that the minutes of the BPS LGB were not available as the LGB had met only two days ago.
- 10.1.1 SL reported that safeguarding was discussed in detail among the LGB, as were the school's link governor roles.
- 10.1.2 SL reported that the LGB wished to seek guidance from the Trust Board on setting LGB meeting dates for 2018/19. The Chair clarified that LGBs are advised to schedule their meetings on a timetable that works for the LGB governors.
- 10.1.3 SL reported that RT has stepped down from the BPS LGB to avoid a conflict of interest.
- 10.2 The Chair suggested that it may be helpful for the LGB governors to have the paper on link governors drafted by RT. Contents of the paper were briefly **reviewed**.
ACTION: RT to update and circulate the link governor paper.

11. Policies

- 11.1 The Risk Management Policy (**Annex N**) was **reviewed** and **agreed**.
- 11.2 EHT reported an update on GDPR compliance activities in the schools, noting that all work toward compliance was on track.
- 11.2.1 EHT reported that updating of all policies to include consideration of GDPR where appropriate is substantially in progress.
- 11.2.2 EHT confirmed that GDPR-compliant privacy notices have now been agreed and are in circulation across the Trust.
- 11.3 The Single Equalities Plan (**Annex O**) was **reviewed** and **agreed**.

12. Safeguarding

- 12.1 It was **confirmed** that all LGB governors have completed safeguarding training. It was agreed that the Chair would circulate the materials distributed for the training.
ACTION: Chair to circulate safeguarding training materials.
- 12.1.1 It was **confirmed** that safeguarding link governors are in place at both schools.

- 12.1.2 KR reported that actions applicable to DHJS have been completed, and the LGB is now focused on overseeing the practical application of principles learned in training.
- 12.1.3 SL reported that an active discussion of safeguarding featured at the most recent BPS LGB meeting. The discussion was focused around the safeguarding audit recently completed and a corresponding safeguarding learning walk undertaken by SL (as the safeguarding link governor for BPS) and the head of school.
- 12.2 The Chair reported that revised DfE guidance, *Keeping Children Safe in Education* (KCSE), would be issued in the near term. He advised that the updated guidance would be required reading for all Trustees and LGB governors.
- 12.2.1 The Chair stated that a link to the updated guidance would be distributed by the local authority in due course.
- 12.3 The Chair reported that DfE have advised that anyone who is involved in the management of an independent or academy school must undergo an enhanced Disclosure and Barring Service (DBS) check to confirm s/he is not subject to restrictions under s.128 of the Education & Skills Act 2008.
- 12.3.1 It was **agreed** that confirmation of s.128 clearance would be added to the single central register in each school.
ACTION: EHT to ensure updating of the single central register in each school.
- 12.3.2 It was **agreed** that safeguarding policies would be updated to reflect the new requirement, and in particular that anyone appointed or promoted to a department headship within a school or to membership of the SLT must be confirmed as having no restrictions under s.128.
ACTION: EHT to ensure safeguarding policies are updated.
- 12.4 It was **noted** that taking character references for governors and trustees is not a requirement but may be considered best practice.
- 13. Any Other Business**
- 13.1 It was **noted** that EHT has circulated dates for upcoming end of year events at DHJS. All Trustees are invited to attend.
- 13.2 The Chair reported that the EHT's mid-year review was completed on 18 May by KR and RT.

The business of the meeting concluded at 20:50.

Date of the Next Meeting

The next meeting of the Trustees will be **Thursday, 11 October 2018** at 18:30 at BPS.

KF/kf: 10/07/2018