

## DULWICH HAMLET EDUCATIONAL TRUST (DHET)

### Meeting of the BOARD OF TRUSTEES

Date: Thursday, 5 March 2020

Time: 18.30

Location: Belham Primary School, Bellenden Road, SE15 4DG

### MINUTES

<b>Present:</b>	Crispin Tuckley	Chair	Chair
	Sonia Case	Executive Head Teacher	EHT
	Christopher Parsons	Trustee	CAP
	Karen Robinson	Trustee	KR
	David Swordy	Trustee	DS
	Rebecca Tee	Trustee	RT

**Clerk:** Kathleen Formosa Clerk

#### 1. Welcome, Quorum & Apologies

- 1.1 The Chair opened the business of the meeting at 18:35, welcoming the members of the Board and others in attendance.
- 1.2 Apologies were **received** and **accepted** from Simon Latham (SL) and Maryah Tafri (MT).
  - 1.2.1 The Chair reported that DS had advised his late arrival to the meeting, and this was accepted. DS arrived at 18:42.
- 1.3 A quorum was **confirmed** and the meeting proceeded to business accordingly.

#### 2. Declarations of Interest

- 2.1 There were no interests declared.

#### 3. Minutes of the Previous Meeting

- 3.1 The minutes of the Board of Trustees held on 10 October 2019 (**Paper 1**) were **reviewed** and **agreed**.
  - 3.1.1 It was **noted** that the confidential minutes of the previous meeting had not circulated.  
**ACTION: Clerk to circulate confidential minutes of previous meeting following the meeting, and to be agreed by circulation.**

#### 4. Matters Arising from the Minutes of the Previous Meeting

- 4.1 Matters arising from the minutes of the previous meeting (**Paper 2**) were **reviewed** and **discussed** as follows:
  - Regarding item 6.3.1, the Chair reported that a letter of complaint had been sent to the leader of Southwark Council about the lack of response on the matter of the Caretaker's House.
  - Regarding item 8.3.2, CAP reported that he had not yet had a discussion with Suresh Shan (SS) regarding updating the auditor's advice to reflect the Trust's current practice (i.e., no use of cheques)
  - Regarding item 9.2.4, it was noted that the action was not complete, but that capital works were currently in discussion at the DHJS LGB.
  - Regarding item 13.1.3, EHT reported that consultation was undertaken with the trade union liaison about the support staff PPM policy at the initial stages of drafting. It was suggested that the approved policy should be sent to the trade union liaison for information.

**ACTION: EHT to send a copy of the support staff PPM policy to the trade union liaison for information.**

4.1.1 It was **noted** that all other actions were complete or on the agenda for the meeting.

## **5. Executive Headteacher's Report**

5.1 EHT delivered a verbal report, with special focus on the following matters:

- Leadership team discussions were in progress at both schools;
- Ofsted readiness preparations were ongoing at DHJS;
- School budgets remain on track, with Heads of School being asked to take a more inclusive approach to budget setting, and in particular to ensure the involvement of the school's Business Committee in decision-making;
- Central services financial management and administrative processes continue to evolve in response to staff feedback and review of operations. Purchase ordering has reverted back to each school following a review of effectiveness
- The Belham building remains in a defects period. Whilst some good progress has been made in some areas further remedial works are scheduled for the Spring holiday break.

5.2 The scaffolding currently in place around the front and side of the Belham building was **discussed**. It was **noted** that the scaffolding was infringing on playground space and affecting pupils' experience of the school.

5.2.1 The Chair reported that the school's unhappiness about the scaffolding had been included in the letter of complaint sent to the Leader of Southwark Council.

5.2.2 **A Trustee asked whether an estimate of costs should be sought for the repair of the building's guttering, as this remained unaddressed by Southwark.**

5.2.3 It was **agreed** that the matter would be raised with the BPS Business Committee. It was **noted** that if the local authority did not address these matters, the school would need to dip into reserves to fund the repairs.

**ACTION: EHT to raise with the BPS Business Committee the matter of taking cost estimates for repairs to the school's guttering.**

5.2.4 It was **discussed** that the roof guttering was not a part of the contract with Morgan Sindall let by Southwark. While the Council responded to make the guttering safe after it fell off the building, they had not responded to further appeals for repair. It was **noted** that the school would need to get permission from the Council to make any repair as the Council were the building freeholders.

5.2.5 It was **discussed** that the repairs to the guttering may be covered by insurance, but it was unclear whether this would fall under the Trust's or the Council's cover.

**ACTION: EHT to seek clarity on the matter of insurance cover for repairs to the guttering at BPS and report back.**

5.2.6 **A Trustee asked about the boilers at BPS and whether the matter of warranty registration of the boilers had been followed up.**

5.2.7 EHT reported that the issue was addressed over half term along with other plumbing issues, which were ongoing.

5.3 EHT reported that both schools continued to be fully subscribed and were preparing to make offers for school places next year.

5.3.1 It was **noted** that the BPS catchment area had shrunk even further and was now down to 290m around the school, with admissions priority given to siblings.

5.3.2 EHT reported that there were strong applications at DHJS as well as BPS although the catchment here is much wider, c900m.

5.4 **A Trustee asked about the schools' preparations for coronavirus.**

5.4.1 EHT reported that there were ongoing discussions at both schools, and that she and the Heads of School were closely monitoring advice from DfE, NHS and the local

- authority. It was **noted** that at least two schools in the local authority had closed for deep cleaning following notice of a pupil's exposure to the virus.
- 5.4.2 EHT reported that the schools were emphasizing proper hand washing and teaching children how to wash their hands properly. She stated that the schools were also emphasizing the importance of remaining calm and listening to medical advice.
  - 5.4.3 **A Trustee asked if contingency plans had been put in place should the situation worsen, or if there were plans to offer some form of online education in the event of mandated school closures.**
  - 5.4.4 EHT stated that staff would be able to set "holding" home learning such as reading, writing tasks, and maths activities using existing online resources, and when the schools were clear about closure, there would be sufficient time and opportunity for staff to prepare more detailed online lessons and plans.
  - 5.4.5 It was **noted** that should a school close, teachers would have a short space of time in which to put together online support. It was **noted** that the business continuity plans addressed provisions to send staff home with laptops and other support that would allow them to move lessons online.

## **6. Chair's Report**

- 6.1 The Chair reported that the Trust's Annual General Meeting was held after the previous Trustees' meeting and that Members had signed off the annual accounts.
  - 6.1.1 The Chair reported that Members had also agreed to the appointment of Rafael Marks as a Member of the Trust.
- 6.2 The Chair reported that since the last meeting of Trustees he had attended various meetings on Trust finances, including monthly meetings with EHT to review the BMRs for the Trust and each of the schools.

## **7. Finance Update**

- 7.1 With reference to the several finance papers that had circulated, the Chair stated that in future, streamlined finance reports would be circulated to Trustees, with detailed reports on each school going to the relevant LGBs only.
  - 7.1.1 Chair **confirmed** that each school's BMR had been discussed between the relevant Chair, EHT and the Trust's finance lead. The DHET BMR had been reviewed by the Audit Committee.
  - 7.1.2 With reference to the information circulated for BPS (**Papers 3 – 5**), it was **noted** that BPS was running a small in-year deficit, and had reversed the proposal that £30K be taken from reserves to pay for capital items. It was **noted** that reserves at BPS currently stood at £290K.
  - 7.1.3 With reference to the information circulated for DHJS (**Papers 6 – 8**), it was **noted** that DHJS was running a £37K in-year deficit with a premises budget now deemed to be inadequate. It was **noted** that DHJS's difficult financial position had been anticipated.
  - 7.1.4 **A Trustee asked why there was such disparity in the level of reserves between the two schools.**
  - 7.1.5 EHT reported that BPS had been receiving extra funding as a new free school, and did not employ a Head of School until its third year of operation, EHT having covered this role during that period. The arrangement resulted in significant savings which enabled strong reserves to be built.
  - 7.1.6 It was **discussed** that the school's leadership understood that the school was in a good financial position, but also understood that income must be managed carefully in order to cover costs. It was **noted** that BPS's reserves could be easily depleted by having to make building repairs, which it seems it may need to do in the near term.

- 7.2 CAP stated that Audit Committee had been and would continue to monitor the schools' financial risks, and particularly those arising as a result of spending to mitigate health and safety and other risks arising.
- 7.2.1 It was **noted** that Audit Committee's risk monitoring was facilitated by the membership of one governor from each LGB on the committee. It was **noted**, however, that the members of Audit Committee coming from the LGBs were not necessarily members of their LGB Business Committee.  
**ACTION: Chair to discuss with LGB Chairs that the LGB member of Audit Committee should also be a member of the LGB's Business Committee.**
- 7.3 The DHET BMR and supporting information (**Papers 9 – 11**) were **reviewed**.
- 7.3.1 The Chair reported that the consultancy budget line in the DHET budget was significantly different to the budget reviewed in the previous quarter. He explained that the DHET BMR in November showed a consultancy budget of £70K. Since that time, it was discovered that those funds, which reflect the anticipated unspent portion of the EHT salary had not been removed from the schools' budgets, and plans for spending those funds within each school had been made. The Chair reported that DHET's central funds were therefore not as robust as previous reports had indicated, with no central fund for growth or other purposes in 2019/20.
- 7.3.2 The Chair reported that going into budget planning for next year, the issue of building a robust central fund for the Trust needed to be addressed. It was **discussed** and **agreed** that Trustees must be clearer in their instructions to Trust leadership, including ensuring that instructions are put into writing with specific follow-up.
- 7.3.3 It was **agreed** that the current DHET budget position would be left as it was for 2019/20, with stricter measures to be put in place next year. To that end there were several actions agreed.  
**ACTION: Chair and EHT to attend the meetings of each LGB in the next cycle of meetings to discuss the issue of central budgeting.**  
**ACTION: EHT to request that Barry Walder resume working with SS until central budgeting and associated procedures and calculations supporting the determination of the central budget were better established.**  
**ACTION: EHT to communicate with SS regarding central budgeting and oversight arrangements as discussed and agreed by Trustees.**
- 7.4 EHT requested that the Chair sign an invoice of £24K for the DHJS residential trip, in accordance with the financial procedures.
- 7.4.1 It was **noted** that invoices exceeding £20K required Trustee approval.
- 7.4.2 The invoice was **approved** and **signed** by the Chair.
- 8. Strategy & Growth Working Group ("SGWG") Report**
- 8.1 The Chair reported outcomes from the recent meeting of the SGWG, stating that these were overall positive and indicated a renewed interest in Trust growth. However, developments since then had not suggested that local other local primary schools, considering their future, were likely to be looking elsewhere.
- 8.1.1 The Chair stated that a decision had been taken to delay holding another away day for staff and governors for the time being to enable the SGWG to continue discussions and strategy development and for separate discussions to be held with the two LGBs.
- 8.1.2 The Chair reported that the SGWG had scheduled its next meeting for Thursday 19 March 2020 [**Post-meeting note**: The 19 March 2020 SGWG meeting was cancelled].

- 8.2 It was **discussed** that expressions of interest had been received from local governors wishing to join SGWG.
- 8.2.1 It was **discussed** and **agreed** that at this early stage, LGB input would be premature. A consensus view was expressed that LGB input would be sought when and if specific growth proposals emerged.
- 8.3 **A Trustee asked about the proposed name change for DHET and when this should take effect.**
- 8.3.1 It was **discussed** that the new name for the Trust had been agreed by Members at the AGM in December 2019, but advised that Trustees should decide when the name change should take effect.
- 8.3.2 It was **noted** that due diligence had not yet been undertaken on the name and that this should be done before deciding to put the new name into effect. It was **agreed** that the members of SGWG would consider these matters at their next meeting.

## 9. Trust Governance

- 9.1 The Scheme of Delegation (**Paper 12**) was **reviewed**.
- 9.1.1 Proposed changes to the Scheme of Delegation were **discussed** and **agreed**.  
**ACTION: Clerk to include the Scheme of Delegation in papers to be circulated ahead of the LGB meeting for each school.**  
**ACTION: EHT to ensure that the Scheme of Delegation is posted to the DHET website.**
- 9.2 Future clerking arrangements were **discussed**.
- 9.2.1 It was **noted** that a proposal from Judicium had circulated ahead of the meeting, but separately to the meeting pack. The proposal was **reviewed**, and it was **agreed** that from the start of the next school year, Judicium clerks would cover meetings of the LGBs, Audit Committee, and the Pay and Personnel Committee.
- 9.2.2 It was **agreed** that KF would continue covering meetings of the DHET Board of Trustees and meetings of the Members (e.g., the AGM).  
**ACTION: EHT to instruct SS to move forward with the Judicium agreement.**
- 9.3 The Chair reported that he had received a query regarding the appointment of a Trustee safeguarding lead.
- 9.3.1 It was **noted** that currently the safeguarding link governors for both schools within the Trust were also Trustees. It was **noted** that EHT was also a Trustee.
- 9.3.2 The rationale for appointing a Trustee as a Trust-level safeguarding representative was **discussed** in detail. It was **agreed** that the purpose of having a Trustee-level safeguarding lead was adequately fulfilled by EHT and there was therefore no need for a formal appointment of a Trustee safeguarding lead to be made.  
**ACTION: Chair to communicate the Trustees' response to the query regarding the appointment of a Trustee safeguarding lead.**
- 9.4 It was **noted** that draft copy for the DHET summary for the website had circulated separately to the board pack but ahead of the meeting. The Chair reported that the proposed wording had been expanded from the brief version reviewed at the previous Board of Trustees meeting.  
**ACTION: All Trustees to submit their comments on the draft copy for the DHET website to the Chair within the next week.**  
**ACTION: EHT to ensure that the draft copy, updated according to any comments received from Trustees, is posted to the DHET website.**
- 9.4.1 It was **discussed** that DHET would need a focused web presence, particularly if it were aiming to grow. It was **acknowledged** that any school that may be approached would look to the Trust's website to take a view on its identity, mission, and values.

- 9.4.2 It was **agreed** that links to the scheme of delegation, minutes, and other documents relating to the Trust's governance should also be available through the website.
- 9.4.3 It was **discussed** and **agreed** that the simplest approach would be adopted until a decision was reached on the Trust's change of name. It was **noted** that free advice could be sought from a parent on the short-term solution, and that EHT would follow-up as appropriate.

**ACTION: All Trustees to look at the current Trust website and forward thoughts for its development to the Chair.**

## **10. Committee Reports**

- 10.1 The draft minutes of the DHJS LGB (**Paper 13**) were **taken as read**.
- 10.1.1 KR reported that the DHJS LGB had given substantial discussion to the difficulty the school was having in meeting the needs of SEND pupils given its current level of funding. She stated that the Head of School had been pursuing additional funding so the school could ensure its ability to adequately meet the needs of its SEND pupils.
- 10.1.2 KR reported that there had been no decision yet on the CIF bids submitted and whether such funding would be made available to the school.
- 10.1.3 Trustees **commended** the DHJS LGB for including health and safety as a standing item on their agendas.
- 10.2 It was **discussed** and **agreed** that as a matter of good practice a report on health and safety should be a routine item on the agenda at each school's LGB, with near misses as well as accidents included in health and safety reporting.
- 10.2.1 It was suggested and **agreed** that to ensure robust reporting to LGBs, the school premises manager should report routinely to the Business Committee, with relevant matters reported to the LGB by the Business Committee Chair or Head of School.
- ACTION: EHT to write to the school premises managers to set out the expectation that they report on health and safety matters, including near misses and accidents, to the school's Business Committee.**
- 10.3 The draft minutes of the BPS LGB (**Paper 14**) were **taken as read**.
- 10.3.1 It was **noted** that several risks were raised as part of LGB discussions, with Tim Hallan (TH) taking an action to bring them forward to the Audit Committee. CAP reported that TH was not present at the last Audit Committee, and thus Audit Committee had not dealt with these. CAP stated that issues appeared to be non-urgent, but would be swept up at the next meeting of the Audit Committee.
- 10.3.2 It was **noted** that the minutes recorded that the school's mission statement was being worked on. The Chair stated that he would follow-up with SL to check the status of this work, and to determine if the intention was to make new proposals for or minor changes to the current mission statement.
- ACTION: Chair to follow-up with SL regarding the work reported to be in progress on the BPS mission statement.**
- 10.4 It was **noted** that the Audit Committee had met on 25 February 2020. CAP stated that minutes of the meeting were not yet available, but would be circulated in draft following the meeting.
- ACTION: Clerk to circulate the minutes of the Audit Committee when available.**
- 10.4.1 CAP reported that Sue Roberts (SR) was invited to the meeting to report on emerging HR issues. It was **noted** that a personnel issue at DHJS had been reported as a potential financial liability and was therefore added to the risk register.
- 10.4.2 EHT stated her view that more information was needed to clarify details around the personnel issue reported to Audit Committee and that professional advice may need to be taken to ensure such clarity. EHT stated her view that the full range of options available to the member of staff had not been fully explored.

**ACTION: EHT to raise the issue with Barry Walder who may be able to refer DHET to specialist advice.**

10.4.3 CAP reported that the DHJS Head of School also attended the portion of the meeting attended by SR.

## **11. Items for Review**

11.1 The Complaints Policy (**Paper 16**) was **reviewed**.

11.1.1 The Complaints Policy was **agreed**, subject to the following corrections:

- Updating of references to EFA to ESFA throughout;
- Harmonising pages 9 – 10 of the policy so that the text hangs together as a single, comprehensive policy;
- Clarifying that the composition of the complaints panel should be three governors, at least one of whom should come from another school within the Trust or a Trustee; and
- Correction of various typographical errors throughout.

**ACTION: EHT to update the Complaints Policy as discussed.**

11.1.2 **A Trustee asked when annual reporting on complaints was done.**

11.1.3 The Chair stated that annual reports had not been made because there have been no complaints. It was **discussed** and **agreed** that a report should be made in any case at the first meeting of each year for the previous year.

11.2 The Gifts & Hospitality Policy (**Paper 17**) was **reviewed**.

11.2.1 It was **noted** that the policy had been reviewed and agreed in principle by the Audit Committee, with comments forwarded to SS. The Chair stated that he also had comments that he would convey directly to SS.

11.2.2 It was **acknowledged** that the policy would form part of the staff handbook. It was suggested and **agreed**, however, that the policy should be badged and dated so that it could also stand as a stand-alone policy.

**ACTION: SS to badge and date the Gifts & Hospitality Policy so that it can stand as a stand-alone policy in addition to being part of the staff handbook.**

11.3 The Financial Procedures (**Paper 18**) were **reviewed**.

11.3.1 It was **noted** that the Financial Procedures had been reviewed and agreed by the Audit Committee.

11.3.2 CAP reported that the Financial Procedures now included clear provision for the reimbursement of governor and Trustee expenses.

11.4 EHT reported that Homework Policies had been placed on the agenda as a matter for consideration because of a report that there was a no homework policy at BPS.

11.4.1 EHT explained that schools were expected to have a clear approach on what place homework had within the broader curriculum and educational aims of the school. There would be further discussions with the Leadership Team of BPS to ensure that parents, pupils and governors were clear about the approach taken to home learning including a particular emphasis on reading, vocabulary acquisition and maths skills.

11.5 It was **noted** that the Whistleblowing Policy had circulated in advance of the meeting but separate to the board pack.

11.5.1 EHT invited Trustees to send comments on the Whistleblowing Policy to her directly and as soon as possible, as the policy should be included in the staff handbook.

**ACTION: All Trustees to send their comments on the Whistleblowing Policy to EHT as soon as possible.**

**12. Items for Information**

12.1 A letter from Lord Agnew to Chairs of Trusts (**Paper 19**) was **noted**.

**13. 2020/21 Meeting Dates**

13.1 The proposed meeting dates for the 2020/21 school year, as approved by the Chair and EHT, were **acknowledged** to have circulated in advance of the meeting.

13.1.1 Meeting dates for the Board of Trustees were **agreed** as follows:

- 1 October 2020;
- 3 December 2020 (to be followed by the AGM);
- 4 March 2021; and
- 1 July 2021

**14. Any Other Business**

14.1 It was **noted** that safeguarding did not appear as a separate agenda item, and therefore would be taken as an item of any other business.

14.1.1 EHT assured Trustees that there were no safeguarding incidents needing Trustee attention.

The business of the meeting concluded at 21:15.

**Date of the Next Meeting - Thursday, 25 June 2020** at 18:30 at Dulwich Hamlet Junior School.

*KF/kf: 22/03/2020*