



never give up.

# Board of Trustees Meeting Minutes

Wednesday 15<sup>th</sup> July 2020  
at 17.00

Virtual Meeting via Zoom  
ACE Schools MAT  
Unit 3 Ensign House, Parkway Court,  
Longbridge Road, Marsh Mills,  
Plymouth PL6 8LR

## **TRUSTEES IN ATTENDANCE:**

Mrs Annette Benny – Chair of Trustees.  
Mr Denis Parsons – Vice-chair of Trustees.  
Mr Peter McDonnell – Trustee.  
Dr Tim Searle – Trustee.  
Mr Tim Thexton – Trustee.

## **IN ATTENDANCE:**

Mr Gavin Gracie – CEO.  
Mrs Hannah Smart – Head of ACE Tiverton.  
Mr Lee Earnshaw – Head of Courtlands.  
Mr Matt Bindon – Head of ACE Schools Plymouth.  
Ms Karen Deely – Observer and Trustee in waiting.  
Mrs Andrea Chick – PA to the CEO/Clerk to the Trustees/Administrator ACE MAT.

Minute No.	Agenda Item	Action
1.	<p><b>WELCOME, SIGNING OF ATTENDANCE AND DECLARATIONS OF INTEREST REGISTER.</b></p> <p><b>AB</b> welcome everyone to the meeting. The video call was evidence of meeting attendance, no declarations of interest.</p> <p>Ms Karen Deely attended the meeting as an observer while she waits for her DBS check to be completed.</p>	
2.	<p><b>TO NOTE APOLOGIES.</b></p> <p>Mr Peter Cubbon – Trustee.</p>	
3.	<p><b>APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 20<sup>TH</sup> MAY 2020 AND 11<sup>TH</sup> JUNE 2020.</b></p> <p>i. <u>20<sup>th</sup> May 2020:</u></p> <p>Page 4 item 7 HS report to read ‘still within the national guidelines. Page 5 item 8 AB query to read ‘financial instructions’. Page 6 item 14 iii Objectives to CEO to read ‘to be circulated before the Business Case is published’.</p> <p>ii. <u>11th June 2020:</u></p> <p>Page 1 item 1 to read ‘AB excused herself from the meeting as she has declared an interest in Delt having previously co-founded the organisation which could be a perceived conflict of interest’.</p> <p>It was <b>RESOLVED</b> that the minutes of the meetings of the Board of Trustees held on the 20<sup>th</sup> May 2020 and 11<sup>th</sup> June 2020 be confirmed and signed as a correct record subject to the amendments above. <b>DP</b> agreed to his electronic signature being used.</p>	
4.	<p>i. <u>Matters Arising from the meetings of the 20<sup>th</sup> May and 11<sup>th</sup> June 2020.</u></p> <p>Please refer to the meeting minutes action sheet.</p>	
5.	<p><b>CHIEF EXECUTIVE’S REPORT.</b></p> <p>i. The Trust Exclusion Panel met again to go through the determination of the Independent Review Panel to quash the Exclusion panel’s decision to exclude the pupil. The Trust’s Exclusion Panel upheld their original decision so the case is now closed. Several ancillary issues arose and staff have been given very strict instructions to give no comment if any requests for information are received as the child is no longer on the school roll. <b>AB</b> advised lessons can be learnt in a number of areas from this experience and must be built into school processes.</p> <p>ii. Two ancillary complaints against <b>GG and LE</b> have been through due process and neither complaint upheld.</p> <p>iii. A Subject Access Request had also been received which is being reviewed by the Trust DPO and will be going out to the applicant next week. <b>TS</b> queried the protection in law for the Trust regarding SARs and should the Trust tighten up on the content and number of emails sent. <b>DP</b> suggested the difficulty is in demonstrating if the request is frivolous or malicious but in either case the process has to be followed rigorously and staff not retain old records and emails. <b>HS</b> stated care has to be taken around information retention because for SEN pupils, data has to be kept up to 25 years after the child’s date of birth. <b>GG</b> advised work is being done around document retention and version control through the transfer to the new IT platform. All staff must</p>	

understand that when any document is written it becomes a legal document and subject to exposure in the public domain.

**KD** agreed that learning through the events was important and she asked what this learning will look like and taken forwards suggesting it should be practical and accessible. **GG** informed it was important to understand these events had not happened for the Trust before and it had highlighted several strands to internal processes and capabilities. Due to the end of term, a full wash up will be completed in September with the local authority offering assistance.

iv. Discussions around the decommissioning of 30 places by PCC is still ongoing and **GG** is working with them and the ESFA to try and resolve the issue as there are no educational places for these 30 children. Legal advice is being sought to see if both PCC and the ESFA have acted legally in the remit of the funding agreement and jurisdiction of their Education Act statements. PCC Head of Children's Services Judith Harwood has announced her retirement and **GG** is trying to arrange an urgent meeting with her.

v. The Trust has not adjusted their costings to PCC for 3 years and with the increase in pension costs and salaries income has been forced down by the cost of inflation. The schools also have a greater understanding of the real cost of educating the children. **AB** asked **GG** what he would like to get from the conversation with PCC. **GG** would like clarity of what PCC expect to happen to these children following a joint CEO meeting with the RSC and PCC re student mobility in Plymouth and more importantly to have a real discussion with the ESFA around the transition fund.

**TS** gave a precis of the history with PCC and previous delays in payment for commissioned places. Progress had been made in the past and suggested past experiences of ACE executives had made PCC wary. **GG** explained a huge amount of work had been carried out by **MB** and his team as well as **LE** on the primary side. **LE** informed he sits on the Schools Forum and at present there is no workable proposal being put to the Forum prior to October 2020 so the possibility of decommissioning places for September seems unlikely as there is no other alternative for these children. Further discussions will take place between the Trust and PCC.

vi. The final Blaze business case is not fully complete due to a delay in pensions pass through so an EGM will be held on the 28<sup>th</sup> or 29<sup>th</sup> July 2020.

vii. The SIP and SDP are still in development due to Covid and the rebuild of ledgers. The plans tie in with the E&S committee and the Clusters work plans and their priorities for the first term of the new academic year. **TT** had concerns even though the plans had good proposals, as there is nothing to indicate when these proposals are complete or success is measured. **GG** advised this will be picked up as part of an Executive meeting and he will ensure there is an update on this as per the timeline.

**KD** suggested the schools have an opportunity to develop a system to share the plans and targets where there is a similar ambition. **GG** advised this was part of the work within the development of HR and will flow through the various parts of the process eg budgets. The plan structures are not as robust as they could be as the strategic objectives for the MAT flow through the Heads to the staff and not the other way around; the work will go through to July 2021. **GG** thanked the Head teachers and their teams for the work they had put into their plans.

It was **RESOLVED** to note the CEO's report.

**ACTION: GG to include SIP and SDP proposal measuring at the next Executive meeting.**

**GG**

6.	<p><b>CHAIR'S REPORT OF THE EDUCATION AND SAFEGUARDING COMMITTEE 9<sup>TH</sup> JULY 2020.</b></p> <ul style="list-style-type: none"> <li>i. Statutory items reports were not submitted as the data isn't available until September so will be reported at the next meeting.</li> <li>ii. Staff disciplinary issues are being dealt with.</li> <li>iii. Multi agency interventions are in places around the 3 suicide attempts (1 pupil, 1 staff and 1 parent). <b>AB</b> asked if there was anything that could be done to mitigate any risks as this could happen again and to ensure these individuals are being looked after; also if the Trust are meeting the needs of the staff in general. <b>GG</b> confirmed all 3 cases have multi agency reviews into what took place around possible intervention or what could have been done better, however all the cases were unexpected. Staff working with pupils has been extraordinary which has been recognised by all 3 LAs and staff care for their peer group has risen hugely. Work will be carried out early in the new term around the needs of the staff.</li> <li>iv. Policies are being reviewed at the moment and will be reported to the next E&amp;S committee.</li> </ul> <p>The Board <b>NOTED</b> the report.</p>	
7.	<p><b>CHAIR'S REPORT OF THE FINANCE AND AUDIT COMMITTEE 1<sup>ST</sup> JULY 2020.</b></p> <ul style="list-style-type: none"> <li>i. The budget was recommended for approval by the Board and would be updated beforehand if any changes arose during the ongoing discussions.</li> <li>ii. The Purchasing Project is ongoing with the testing phase showing some teething problems which are being sorted with the companies concerned.</li> </ul> <p>The Board <b>NOTED</b> the report.</p>	
8.	<p><b>BUDGETS 2020-2021.</b></p> <ul style="list-style-type: none"> <li>i. The budget process had been completed and recommended by the F&amp;A committee on the 1<sup>st</sup> July 2020. The budget was balanced with a deficit for the current year due 50 children less in ASP as a direct result of Covid-19, additional teaching provision plus legal costs for the exclusion IRP and other MAT related issues.</li> <li>ii. There is a significant shortfall in the central services budget. The SRMA had completed an inventory report to the ESFA and F&amp;A committee with statistics showing when compared to similar provisions, staffing ratios are very light.</li> <li>iii. Provision was given for three senior executives but this is no longer affordable so has been removed from the final budget.</li> <li>iv. <b>AB</b> asked where the key risks were in the budget and what is in place to monitor these risks. <b>GG</b> stated the ledgers now work, a monthly reporting regime is in place with stringent monitoring at the school level. He has routine meetings with the Head teachers and the F&amp;A committee have updated reports for each meeting. For the first time the budgets have been split down to budget holder responsibility which is being monitored along with purchasing controls which wasn't strong previously. Petty cash and credit card problems had been sorted out and purchase management would be going live in the near future. Ownership of budgets at all levels had never happened before, however there could be further ramifications if Project Blaze doesn't go forward and/or Covid-19 hits again.</li> <li>v. <b>AB</b> asked if there was a deadline for Covid-19 related claims for costs. <b>GG</b> advised not all Covid-19 related costs can be reclaimed <b>and no deadline had been stated?</b></li> </ul>	

	<p>vi. <b>AB</b> asked the Head teachers if they were happy with their budgets. <b>LE</b> is optimistic with clarity required around some risks ie reserves as some are restricted and some unrestricted.</p> <p><b>HS</b> understood the budget setting process was a big step forward on how it was completed in the past. The next academic year would be the second year of a brand new school, a global pandemic half way through the first year plus previous learning around the level of staffing not being suitable for the children; given a choice she probably wouldn't have accepted the current budget but will work with it as best she possibly can.</p> <p><b>MB</b> has saved £500,000 from the change in central services recharge. This has allowed him to develop a staffing structure which is right for the number of children. The budget is tight for all the right reasons and will need to be managed forensically.</p> <p>viii. <b>AB</b> queried the reduction in central services costs from 12% to 7% and if the new figure was reflected in the business case. <b>GG</b> confirmed it was so the risk was being mitigated. <b>LE</b> pointed out for clarity the recharge for ASP had reduced to 7% but Courtlands had stayed the same. <b>GG</b> advised this meant the recharge was spread more evenly around the schools and he supported the Head teachers. The percentage figure came from Bishop Fleming and the ESFA which is a fraction below the recharges for this sector. These are costs incurred as a MAT and have to be reallocated, they are better than in the past and far more transparent.</p> <p>ix. <b>TT</b> was reassured that the tightness of the budget and the fluctuation of the income with static expenditure was under control by the staff.</p> <p>It was <b>RESOLVED</b> to accept the proposal of the F&amp;A committee and approve the budget for 2020-2021.</p>	
9.	<p><b>RISK REGISTER.</b></p> <p>The Risk Register is work in progress and had been taken to the F&amp;A committee on the 1<sup>st</sup> July 2020. It is significant to note 5 buildings are less than fit for purposes and in various stages of being dangerous. The worst is Courtlands followed by the three Cornish provisions and the other WRAP. This is a key part of the strategic plan which needs to be continually monitored on how it aligns with the objectives and timings around the objectives.</p> <p>The Board <b>NOTED</b> the Risk Register as work in progress and to be reported on via the F&amp;A committee.</p>	
10.	<p><b>POLICIES.</b></p> <p>It was <b>AGREED</b>:</p> <ul style="list-style-type: none"> <li>i. To defer to the next meeting.</li> <li>ii. To ensure correct version control and details of changes made to the policy.</li> </ul>	
11.	<p><b>TRUST NAME CHANGE.</b></p> <p>Following the discussions in March, there had been some concern by Trustees around the change of name for the Trust. These concerns were taken back to the staff who voted to stay with their chosen name of Transforming Futures Multi Academy Trust. The new websites will be ready to go live in September 2020. ACE Schools Plymouth will be known as ACE Schools with Courtlands and Tiverton remaining the same; ACE Schools and Tiverton logos will be changing. The legalities with Companies House, Charity Commission and DFE will be completed along with letters to the ESFA and RSF informing them of the changes. The Head teachers have built some introduction to staff around the changes. <b>DP</b> was happy a vigorous process had been completed, <b>TT</b> considered the name change made a great deal of sense and <b>TS and PM</b> thought the new websites looked excellent.</p>	

	<p>It was <b>UNANIMOUSLY RESOLVED</b>:</p> <ul style="list-style-type: none"> <li>i. To accept the change of name of the Trust to Transforming Futures Multi Academy Trust.</li> <li>ii. To accept the change of name of ACE Schools Plymouth to ACE Schools.</li> <li>iii. To accept the new logos for ACE Schools and Tiverton.</li> </ul>	
12.	<p><b>COVID-19 NATIONAL GUIDANCE UPDATE AND SCHOOL RE-OPENING PLANS FOR SEPTEMBER 2020</b></p> <ul style="list-style-type: none"> <li>i. Tiverton will return as normal following the PHE guidance for special schools depending on the situation. Everything has been done to limit contact, the whole school is a bubble and track and trace will be used. Risk processes and signage around the school have been updated along with adapted routines and limited visits. No adverse reaction has been received from parents with 3 still shielding until the 1<sup>st</sup> August 2020.</li> <li>ii. ACE Schools Plymouth is keeping each provision as a bubble within themselves. Risk assessments for each site have been updated and hygiene levels enhanced. The bases are ready to start but some will have phased returns or bespoke programmes.</li> <li>iii. Courtlands has similar plans in place and plan to be back in September with each class a bubble. There are some challenges around transport as this is mixing the bubbles so discussions are ongoing with PCC. Due diligence re risk assessments are in place and will be updated for full re-opening. <b>TT</b> asked how this will be signed off; <b>LE</b> advised he had sent to <b>GG</b> who must be happy with risk assessments before signing off.</li> <li>iv. <b>AB</b> reminded distancing is in the control and enforcement of the leadership and the Board should expect enforcement of the guidelines to ensure distancing is maintained and for staff and pupils not to become desensitised.</li> <li>v. <b>HS</b> advised the flu season will start in the autumn and staff will be able to have vaccinations via Health Shield with some business continuity through risk assessments.</li> <li>vi. <b>GG</b> informed the schools with have to offer remote learning in a more structured way as per the DfE guidance. This is IT related and as this needs improvement within the schools, further work will be completed around this.</li> </ul>	
13.	<p><b>BOARD OF TRUSTEES INDIVIDUAL AND COMMITTEE EVALUATIONS.</b></p> <p>These assessments are part of good governance and once the information is gathered, the <b>Chair</b> and <b>GG</b> will analyse and report.</p>	
14.	<p><b>BOARD AND COMMITTEE MEETING DATES 2020-2021.</b></p> <p>It was <b>AGREED</b> to approve the meeting calendar for 2020-2021.</p>	
15.	<p><b>ANY OTHER URGENT BUSINESS.</b></p> <p>There was none.</p> <p>The Head teachers left the meeting at 18.50</p>	
14.	<p><b>PART 2.</b></p> <ul style="list-style-type: none"> <li>i. <u>Part 2 Minutes of the Board of Trustees meeting held on the 20<sup>th</sup> May 2020.</u></li> </ul> <p>It was <b>RESOLVED</b> that the Part 2 minutes of the meetings of the Board of Trustees held on the 20<sup>th</sup> May 2020 were confirmed and signed as a correct record.</p>	

	<p>ii. <u>Objectives of CEO.</u></p> <p>It was <b>RESOLVED</b> to accept the Objectives of the CEO.</p> <p>iii. <u>Independent Panel Review.</u></p> <p>The Board <b>NOTED</b> the report.</p> <p>iv. <u>Resignation of the Chair of the Board of Trustees.</u></p> <p>The Board <b>ACCEPTED</b> the resignation of Annette Benny as a Trustee and Member.</p> <p>The meeting ended at 19.05.</p>	
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Signed:

Date:

Chair

Dates of Future Meetings:

Wednesday 7 <sup>th</sup> October 2020	17.00 – 19.00
Wednesday 16 <sup>th</sup> December 2020	17.00 – 19.00
Wednesday 10 <sup>th</sup> February 2021	17.00 – 19.00
Wednesday 31 <sup>st</sup> March 2021	17.00 – 19.00
Wednesday 9 <sup>th</sup> June 2021	17.00 – 19.00
Wednesday 14 <sup>th</sup> July 2021 + AGM	17.00 – 19.00



**COMPLETED ACTIONS ACE SCHOOLS MAT BOARD OF TRUSTEES MEETING 20<sup>TH</sup> MAY 2020**

Minute Number	Action	Who	Date to be completed by
4.	<p><u>Matters Arising:</u></p> <p><u>Re-appointment of Trustees:</u></p> <p><b>ACTION: AC to send letters to the Trustees. <u>Completed.</u></b></p> <p>i. <u>Education and Safeguarding Chair's Report: Parking at North Hill.</u></p> <p><b>ACTION: AB and GG to follow up in August 2020.</b></p> <p>i. Matters Arising from the meeting of the 25th March 2020.</p> <p><u>Flash Training:</u></p> <p><b>Carry forward to next meeting to identify progress and priorities for training. Pick up in Handover. <u>Financial and Exclusions were completed.</u></b></p> <p><u>Head teachers' Update:</u></p> <p><b><i>ACTION: HEADS to work with GG to start the short, medium and long term (September) planning and report back to Board meetings.</i></b></p> <p><b>ACTION: Trustees to discuss with GG support and help for the staff. Carry forward. <u>SIP now being completed.</u></b></p> <p><b>ACTION: GG to discuss with Trustees and Members what will the wash up plan be. Carry forward. <u>Completed.</u></b></p> <p><u>Chief Executive's Report:</u></p> <p>ii. Medical retirement of the HR Manager.</p> <p><b>ACTION: AB and GG to discuss further.</b></p> <p><b>ACTION: All Trustees to send AB wording for a card by the 29th May. <u>Completed.</u></b></p> <p><u>Meeting Planner:</u></p> <p><b>ACTION: TRUSTEES to look at the meeting planner and report back to GG with any further comments.</b></p>	<p><b>AC</b></p> <p><b>AB/GG</b></p> <p><b>AB</b></p> <p><b>Trustees</b></p> <p><b>Members / Trustees/GG</b></p> <p><b>AB/GG</b></p>	<p>1<sup>st</sup> week in June.</p> <p>August 2020</p> <p>6<sup>th</sup> July 2020</p> <p>6<sup>th</sup> July 2020</p> <p>6<sup>th</sup> July 2020</p> <p>29<sup>th</sup> May 2020</p>



	<p><b>ACTION: AB and GG to set up the Cluster Chairs. <u>Pick up after the SIP and after budgets.</u></b></p> <p>ii. Matters Arising from the meeting of the 16th April 2020.</p> <p><u>Approval of the Business Case.</u></p> <p><b>ACTION: GG to circulate a short report. <u>Completed.</u></b></p>	<p><b>Committee Chairs / AB / GG</b></p> <p><b>GG</b></p>	<p>ASAP.</p> <p>ASAP</p>
5.	<p><u>SMRA Report:</u></p> <p><b>ACTION: ALL to re-familiarise themselves with:</b></p> <ul style="list-style-type: none"> <li>• <b>Academies Financial Handbooks 2019. Updated version circulate.</b></li> <li>• <b>Governance Handbook (updated March 20219).</b></li> <li>• <b>Governance Competency Framework.</b></li> <li>• <b>Governance Clerking Competency Framework.</b></li> </ul>	<p><b>ALL</b></p>	<p>As soon as possible.</p>
7.	<p><u>Head teachers' Update:</u></p> <p><b>ACTION: GG to include risk assessments in his weekly update. Risk Assessment built into agenda. <u>Completed.</u></b></p>	<p><b>GG</b></p>	<p>Weekly</p>

#### **ACTIONS ACE SCHOOLS MAT BOARD OF TRUSTEES MEETING 15<sup>th</sup> JULY 2020**

Minute Number	Action	Who	Date to be completed by
4.	<p><u>Education and Safeguarding Chair's Report: Parking at North Hill.</u></p> <p><b>ACTION: AB and GG to follow up in August 2020.</b></p>	<p><b>CHAIR/GG</b></p>	<p>September 2020</p>
5.	<p>vii School Improvement and School Development Plans:</p> <p><b>ACTION: GG to include SIP and SDP proposal measuring at the next Executive meeting.</b></p>	<p><b>GG/HEADS</b></p>	<p>September 2020</p>