



never give up.

Board of Trustees Meeting Minutes

Wednesday 16th October 2019
at 18.00

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

TRUSTEES IN ATTENDANCE:

Mr Andrew Dunkley – Trustee.
Mrs Annette Benny – Trustee.
Mr Denis Parsons – Trustee.
Mr Gavin Gracie – Trustee and CEO.
Mr Peter McDonnell – Trustee.

IN ATTENDANCE:

Mrs Andrea Chick – PA to the CEO/Clerk to the Trustees/Administrator ACE MAT.
Mrs Anna Rumsby – Finance Manager.
Ms Beccy Woods – Estate and Compliance Manager.
Mrs Karen Felix – IT Manager.
Mrs Hannah Smart – Head of ACE Tiverton.
Mr Lee Earnshaw – Head of Courtlands.
Mrs Ruth Westwood – Deputy Head Teacher ASP.

APOLOGIES:

Dr Tim Searle – Chair of Trustees.
Mr Paul Turner – Director of Finance and CFO.
Mr Paul Winterton – Director of School Improvement.
Mr Chris Humphries – Director of Performance.
Mr Matt Bindon – Head of ACE Schools Plymouth.
Mrs Jo Warn – HR Manager.

Minute No.	Agenda Item	Action
1	Signing of attendance and Declarations of Interest Register. The Chair welcomed all to the meeting and everyone introduced themselves.	
2	<p>ELECTION OF A CHAIR.</p> <p>i. Appointment of Peter McDonnell as Chair for the meeting.</p> <p>It was RESOLVED that PM Chair the meeting.</p> <p>ii. Election of a Chair for the Board of Trustees.</p> <p>TS has made it clear it is his intention to step down as Chairman but still remain a Trustee. Normally the Vice-chair steps up to the position but PM is unable to do this, and he would like relinquish his position but neither Trustees are serving a date on this. GG advised the MAT are recruiting three or more Trustees currently and he will make it clear he is looking for a Chair as well as people with an educational and safeguarding background, also someone with experience in buildings especially if the MAT develops with new schools. It is usual to have a senior independent position around reporting and holding to account, so this needs to be thought about so carry this forward to the meeting in the New Year. TS and PM will continue in their positions until a new Chair and Vice-chair have been elected.</p> <p>It was RESOLVED to take forward to the meeting on 12th February 2020.</p>	AC
3.	<p>APPROVE THE MINUTES OF THE PREVIOUS MEETINGS.</p> <p>i. Board of Trustees Meeting 10th July 2019.</p> <p>It was RESOLVED that the minutes of the meeting of the Board of Trustees held on the 10th July 2019 were confirmed and signed as a correct record.</p> <p>ii. Board of Trustees Extraordinary Meeting 31st July 2019.</p> <p>It was RESOLVED that the minutes of the extra-ordinary meeting of the Board of Trustees held on the 31st July 2019 were confirmed and signed as a correct record.</p> <p>ii. Board of Trustees Emergency Meeting 7th October 2019.</p> <p>It was RESOLVED that the minutes of the emergency meeting of the Board of Trustees held on the 7th October 2019 were confirmed and signed as a correct record.</p>	
4.	<p>MATTERS ARISING.</p> <p>There were no matters arising.</p>	
5.	<p>OPERATING REPORTS – <u>TAKEN AS READ WITH QUESTIONS ONLY.</u></p> <p>i. <u>CEO.</u> DP asked if there were any particular things of concern. GG said there were and he would talk to him about these after the meeting. The Wave 2 applications have been submitted and a peer review being undertaken at the moment with the Leadership Board</p>	

modelling out the worst case scenario and how this will be delivered. **GG** feels 4 schools at the same time is not going to be manageable at the moment. It's been an interesting exercise already around our existing infrastructure so it's a big parcel of work so he will come back to the next Board meeting with a proposal and time frame. **AB** thought there has to be real clarity in the response. **GG** explained the MAT has learnt a great deal from the opening of ACE Tiverton as in an ideal world the opening would have been delayed for a few weeks but the project was signed off on the Friday night and pupils started on the following Tuesday morning. The perception of DCC is it's a brilliant project and testament to the hard work of the team but we wouldn't want to do it like this again. **BW** asked if the outcome would have been the same as it was different providers running the project re the specification than if we went in at the start. **HS** said the problem coming in half way through was the way the Trust had to manage parents' and young people's expectations so she picked up the ball in the parents' court around how things were going to work and she's still doing some management around this as giving false expectations of what is impossible puts you on the back foot. **GG** stated the learning that has come out of Tiverton was at the time the ACE ethos is 'don't worry about it in detail, we will make it work' and we've got away with this in the past; however we now need to be far more formalised and structured. **HS** explained when she joined the MAT at the front face of ACE Tiverton, the analogy she could use "I was handed a half-baked cake with 90% of the eggs and flour missing", so some catch up is within the infrastructure as there is a cohort of pupils who shouldn't be in the school so she needs to pick through and work out what is best for the student. Whatever schools come in the next wave we must consider the cost impact of the Head teacher as they are the ones who make the picture look good. **AD** asked if there was a project plan. **HS** confirmed there wasn't at the time and **AD** would have like one so you can monitor and write down. **HS** has been writing a journal but it terms of making a liveable, accurate process with a bit around having the key players first; start with a blank piece of paper with what is the best project we can provide and have control and influence as we are educational experts.

GG went back to the pupil cohort explaining there were 5 additions late in the day so income streams changed, the second part in terms of good governance, the Board agreed a project which would all be on a tight framework but we have no audit trail on what was agreed, progressed and how we came out the other end, there needs to be documents. **HS** stated if you were looking at outstanding governance, Tiverton doesn't have a Cluster than can provide robust challenge or appropriate support for a brand new head teacher and teachers. There are 2 really good parents on the Cluster, but **HS** would be more comfortable with more representatives whom she is starting to seek but the Cluster is not as robust as she would like to put in front of Ofsted. **AB** what the plans for the next step are. **HS** has gone to Governor Services, spreading the word via newsletters etc and networking asking for educationalists as there re none apart from staff. **AB** asked if **HS** is happy with the plan with a completion date. **HS** advised there is another Cluster meeting coming up shortly, and if there aren't more signed up representatives then she will look at it again and perhaps go via Babcock etc. There will be a cost implication but worth it. **AB** confirmed two stages and a few months.

AB asked about PCC and CC's 120 places with WAVE and is the MAT looking at what they are doing or is there anything we can learn. **GG** is talking to CC and DCC at the moment and they may commission any additional places. The problem is with the decommissioning as 10 are medical, which is a fairly loose terminology and PCC aren't being too specific. 26 directly impact Bretonside which are easier to commission elsewhere. The MAT only have about 15 -20 medical places and PCC are taking half away so they are robbing the pool of money to pay somewhere else. The 120 is just a benchmark of what our surrounding neighbours are doing and covered by Terraces, Plymbridge and Derriford. **RW** advised one outreach base is 4 children as they only do a quarter of the timetable. She thinks they are backtracking on this with more places in primary, news this week so **RW** and Rachel Crozier are invited to attend a meeting with PCC and the changes so she will report back in the future. **GG** said PCC are desperately trying to engage with us and getting us to drive this. The other providers coming in are not Ofsted registered so they have a big risk exposure and PCC are concerned about this. We will tell them this is what they need but don't call it ACE, call it Dover Road, Plymbridge etc. **RW** wants to diverse the packages but we have nowhere to put the

GG
Next
Board
meeting.

<p>students, it's not in the budget so can't deliver on some promises made going back 18 months. However, we are in front of the game as PCC have 20 children they want us to look at today, but we are bursting at the seams, we are the solution but premises are the problem. BW asked about the Marjon site. RW explained PCC wanted it taken on with a tight remit, they wanted a particular type of revision but it wasn't possible to do what they wanted.</p>	
<p>ACTION: GG and BW to look again at the Marjon site.</p>	<p>GG & BW</p>
<p>It was RESOLVED to note.</p>	
<p>ii. <u>School Reports.</u></p>	
<p>a) ACE Schools Plymouth.</p>	
<p>AB's really like the solutions and actions to the challenges but she would like MB to apply a timescale of who is going to do it and when.</p>	<p>MB</p>
<p>It was RESOLVED to note.</p>	
<p>b) Courtlands.</p>	
<p>There were no questions for LE on his report.</p>	
<p>It was RESOLVED to note.</p>	
<p>c) ACE Tiverton.</p>	
<p>AD asked about staff to pupil ratios. HS explained staff had increased by 4, a pastoral assistant starting after half term, currently 2 supply teachers in to replace 1 staff member to redress the capacity issue. She's already seeing the impact as she's has been able to spend some time in the office and really seen a shift around the number of young people we can work with. One member of staff has gone off sick so still slightly under number, HS is just going to see how the first week of next term goes along with adverts out for the other vacancies. GG agreed Tiverton staffing has been so thinly stretched that it will take a toll and HS cannot continue to operate at this level. She doesn't have an SLT and can't spread the load, so taking on these additional staff has released two members of staff to pick up some of the pressure which is critical as the current situation is not sustainable longer term. PM stated this goes back to the lesson on future openings. HS reported attendance figures with 35 young people on the register, only 5 have not been regular attenders along with a bit of a bug going around so 95% attendance at the moment. Parents have said their children have achieved more in the last 6 weeks than they have in the last 6 years with good staff, central support and Trustees which is changing their children's and families' lives. PM would like to give formal recognition from the Trustees for the tremendous work being carried out and asked HS to pass this on to all staff at Tiverton school.</p>	<p>HS</p>
<p>It was RESOLVED to note.</p>	
<p>ii. <u>Service Reports:</u></p>	
<p>a) HR.</p>	
<p>AB asked if the sickness numbers were a rolling figure or point in time. JW was not present so GG said she will email AB with this information. HS thought it was a rolling year. AB considered the figure very low for sickness so very good. GG advised he had more concern about the staff turnover across the patch as we are employing people and training them which is an expense and they are not staying very long. This hasn't been measured with no effective exit interviews, even though these interviews are held with the line manager which can be awkward, so it's a whole management catchment issue. Anticipation of staff leaving during the summer needs to be tighter and planned earlier. A project for the New Year is to build a good bank of people who can be called on for the</p>	<p>JW</p>

pressure points in the year as at the moment eg Ford, 3 new children so new agency staff have to be trained up before they start, more agency staff to come in during this time so the model at the moment has been heavily skewed towards agency needs and should be balanced the other way. We must convince the commissioners the environment is more stable for all but we can't do this in a volatile commissioning situation. **RW** explained the 6 day rule when children have to be provided with education in 6 days so at the moment there's no way you can do everything within 6 days, especially as with so many students coming in we are always playing catch up and the pool of talent is very low. Pinch points are Exeter and Plymouth and not a week goes by without a panel of interviews which is taking a huge chunk of SLT time. **GG** agreed the MAT's whole ethos has been skewed to what was perceived as a financial problem, eg Ford so can we continue to offer the level of service which requires a dynamic debate with PCC as we are physically fully. **RW** thinks it would have a huge wellbeing impact on putting a cap on the number of students we have in as it wouldn't be a huge drain on staff and management. **GG** agreed there is something badly wrong in that we are over trading. **RW** confirmed this has always been the case and budgets have never been set up with these things taken into consideration. It would suit us to have a reduced number of children so we can manage effectively. If we were allowed to manage the entrance and exits and PCC pay the right amount per pupil as they pay far less than other schools; also have separate premises so we can accurately group the children. **HS** advised this is something on her horizon re the second set of intake, she is having conversations on how to manage this intake as one student is inappropriately placed now. We can manage these students but can't work against a raging tide. **GG** said consistency is need on this, the ethos of just taking everything hasn't done the MAT any favours which is what has raised questions with the RSC and commissioners, it must be made clear what we can and can't do. **DP** agreed saying this will show we have done some work on this. **RW** informed the Admissions policy show this. **AD** asked about fire risk numbers. **GG** advised the class sizes are relatively small compared to other schools. Our current cohort of children shows we are probably 50% over. **HS** has previously undertaken an H&S audit so there are people who can do an audit on the perspective of the number of children. **GG** said this would be a large piece of work, would depend on the child and which class they would be going into, so you can manage 3 in a room with this level of need but at a slightly different level, you can manage 10. We need to look at who is actually coming to the schools, the range has become so broad as there is no other option, ACE MAT are the last resort. **PM** asked if this is different to the finite capacity of the building so you need to know what this is. **LE** explained it's not the same as PAN, he's looked at average class sizes and 13 is maximum capacity, how many do you put in until you hit critical mass. **DP** asked, as a group of Trustees, what evidence there is and has a recent judgement been made so we can show this. **LE** advised industry standards give a benchmark. **HS** asked if these could be transferable and used as a benchmark for a good judgement. **RW** agreed this would be a good start and give us some credit. **AB** confirmed we need to know how this fits in with industry standard, financial assumptions and budgets, and if we were accept the bulletin standard, the impact; qualificative assessment, people and money are required.

ACTION: Leadership Group will look at this and come back to the Trustees.

ACTION: Exit interviews to be looked at filling online and anonymously.

It was **RESOLVED** to note.

b) IT.

AB informed this was raised at the F&A committee and asked **KF** to give a sense of experience elsewhere where it is working well which could help inform the Trustees. **KF** explained she had already started some work last year around revamping the system as the organisation is different now. She's tried one thing which Tiverton is running with which isn't brilliant, so she's looking at it again. Either the remote desktop model or a hybrid can be used, or go back to use the resources on the desktop which you run from the desktop with shared drives on the network and cloud computing. Microsoft Teams is now a viable product which is good for meetings, sharing documents etc but requires

**Lead
Group
JW/GG**

training for IT team and staff. **GG** advised neither **KF**'s team or central services have had any CPD at all which needs to be addressed which means they don't have the knowledge level and control. **KF** confirmed staff do need training to use these sometimes complex things. **GG** informed there are some programmes up and running and other software that has been purchased but not be used as there's been no training. This is another large parcel of work. **AD** is concerned that as there's been a lot of change are there bright children who would try and try and hack in to the system. **KF** is doing a security audit and she is aware of a couple of potential issues with a couple of staff devices, however students are tied down when they log on. The MAT has the whole SOFOS package and students have tried all sorts of things to access the system so unless a staff member lets them log on, the potential risk is if a student can't log, the staff member will let the student use their own log on but won't tell IT. This is a breach of IT policy but there is a huge turnover of staff, the system is secure but the weak point is end users. **AD** said it can be kept up to date and someone can always break in if they have time and money, so you're never going to get to a point to eliminate all risks but do the best you can. **AB** asked about patches and what is the routine. **KF** confirmed all servers are routinely patched and are virtual. Taurus do this regularly with no lag and end points are updated overnight. **GG** reported there has been only one school locally who has had their system hacked to date, education are at the bottom of the list with updating. **KF** advised all things are backed up, there is a significant sound infrastructure and again, it is the end user, but the system doesn't work for the end user. **PM** asked if a member of staff leaves, IT are very quick to shut down their account. **KF** confirmed they do, as the exit interview process should be the line manager informs IT the member of staff is leaving and they must return any equipment. **KF** wouldn't want the current staff exit system to stop and has concerns over the online exit idea and would like to have two different processes.

It was **RESOLVED** to note.

c) Facilities and Compliance.

There were no questions. **AB** requested in all of the reports full words to be used rather than acronyms please.

It was **RESOLVED** to note.

iv. Executives:

a) **PW** had given his apologies and there were no questions.

It was **RESOLVED** to note.

v. Strategic Development:

a) Wave 2.

This had been discussed at item 5(i) along with the Council consultations. **GG** has meetings with CC next week. CC work to a different model and he understands they are moving towards a spot model per child per requirement which is alright but is difficult to set up a fixed establishment, DCC doing the same. This could be because we are big players for them, and the MAT want to be big players so may we have to leap in with both feet and take on the risk, **GG** is working closely with all of them. We are out on a limb with commissioners and in the new term there will be a new way of working; PCC and CC want to be engaged and he thinks they will come with a better proposition which will be more sustainable. **LE** and **RW** have done a lot of work on this and they don't have solutions just a lot of problems. **LE** has a meeting with Janet Greeves-Stocker from PCC to see how Courtlands can help with the primary model, particularly with a preventative model as we pick up a lot of work with mainstream on an ad hoc traded outreach model. He's hoping to convince PCC to commission the outreach model so he can properly work with it. **GG** would like to get into schools and train teachers, the cohort could then be saved in the schools. Within PCC, the communality is 90% at home so work needs to be done with the adults as no one is actually engaging with them. Dover Road are doing it on the periphery with staff speaking to parents after school re the problem. **BW** used to be in prison work etc.

	<p>so they would speak with PCC, eg problem with hospitals re bed blocking so we provided the solution and worked with them, same would work with schools, nip in the bud and break the cycle. LE reported Courtlands worked with 13 schools across the city and out of those only 3 children came out of mainstream into a special school, early intervention is best.</p> <p>It was RESOLVED to note.</p> <p>b) Council Consultations: A. Plymouth – see previous item. B. Cornwall – see previous item.</p>	
6.	<p>FINANCE AND AUDIT COMMITTEE 16TH OCTOBER 2019</p> <p>i. F&A Committee Chair’s Report.</p> <p>As the F&A Committee had only taken place just before the Board meeting, AD gave a verbal report. The end of year made a surplus of 9K which on the surface looks fine, but he has concerns around the yoyo-ing the forecast. There seems to be too much pressures on financials, need a balanced score card, so there is some work to do to get this right around driving the business for financial business which is not what we want to do. Develop forecasting and reporting in the future, not to get a surplus but what we do with the cash. He has looked at cash, with a concern around capex spend and how projects are looked at on an individual basis, how to account for them, what is the cost and paybacks so there’s a need to be more focussed on how they are managed, work to do there. Reviewing the schools, AD knows where they are on this, a lot of good things going on. There isn’t enough finances for property improvements so AD would like the Board to get energised around where we want to go and get support from our providers for building new premises, know our part and discuss at every meeting. There is uncertainty on staff, with the reviewed pay proposals with unions for consultation. The audit is heading for completion, seems alright so far and will be presented in due course. AD will debrief them directly. The Risk Register is not fully reflected around IT and mental health so the Register will now show what each site perceives the risks to be and then brought together in the centre, a different approach, Head teachers have a key role to play as they know the risks better than anyone. The Scheme of Delegation is also being reviewed and will come back to the Board in December. The financial reporting is sound, accounting is being done well and getting some clear financials but we need to look at the non-financial elements and how these things evolve. AD asked if anyone feels they have any issues please email or call him.</p> <p>It was RESOLVED to note.</p>	
7.	<p>EDUCATION AND SAFEGUARDING COMMITTEE 10TH OCTOBER 2019</p> <p>i. E&S Chair’s Report.</p> <p>DP thanked PM for Chairing the meeting. The MAT KPI report has had a revamp by PW and the Heads by looking at some of the benchmarking areas. The number of times of reporting for KPIs from 6 to 3 has been amended as there was no change to the data between reports. Once this is established trends can be measured without having to change things again. We will also start to drill down into some of the data we are getting and make data driven decisions not just a data tool, obtain and using meaningful data. Highlights of individual schools were discussed so thanks were given to the Head teachers. The Courtlands School Behaviour Regulation policy was approved along with the ACE Schools MAT Safeguarding Policy. RW reported DCC have recently changed their procedures for their MASH based on conceptual safeguarding so this will have to be reviewed, she has all the information to do this and is happy to handle the task.</p> <p>It was RESOLVED to approve the ACE Schools MAT Safeguarding Policy subject to the new appendix of DCCs MASH procedures as this is procedural only not the actual policy.</p>	

	<p>ACTION: The new appendix to be completed and agreed by email.</p> <p>ii. Safeguarding.</p> <p>AB asked about safeguarding training and if staff understand their role. GG advised an external review on safeguarding was completed which gave assurance on children and as a belt and brace exercise, he is working with PCC in scoping a full bodied safeguarding appraisal which will be a large piece of work.</p> <p>It was RESOLVED to note.</p> <p>ii. KPI Exceptions.</p> <p>It was RESOLVED to note.</p>	RW /Heads /AC
8.	<p>PAY AWARDS.</p> <p>i. Leadership and Teachers' Pay Policies 2019-2020.</p> <p>JW has produced some Pay policies. These can be approved in principle but they have to go to the JCNC, been circulated with feedback all positive. The policies will be discussed at the JCNC meeting on 12th November. DP will join the Remuneration Committee meeting tomorrow at 4.30pm by phone to discuss the Executives' pay.</p> <p>It was RESOLVED to approve the Pay policies in principal, subject to JCNC approval.</p>	
9.	<p>POLICIES AND TERMS OF REFERENCE:</p> <p>i. Revised and updated ACE Schools MAT Safeguarding Policy.</p> <p>This was already discussed under item 7(i).</p> <p>ii. Leadership Board TORs.</p> <p>GG is amazed how quickly they have the group have come together and they have already delivered on some big parcels of work, a lot of momentum behind this plus they are doing a great job in the meantime. He has commissioned some training to help develop their leadership skills which is happening just after the half term holiday which will provide a level of mentoring for individuals. AB asked the name be changed to Leadership Team and get rid of the word Board. GG difficult as there is a named Senior Leadership Team in schools so another name will be used but the point in terms of day to day decision, is this group are taking on the risk. LE is happy they are now allowed to Lead. HS explained the difference between leadership and management in educational establishments.</p> <p>It was RESOLVED to change the name to Leadership Group and accept the ToRs.</p>	
10.	<p>BOARD MEETING AGENDA PLAN WITH STATUTORY REQUIREMENTS.</p> <p>GG advised the agenda plan links to the development strategy which is a large piece of work looking at WAVE 2, the estate and the current infrastructure in a better way. AB would like to push this. GG asked for planning purposes would the Trustees like this to be completed immediately before or immediately after Christmas. AB advised early January 2020.</p> <p>It was RESOLVED to note.</p> <p>ACTION: GG and the Leadership Group to looked at the development strategy and complete the strategy planning by January 2020.</p>	GG / Lead Group
11.	Part II. None.	

12.	<p>ANY OTHER URGENT BUSINESS.</p> <p>1. The Clerk suggested all Trustees receive all committee papers to enable them to email the Chair of the committee prior to the meeting with any questions they may have.</p> <p>It was AGREED.</p> <p>2. GG would like to appoint a Legionella Risk Assessor.</p> <p>It was AGREED.</p> <p>PM thanked all non-trustees for their attendance and looked forward to seeing them at the next Board meeting.</p> <p>The meeting closed at 20.00.</p>	
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Dates of Future Meetings:

Wednesday 18 th December 2019	18.00 – 20.00
Wednesday 12 th February 2020	18.00 – 20.00
Wednesday 25 th March 2020	18.00 – 20.00
Wednesday 20 th May 2020	18.00 – 20.00
Wednesday 15 th July 2020	18.00 – 20.00

Board of Trustees:

Annette Benny	annette.benny@acemat.uk	Trustee
Andy Dunkley	andy.dunkley@acemat.uk	Trustee
Gavin Gracie	gavin.gracie@aceschools.net	Trustee/CEO
Peter McDonnell	peter.mcdonnell@acemat.uk	Vice Chair of Trustees
Denis Parsons	denis.parsons@acemat.uk	Trustee
Tim Searle	tim.searle@acemat.uk	Chair of Trustees