Company No.: 08036395

MINUTES

Non-Confidential minutes of the Eden Academy Board of Trustees, held via Teams on Wednesday 22nd May 2024, starting at 6:30pm

Attendance:

Angela St. John	ASJ	Trustee
Anne Marie Neatham	AMN	Trustee
Barry Nolan	BN	Trustee (Chair)
Emily Ellington	EE	Trustee
Jane Inglese	JI	Trustee
John Moffat	JM	Trustee
Mark Greenwood	MG	Trustee
Mary Canavan	MC	Trustee
Vicky Collis	VC	Trustee (Deputy Chair)
Also present		
Keith Holroyd	KJH	Head of Governance, Policy & Compliance; Clerk
Susan Douglas	SD	CEO & Accounting Officer

Apologies:

Mari Ladu	ML	Trustee

The meeting was declared quorate.

Ref.	Discussions and decisions	Action
52/2023-24	**Welcome, introductions and apologies and the Board's acceptance or rejection for any absences** Apologies were received and accepted from ML.	
53/2023-24	**Declaration of interests and offer/receipt of gifts or hospitality** There were no new declarations.	
54/2023-24	**Board approval of the minutes of the previous meetings, actions and matters arising**	

Ref.	Discussions and decisions	Action
	The minutes of the meeting held on 27th March 2024 were **approved**. All items had been actioned.	
55/2023-24	**George Hastwell School transfer** Trustees considered the updates on the due diligence authorised by the Board previously and delegations required for next steps. Trustees discussed the limited parental engagement in the consultation process and any potential staff concerns which may arise from TUPE negotiations. Trustees discussed the contingent requirements in the paper regarding development grants and noted the DfE's current desire to resolve the future of the school and concluded that there was little risk in terms of a long-term solution for the sixth-form provision. Trustees noted that there may be potential further complications now because of the pending general election as any transfer would require the Secretary of State to sign off the funding agreement. Trustees: i. **Noted** the stakeholder engagement and the feedback received. ii. **Approved** the admission of George Hastwell School (GHS) into EAT on or after 1 September 2024. iii. **Approved** the school name for the Funding Agreement to be George Hastwell School. iv. **Approved** the scheme of delegation for transfer as set out in Appendix 1 of the report. v. **Approved** the governance arrangements for GHS as set out in Appendix 2 of the report.	
56/2023-24	**Alexandra School expansion** Trustees discussed the proposal to expand Alexandra school from 80 to 110. Trustees noted that we would need to wait for DfE advice on when we could go out to consultation due to the announcement of the general election. Trustees: i. **Approved** in principle the expansion of Alexandra School by 30 places, from 80 to 110. This is subject to the outcome of consultation and DfE approval. ii. **Delegated** to the Chair of Trustees to decide whether to approve the submission of a 'significant change' application to the DfE for this expansion following consideration of the responses to stakeholder engagement. iii. **Approved** the appointment of Barker Associates to project manage the expansion capital project. Barker Associates would subsequently manage the	

Ref.	Discussions and decisions	Action
	tendering process for a suitable building contractor to undertake the build. iv. **Authorised** the Chief Executive to undertake the actions required to progress and implement recommendations i to iii above.	
57/2023-24	**CEO report** *Confidential minutes also refer.* SD provided some additional background and took questions from Trustees on her previously circulated report. Trustees also noted that the capacity increase at Cumbria Academy for Autism would make it more viable, and that the increase at Eden Pinkwell Satellites would make it the same size as the Sunshine House Specialist Setting. Contracts for PRS were agreed prior to the announcement of the general election and it is currently on track for completion in November 2025.	
58/2023-24	**Standards Trustee update** VC briefed Trustees on her discussions with the Regional Directors including: • The continuing development work around improvements, especially at CAA. • The continuing work on persistent absence and the improvement in the trend. • The impact of the constant squeeze on space, which is making it more difficult to find space in the schools for pupils to self-regulate. • The number of pupils in receipt of free school meals and how this can be matched to other trends in the data. • RAG rating on the schools' SDPs, which show that schools are on track to deliver most aspects by the end of the year, and that they were already starting to identify aspects from the latest review, for next year's plans. Trustees noted that discussions with Cumberland on pupil place planning were very constructive and open and that the Headteacher at Hexham Priory is working with other Heads in these negotiations. Trustees also noted that work is taking place to develop a Trust-wide approach on reporting accidents through the IT Strategy Group and that ASJ is on the working group for this. Trustees discussed the turnover of LSAs at Hexham Priory and wanted to get a sense of the context. **Action**: Discuss the level of staff turnover amongst LSAs at Hexham Priory with KW and report back. Trustees noted the discussion at the Dene Road Committee about the implications on pupil absence of a lack of access	**VC**

Ref.	Discussions and decisions	Action
	to public funds following immigration decisions. They also noted the work of the family service team supporting these families. Trustees thanked the Regional Directors and to all the teams involved in preparing reports as well as delivering the great work in schools. They particularly noted that the SMI reporting has got to a very good balance of data and commentary, and particularly welcomed the report on the SEL hub. **Action**: Pass on Trustees' thanks and comments on the quality of the reports.	**VC**
59/2023-24	**Finance Trustee update** MG updated Trustees on his discussions with the COO and that the scheduled Finance Committee meeting had not taken place this week to allow him more time to work on the budget preparation. Preparing the budget for next year is proving challenging. Whilst SD expects to be able to improve the current projections, it is unclear whether all can be brought into balance; currently only 2 schools are showing manageable budgets. MG will be meeting with the COO, SD, AMN & BN before the July Board meeting. Trustees discussed how our position relates to other special schools, noting that special schools are generally in a worse position than mainstream schools as their funding has not kept pace with mainstream. Trustees noted that, for example, Hillingdon top up fees have not increased since 2017 and the initial recommendations of their internal review is that the LA returns to an average top up fee. The likely level of such an average fee is not known so we do not know how this impact on our schools' budgets. Trustees also noted that due to the pending general election, there is unlikely to be any announcement on teacher pay awards in July as expected, which has further implications for budgeting. Trustees discussed what cost-saving measures are being looked at and whether there are any revenue generation activities which could be considered, acknowledging that the latter would be longer-term measures. **Action**: Update the risk register to reflect the current challenges and risks in relation to the budgets. Trustees noted that this year's budget position is broadly where is has been predicted to be through the year. Trustees noted that MG would be stepping down from the Board at the end of the year, with AMN taking over the finance remit and JM picking up audit & risk. Trustees thanks MG for his contribution to the Board and particularly his work on the finance portfolio.	**AMN & KJH**

Ref.	Discussions and decisions	Action
60/2023-24	**Therapies and professional development Trustee update** EE updated Trustees on her discussions with the relevant service leads. **a) Therapy** Trustees noted that work is ongoing to implement the new model of communication bands, which is going well and EE will share further information for the next meeting. There are some potential issues around the delegation of some tasks to Therapy Assistants and how this is working in practice. The Service Manager has undertaken some detailed work on this and is drawing up a RAG rating of tasks and delegation authority for who should be delivering/supervising these. This will be brought to Trustees in due course. EE confirmed that following discussion with the service manager and regional director, that this does not currently pose a pressing or urgent risk. Recruitment continues to be challenging, which reflects a national position. Trustees noted that EE had discussed current recruitment activities with the Service Manager and Trustees discussed the basis of current therapists contracts. **Action**: Feedback to the Service Manager how the structure of therapist contracts. Trustees discussed how we are ensuring that we are managing ensuring that pupils are receiving the therapy required in pupils' EHCP and that mitigations are documented and should be shared with the relevant local authority. Trustees discussed therapists' concerns about family supported provision for therapy in the home for pupils with a life-long physical disability, and the boundaries of our therapists. Trustees were clear that our therapists should not be seeking to plug gaps in health-care provision, and the risks associated with this. Trustees discussed the role of family services and how therapists could be modelling support for parents within the school environment. **Action**: Feedback to the Service Manager on Trustees' views on providing additional, out of school therapy. **b) Professional development** Trustees noted that the new Workforce Development Manager is developing a 3-year workforce development strategy, which he will share with Trustees at the Governance conference. Trustees further noted that following the restructure, the former service manager is now leading on teacher development.	 **EE** **EE**
61/2023-24	**Asset management, ICT & GDPR Trustee update** ASJ updated Trustees on her discussions with the COO	

Ref.	Discussions and decisions	Action
	Trustees noted that the 2024-25 SCA allocation is £506k and the strategy group will be meeting to decide allocations to individual projects. Projects from the previous year's allocation are nearing completion. The proposed MUGA at HPS is still subject to discussions with the local authority because of their requirement for community access. The actions from the recent H&S audit are continuing to be implemented at the schools, with all the Trust-wide aspects having already been completed. The next phase of the IT strategy implementation is starting during the May half-term. Trustees noted the update on the Sunshine Houe lease in relations of Trust/DfE responsibilities.	
62/2023-24	**Strategy development update** VC updated Trustees on the progress of the project to develop the new strategy. The consultation workshops have now concluded, which had been a very useful exercise, with everyone engaging well with the process. A draft should be available for review by the end of May, with the final version submitted to Trustees for approval in July. Trustees discussed the communications around the launch of the strategy which should include the reasons behind the proposed targets and priorities.	

Ref.	Ratification items	Action
R31/2023-24	**Trust pay policy** Trustees discussed the updates to the policy including the changes to how teachers progress up the main scale and from the main to upper pay scales, and progression for senior staff, as well as the inclusion of pay scales for staff/groups not included in the previous version. Trustees noted that the policy had been reviewed by MC. Trustees **ratified** the policy.	
R32/2023-24	**Carers leave policy** Trustees noted the new policy which reflects the Schools HR model, and that this had been reviewed by MC. Trustees **ratified** the policy subject to a revision to the wording on notice periods; the wording of which will be agreed with MC **Action**: Revise wording on notice periods and update the policy accordingly	**DD, MC & KJH**
R33/2023-24	**Flexible working policy** Trustees noted the updated policy which reflect the latest Schools HR model, and that this had been reviewed by MC.	

Ref.	Ratification items	Action
	Trustees noted the work being undertaken by AS on how Eden might implement flexible working within the Trust through a flexible working hub with Nexus Trust. Trustees **ratified** the policy.	
R34/2023-24	**Paternity/partner leave and pay policy** Trustees noted the updated policy which reflect the latest Schools HR model, and that this had been reviewed by MC. Trustees **ratified** the policy.	
R35/2023-24	**Redundancy policy** Trustees noted that there were no changes as a result of this cyclical update. Trustees **ratified** the policy.	
R36/2023-24	**Staff travel policy** Trustees noted the travel allowances and rates are unchanged and remain in line with HRMC guidance, and the increase in the lunch/refreshment rate. Trustees **ratified** the policy.	
R37/2023-24	**Expenses policy for the Trust's governance community** Trustees noted the annual review of rates, which are consistent with those in the staff travel policy. Trustees **ratified** the policy.	

There are confidential minutes for this meeting.

Meeting closed at 8:30pm

These minutes were agreed by the Board at its subsequent meeting on 5th July 2024

ACTION SUMMARY

Agenda item x/2023-24		Action	Who
58	Standards Trustee update	Discuss the level of staff turnover amongst LSAs at Hexham Priory with KW and report back.	VC
		Pass on Trustees' thanks and comments on the quality of the reports.	VC
59	Financed Trustee update	Update the risk register to reflect the current challenges and risks in relation to the budgets	AMN & KJH
60	Therapies and professional development Trustee update	Feedback to the Service Manager how the structure of therapist contracts	EE
R23	Carers' leave policy	Revise wording on notice periods and update the policy accordingly	DD, MC & KJH

DECISION SUMMARY

Agenda item x/2023-24		Decision
54	Board approval of the minutes of the previous meetings, actions and matters arising	The minutes of the meeting held on 27th March 2024 were **approved**
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56	Alexandra School expansion	Trustees: i. **Approved** in principle the expansion of Alexandra School by 30 places, from 80 to 110. This is subject to the outcome of consultation and DfE approval. ii. **Delegated** to the Chair of Trustees to decide whether to approve the submission of a 'significant change' application to the DfE for this expansion following consideration of the responses to stakeholder engagement.

Agenda item x/2023-24		Decision
		iii. **Approved** the appointment of Barker Associates to project manage the expansion capital project. Barker Associates would subsequently manage the tendering process for a suitable building contractor to undertake the build. iv. **Authorised** the Chief Executive to undertake the actions required to progress and implement recommendations i to iii above.
R31	**Trust pay policy**	Trustees **ratified** the policy.
R32	**Carers leave policy**	Trustees **ratified** the policy.
R33	**Flexible working policy**	Trustees **ratified** the policy.
R34	**Paternity/partner leave and pay policy**	Trustees **ratified** the policy.
R35	**Redundancy policy**	Trustees **ratified** the policy.
R36	**Staff travel policy**	Trustees **ratified** the policy.
R37	**Expenses policy for the Trust's governance community**	Trustees **ratified** the policy.