

DEALT Joint FGB Meeting of 7 Schools

October 2, 2018

<b><u>Notes on the DEALT Joint FGB Meeting</u></b> <b><u>Held at Hornbeam Primary School on Tuesday 2 October 2018 at 6.00 pm</u></b>	
	<p><b>Present:</b> Jo Hygate Exec HT Kingsdown and Ringwoud, Chair of DEALT Steering Group and interim CEO of DEALT Adrian Smith Project Manager DEALT Governors from the FGBs of the 7 DEALT Schools Members and Trustees Diocesan Representative Nicki Street (Clerk to DEALT Steering Group)</p> <p><i>All 7 Schools were represented at the meeting.</i></p>
	<p><b>The meeting opened at 6.10 pm</b></p> <p><b>The Meeting Agenda was detailed as follows:</b>  <b>Purpose of Meeting</b>  <b>DLA to DEALT – journey and the rationale</b>  <b>DEALT Governance Structure</b>  <b>Key documents: articles of association, funding agreements, scheme of delegation</b>  <b>Financial implications</b>  <b>Questions</b>  <b>Governor resolutions</b>  <b>Timeline</b></p> <p><b>Introductions - Jo Hygate (JH)</b>            Jo Hygate welcomed all to the Meeting and explained the purpose of the joint meeting.            The Steering Group had agreed that it would be useful to have a “mega” meeting to bring everyone together – the governors of the 7 DEALT Schools, Trustees and Members and representatives from the Diocese.            Adrian Smith, the DEALT Project Manager was introduced.            Post it notes for questions had been provided.</p> <p>JH opened by speaking about the slide she had used in her interview for Interim CEO, which was entitled “The future” and summed up why Deal was a great place to work with good educational outcomes, strong leadership, compliant and valued by the local community.</p> <p>Much work had taken place over the summer in preparing the Scheme of Delegation, the Articles of Association and looking at Finance.            The first meeting of the Trustees and Members had taken place on 25-09-18.            This meeting gave an opportunity to go through the information and individual schools’ budgets.</p> <p><b>Recap</b>            When the DLA was formed Kent County Council gave some funding to support the collaboration. This money has now gone.            The Local Authority no longer has the role that they use to have. Support is</p>

<p>disappearing and involvement shrinking. The LA encouraged collaboration but the question now was how to maintain this in the future. Heads will change and Leaders will change and it was necessary to have a structure.</p> <p><b>(Q) A Governor asked why collaboration could not exist without a MAT</b> <b>(A) If there was a “soft” collaboration there would be no financial obligation for example, a school could decide not to put in agreed funds if they felt that their budget was tight.</b></p> <p>Sharing resources would make a difference to staffing issues. <b>(Q) A Governor queried if 5 people were on Maternity Leave who would pay for the leave</b> <b>(A) JH confirmed that Insurance would cover this.</b> <b>(Q) A question was asked as to what was the difference then to the LA paying.</b> <b>(A) It was stated that there would be a better use of resources and staff within the MAT.</b></p> <p><b>JH Scheme of Delegation would cover these issues.</b> <b>A Governor disputed that the Scheme covered this.</b> <b>A concern was expressed that a new CEO could come in and change things.</b> <b>(A) The CEO does not have much power to change things.</b></p> <p><b>A Governor stated that she was not convinced and was asked what she was not convinced about finance or position of CEO.</b> <b>The Governor stated that she was concerned about both issues as money will decrease given the MAT money is a one off and whilst the aim may be to streamline the reality would be another layer of bureaucracy.</b> <b>(A) Very clear lines of responsibility were set out in the Scheme of Delegation.</b></p> <p><b>(Q) How can schools keep their identity if corporate values adopted</b> <b>(A) Not about corporate values but education and life chance children in Deal.</b> <b>Role of LGBs would be protected.</b> <b>An answer was given explaining that compliance systems would still be followed with finance monitoring linked to SDP</b> <b>HTs still accountable to LGBs.</b></p> <p><b>A Governor read out an Ofsted Inspector quote from 2018, which stated that LGBs might only have an advisory role in MATs.</b> <b>(A) This was not the intention of DEALT and LGBs would continue to play an important role as now.</b></p> <p>It was suggested that the presentation was completed and then further questions to follow.</p> <p><b>Challenge and Accountability</b></p>	
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<p>The LA cannot offer challenge to schools with only 2 visits per year.</p> <p><b>Data</b> Sharing data with the other schools gives a high level of accountability.</p> <p><b>Staffing</b> Due to contracts at present schools cannot simply lend a teacher to another DLA school. Different payroll systems resulted in a complicated process with billing.</p> <p><b>Comment from a Governor</b> <b>Political uncertainty at the moment so why change things.</b> <b>(A) If the Government makes changes DEALT will deal with when this happens.</b></p> <p><b>Other MAT options</b> The DLA Schools want to work together. The Church Schools could have gone together but a federation was not possible with faith schools and community schools.</p> <p><b>Adrian Smith presented</b> <b>Scheme of Delegation</b> Shows the DEALT structure and the accountability lines. The Members are ultimately accountable for the Trust and they appoint the Trustees. Page 16 sets out the Structure of accountability. The thick line is the direct accountability line.</p> <p><b>Governor comment</b> <b>No direct relationship between the LGBs and the committees, which was an area of concern.</b> <b>Answer</b> <b>Chairs board will provide an opportunity for LGBs to have a voice and HTs would work closely with LGBs and the Trust through a Heads group.</b></p> <p><b>Comment from a Governor- will the LGB voice be heard</b> <b>Page 30 sets out meetings.</b> <b>Chair of LGB to provide a summary on one side of A4 to raise concerns.</b> <b>(Q) A question was asked as to whether there were regular meetings and how often they would be.</b> <b>(A) Adrian Smith confirmed that this could be tightened up to be clear but minutes would be provided the summary was a separate document.</b></p> <p><b>DEALT Documents</b></p> <p><b>Articles of Association</b></p> <p>The Articles are legal documents written by lawyers and follow models set by the DfE. The term director is used instead of trustee. AS apologised for any confusion that this might cause but this was the term that must be used.</p>	
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3 Diocese Members and 2 other individuals. Provision made in the Articles to cover the appointment of replacement individual Members which must be unanimous to avoid the possibility of the Diocese Members potentially uniting to exclude others.

Article 4 the object of the Company is to advance education by running Church of England and other academies.

This clause has to be worded in this way.

**Governor comment LGB has no statutory powers not protected.  
Answer The Articles require the Trust to have LGBs.**

**Master Funding Agreement**

This is the core contract with the DfE and DEALT.

The Chairs will talk directly to Trustees through the Chairs' Group.

**Changes**

In order to give a complete understanding of the provisions of the Master Funding Agreement it was noted that it includes powers to change the length of the school day and teachers' terms and conditions. DEALT will not make those changes.

**The Supplemental Funding Agreement**

This document was the way that the schools joined and contained the core information to identify the schools.

Land owned by the Local Authority is provided on a 125-year lease.

Church school land is provided through a church supplemental agreement.

Reference to terminating the agreement must be included - this is a standard clause.

**Scheme of Delegation**

The Scheme is a Trust document and is not seen by the DfE.

Full delegation – DEALT has no desire to have control at the centre.

The Scheme is a work in progress and the Members and Trustees are still contributing definitions and descriptions.

Can have chapter headings and page numbers to make it easier to find way around.

This document will not change the character of the school.

It was noted that the triggers for Trustees intervening in LGBs still needed to made clear.

An annual report to parents had been agreed as part of continuing to engage with parents.

**(Q) A Governor asked who has the final say on a HT appointment**

**(A) It was confirmed that the Trustees must ratify which was not unlike the position of the LA.**

**A Governor claimed that this was misleading and not what happened at present.**

<p><b>An explanation of the LA role in HT appointments was provided by JH.</b></p> <p><b>Comment – An Academy is a business</b> <b>(A) The Structure of an Academy is different but role of the Trustees is not that different from the statutory responsibility of the LA.</b> <b>LA has the right to participate in the process of appointment of Head Teachers for maintained schools.</b> <b>Proposal for DEALT HT appointment would be the LGBs lead and the Trustees sign off.</b></p> <p><b>Finance</b> <b>(Q) A question was asked about the financial position shown of the MAT</b> <b>(A) It was confirmed that there was a need to show the MAT was financially viable. A lot of savings rely on the CFO being in post.</b> <b>All Schools will be running their own finances day to day.</b> <b>(Q) A comment was made that HR will be paid for privately and this would not be cheap.</b> <b>Has this been looked at properly?</b> <b>(A) Schools already purchase HR services from KCC and can continue to do so as Academies. Over time it may be possible to extend the finance system to include HR.</b></p> <p><b>A Comment was made that KCC Keith Abbott disputed DEALT’s finance claims.</b> <b>Governors were informed that KCC and Keith Abbott had not replied to the DEALT responses which sought clarity about the statements he had made in particular where schools had a different understanding of the position.</b> <b>Letters had been sent in July and again at the beginning of September but no response had been received.</b> <b>To be clear Schools pay for appraisals and moderations.</b></p> <p>Better deals are more complicated and they need time to look for. Hope to eradicate agency supply from DEALT schools. Have own trained health and safety experts. Not having to train everyone for things like GDPR.</p> <p><b>HLTA in classrooms</b> <b>(Q) A question was raised concerning the use of HLTAs</b> <b>(A) There would be occasional use.</b> <b>A Governor commented that she was worried about there being no qualified teacher in the classroom for a term.</b> <b>(A) DEALT would not do this.</b></p> <p><b>Staffing</b> Do not intend to make people redundant will review as people leave. Advantages of shared staffing would be SEN capacity over schools, Bursar back up available which is something difficult to have at present given training needed..</p>	
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**Governor Resolution**

Slide shown with the following wording:

*The Governing Body of XXX School, having considered: responses to consultation, draft articles of association, master and supplemental funding agreement, the scheme of delegation and information on the financial implications of conversion; resolve to participate in the establishment of the Deal Education Alliance for Learning Trust (DEALT) and to convert to academy status within the Trust.*

*Should Governors make this resolution it will be on the condition that all 7 DEALT founder schools make the same commitment. If any of the schools do not do so, the resolution will be rescinded.*

**All FGBs were asked to use the same wording.**

The DfE wanted confirmation of the continuing participation in DEALT by the 7 schools. All FGBs to meet and vote on the Resolution. Continuation is dependent on all 7 Schools voting in favour of the Resolution. The Resolution is a commitment to go forward with DEALT.

**Timeline**

February 2019 - Easter 2019 would be the likely dates for completion of the conversion process.

The DfE must sign the contract a month before the conversion date. FGBs will need to meet before then.

**(Q) The Project Manager was asked his thoughts on the fact that the Dover District Council had passed a resolution to ask the Secretary of State for Education to halt the process.**

**(A) Adrian Smith stated that the DfE would look at and assess and should they think that there was something else DEALT should do they would say so.**

**It was only possible to proceed with the situation as it was now.**

**Deal Town Council had made a similar proposal and Jo Hygate intended to write to DTC a similar letter to one sent to Parents.**

**Question**

**(Q) The Project Manager was asked why the possibility of changing the length of the school day was mentioned if the MAT had no intention of changing.**

**(A) It was explained that in the interests of transparency things that the Trust had the power to do had been included.**

**(Q) A Governor asked if the Governing Bodies had more questions what should they do.**

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<p><b>(A) Would like you to be in a position to decide on the resolution. Both AS and JH were available to attend the Governor meetings should this be requested.</b></p> <p><b>Vote</b> A Majority vote does not need to be unanimous. A Secret ballot can be conducted if the individual Schools 'Terms of Reference provided for this.</p> <p><i>AS and JH were thanked by a Governor and those present for the many hours that they had worked on the DEALT plan.</i></p> <p><b><i>The meeting closed at 8 pm</i></b></p>	
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Signed.....

Date .....

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