



THE CHALLENGE ACADEMY TRUST

Minutes of the meeting of the Finance, HR and Operations Committee.

Thursday 14th October 2021

Time: 5:59pm – 7:12pm

Venue: TCAT Personal Development Centre – Bridgewater High School

A Zoom link was also available.

Trustees		
Howard Platt	Trustee	Zoom
Linda Waterson	Trustee	In Person
John Monaghan	Trustee	In Person
Stuart Titchard	Committee Chair	In Person
Andy Moorcroft	CEO	In Person
In attendance		
Graham Bratley <i>arrived at</i>	Associate	In Person
Damian McGuire	Finance Director	In Person
Adrienne Lang	Operations Director	In Person
Ben Logan	Head of Human Resources	In Person
Claire Howarth-Platt	Clerk	Zoom

Documents Circulated Prior to the Meeting

Minutes of the meeting of the Finance, HR and Operations Committee on 1st July 2021

Finance Report Oct 21

Finance Report Trust Board Sept 21

HR Report – Loom video

TCAT Monthly Report October 2021 Buildings and Operations

TCAT Complaints Policy Revised September 21

Trust Policy Register

TCAT Health and Safety Trustee Report September 2021

The Meeting opened at 5:59pm

The Meeting was Quorate	
1	Welcome Stuart Titchard opened the meeting and welcomed all in attendance.
2	Absence/Apologies Apologies were received from: Stephen Whatmore and Anita Pailing. Graham was engaged in another meeting and would join this meeting as soon as possible. Resolved: Trustees consented to the absences.
3	Membership a. Elect the Chair of the Committee The Clerk led the meeting at this point.



	<p>Stuart Titchard nominated himself for the role of Chair of the Committee. Trustees accepted the nomination and appointed ST to the role of Chair of the Committee.</p> <p>Resolved: Stuart Titchard was appointed as the Chair of the Finance, HR and Operations Committee for a term of one-year.</p>
4	<p>Minutes To confirm the minutes from the meeting held on 1st July 2021</p> <p>a) Matters arising</p> <ul style="list-style-type: none"> • There had been one action assigned to AL which related to the capital bid referring to the significant change that the Trust had to go through for Priestley Sixth Form College. • This was a significant change as it would result in a significant increase in pupil numbers. • The proposal had gone to the Regional Schools Commissioner (RSC) on time, confirmation of receipt had been received; however there had been no further response. • The results of the capital bid would not be known until the end of November. <p>Resolved: The minutes were approved as an accurate record of the meeting held on the 1st of July 2021.</p>
5	<p>Declaration of personal interests There were no personal interests declared.</p>
6	<p>Finance Report AL Provided a verbal update: The committee had been provided with two papers; one that had been prepared for and shared with the full Trust Board and the second an update on that paper.</p> <p><i>DM provided an update:</i> Trustees noted that the final set of figures were still being worked on. The main changes that had happened since the Trust Board meeting:</p> <ul style="list-style-type: none"> • Bridgewater High School had an increase in the Catch-up funding and their surplus had increased. • Sir Thomas Boteler CofE High School had seen an increase to their surplus; however, there was an invoice for work that may need to be brought into the account, which would bring the surplus back down. • There were no significant changes in the other academies. • There were some items that had not been received for instance, exam refunds. • Pearson/Edexcel would submit credit notes but the amounts were not known. • It may be around £10,000 across the Trust but this had not been included in the figures. <p>Trustees asked what the closing date would be. The audit would take place in the first week of November, so the accounts would need to be closed off by end of the week beginning 18th October.</p> <p>In the report submitted to the Trust Board there was a £1.382million surplus which DM had endeavoured to explain as it was higher than previously reported. It was explained during the Trust Board meeting that £461000 was capital expenditure that would become revenue spend.</p>



Governors sought to clarify that converting £400,000 of capital spend to revenue would still leave circa £1million surplus.

Figures would need to be checked; however, it was estimated that the revenue surplus would be around £724,000. There was the restructure at £141,000 and COVID-19 catch-up would be removed: the catch-up fund equated to £198,000 which was a specific reserve created in year which had to be expended this academic year.

Trustees queried what the report would state in relation to the surplus.

The report would state close to £1million when the figures were totalled. However, the numbers would be separated.

Trustees commented that when the CEO is discussing pay rises with the Unions, the unions may highlight the £1million surplus to campaign for pay increases.

The response would be that this year is a unique situation. The money was set aside to provide capital projects that were underway and that were required to strengthen the educational objectives of the Trust.

Not all of the academies within the Trust were in surplus. It would be inaccurate to claim that the surplus could be used across the Trust, and to do so could put some academies in deficit position. The catch-up fund cannot be spent on a pay-rise as it is ringfenced.

Pupil numbers: census day

- There was an ongoing issue in relation to pupil numbers at Penketh High School.
- There were students who were not registered at Penketh by census date but who were in the process of being admitted to school.
- Because those students were not in the school on the 7th October they would not be included in the count for funding for the 2022-2023 year.
- The numbers at Penketh continued to change frequently, the school had accepted and registered 22 additional pupils before the census day, so the school would receive funding for those students next year.
- Efforts were ongoing to try to reach a resolution with the Education and Skills Funding Agency (ESFA).
- During conversations held on the 13th October the ESFA had advised that some in year funding would be received but that the figures would need to be checked again.
- The issue of lagged funding was raised with the ESFA, which they admitted they had not thought of. The ESFA had confirmed that they would make contact before 22nd October with a resolution regarding the funding for the students who still needed to be admitted.
- Penketh and the Trust wanted to accommodate the students but doing so would create pressure within the school due to the size of the classrooms and teaching capacity if too many students were admitted.
- The ESFA needed clarity around what capital investment would be needed for 2022 at the school.
- There had been a lot of work around the capital needs, and the requirements would need to match the evaluation.
- The aim was for a refurbishment of some parts of the school and replacement buildings in other areas.

Trustees questioned where the students that had not been admitted to the school were at present.

Most of the children had moved to the UK from Hong Kong and were new to the area. There were approximately 450 students for which Warrington Borough Council did not have school places.



This had been a challenging issue as the school had only recently undertaken a restructure resulting in redundancies and it would now be necessary to recruit teachers to meet demand. Trustees noted that it was necessary to fight to get the funds now so that the school and the Trust could meet demand. All other schools were full with the exception of Padgate Academy.

Trustees commented that the LA could have predicted this increase in pupil population as the properties had been built for some time. It was clear that once the properties were sold there would be a need for additional school places and questioned what had happened to the section 106 funds.

The section 106 monies had all gone on other buildings so there was no further funding for this increase in pupil numbers. Something else had occurred in previous years to take up the spaces that the Local Authority (LA) had thought they had provided for in relation to these houses.

As a Trust it was necessary to accept that the LA would have been working on an increased pupil admission number (PAN) at Penketh which had since been reduced when it seemed there were not enough students.

Trustees sought clarification on what was happening in relation to the PAN at Penketh.

The school were admitting over PAN.

They had reduced to 180 pupils, but the Trust had not reduced the funding agreement, which meant that the school could accept up to 240 pupils.

The school had 220 pupils in Year 7 and had increased numbers in other year groups.

A revised figure was needed as the numbers changed very quickly.

There were changing numbers of admissions, numbers confirmed and numbers at appeal.

Because adjustments had been made to make the school financially viable both the school and the Trust were under pressure.

Tutoring Grant

There was a ringfenced grant for this academic year *due to poor audio at this point the Clerk did not hear the full statement relating to the grant.*

The fund could be subject to clawback.

- The fund was subject to certain requirements:
 - A specific number of hours tuition would need to be delivered to students.
 - The cost of the tuition should be an average of £18 per hour: where the cost is higher that would be funded by the schools, if the cost were below then the funds would be taken back.
- Consequently plans were being gathered from all of the academies to check whether there was potential for clawback, before the final return is submitted in the summer.
- There was also increased reporting through the pupil census. The names of pupils receiving tutoring were required along with additional details of the tutoring programme.
- It was necessary to take care to ensure that everything on the census returns were correct.
- The potential financial impact of COVID-19 this academic year was an unknown.
- In 2020-2021 it had been possible to claim funds for supply costs; however, there had been no information provided in relation to that for this academic year.
- There was likely to be an ongoing financial impact throughout the year relating to COVID-19 but possibly no additional financial support.

Trustees clarified that when tutoring plans were submitted by the academies they would be discussed.

It was confirmed academies would be supported in making adjustments to avoid clawback.



7	<p>HR Report</p> <p>A Loom video had been circulated to Trustees in advance of the meeting.</p> <p>BL provided an update</p> <ul style="list-style-type: none"> • The DBS compliance check had been favourable and confirmation that the process for DBS checks appeared to be compliant had been received. • The tutor process had been successfully completed. • Staff training was being delivered through the TCAT portal – this would be an assert for training staff and governors. • The change in the HR advisory service had been covered at the Trust Board meeting. • Pay negotiations were ongoing in certain areas. • The schoolteachers' pay award was 0%, other than a small uplift for those earning less than £24,000. This had been approved by Trustees and negotiations had commenced with the Unions. • Unions representing support staff were balloting members on potential strike action following the rejection of a 1.75% rise. This would need to be monitored. • The pay award for teachers at Priestley was different. It had been agreed for a 1% rise for sixth form teachers and an additional 5% for some levels, to bring sixth form teachers' pay in line with schoolteachers' pay. • There remained a risk around support staff. <p>Trustees commented that the provision for a 1% rise for Teachers had been made in the previous figures and questioned whether this would be adjusted.</p> <p>It was confirmed that the budget would be adjusted to reflect the 0% rise.</p> <p>A 2.75% rise for support staff had been accounted for, which would run to March 2022, depending on the outcome of the ballot, there was a potential saving this year if the pay award was not much more than the 1.75%.</p> <p>Trustees questioned whether a pay increase of 0% would impact good will from teaching staff. This was possible.</p> <p>As the more generous inflationary rise had been budgeted for was not happening a backlash from the unions related to that had been expected.</p> <p>The unions were not however raising that at present. AM had raised the question at the last meeting with the unions. Whilst they did not approve of the judgement it seemed they would understand that most Trusts would follow the recommendations. There could be an issue if some Trusts decide to give raises against the recommendations.</p> <p>The matter of pay progression was discussed in detail at the Trust Board meeting, and the advice to headteachers was that most staff should be eligible for progression unless they were in capability. Most teachers would get an incremental payrise but they would not get an inflationary rise in addition to that.</p> <p>Wellbeing studies had shown that money was not the main thing for supporting wellbeing.</p> <p>Trustees asked when the pay decisions would be finalised.</p> <p>The schoolteachers pay conditions were published 2 weeks prior and would become law on the 15th October. Union advice is to make sure that schools are paying on advisory pay points, which makes the argument you would deviate a moot point. TCAT would honour the national award.</p>



	<p>Trustees sought to clarify that if the majority of teachers would receive an incremental pay award that the minority were teachers at the top of the pay scale.</p> <p>This was confirmed teachers on UPS3 would remain static, and many headteachers were also at the top of their pay-scale.</p> <p><i>Wellbeing offer</i></p> <ul style="list-style-type: none"> • The DfE wellbeing charter had been launched and confirmation of how to sign up was awaited. • The Trust offered a lot in relation to stress management policies, communication and talent management strategies and staff engagement; however, there was still more that could be done and a key point was approaching in reviewing the wellbeing offer. <p>Trustees questioned whether there was a timeline for staff surveys.</p> <p>There had been a trial CT group along with support staff. The surveys would be administered Trust wide and within academies. It was likely results would be in by mid-November and communicated in the next episode of TCAT insight. The results would be analysed and would provide areas to focus on which would be shared with trustees.</p>
8	<p>Building & Operations Report (inc. H & S)</p> <p>AL provided an update.</p> <p>Health and Safety</p> <ul style="list-style-type: none"> • Audits had been completed at all academies by Adele Partridge. • A summary report was produced for the Trust. • This year the process was very thorough. Standards were higher than previous and the audit involved detailed discussions. • AL had attended all audits and the profile had been raised significantly. • AP had been impressed by the COVID-19 preparations, the Risk Assessments and the wellbeing initiatives. • Academies had received their audit reports and had action plans to work on. • One area for improvement was the safety systems as not all compliance and maintenance was up to date. The timing of the audit had made a difference in this area, Bridgewater was the first school to undergo the audit in April just as the school reopened to all pupils, so they had not caught up with some maintenance issues. • There were some positives from the audit in addition to some poor outcomes. • The audit provided a detailed action plan for each academy and looked at the schools at a granular level, for instance taking into account specific and high-risk areas such as design and technology and science. <p>Trustees questioned whether it would be reasonable to compare percentages from previous years.</p> <p>It would not as some of the measures had been changed. The change in protocol meant we were expecting higher standards.</p> <p>The audit provided a stimulus to sharpen focus. Some of the issues related to the impact of COVID-19; the report stated that COVID-19 measures were well embedded but some health and safety measures had not happened perhaps because of COVID-19 such as, design and technology equipment not being checked.</p> <p>The expectation was that within 2-3 months things could be brought back on track.</p> <p>When the plans were reviewed in detail it could be seen that the highlighted issues were not difficult to address.</p>



Trustees commented that at this point in time last academic year conversations had been held in relation to COVID-19 and record keeping lapsing and questioned whether record keeping was back on track.

It was, some of the record keeping issues were related to what was visible to the Trust.

The situation was improving, Academies were doing well, and compliance was much better.

Work was ongoing to ensure that the Trust had visibility of all the relevant information.

The focus of the new member of staff would be supporting academies on this matter and undertaking active checks through the rest of the year and questioning when things were late or not uploaded.

Accidents across the 2020-2021 year

- There were 236 accidents to pupils
- There were 17 accidents to staff
- 34 accidents were not identified as pupil or staff.
- The number of accidents increased from March, when pupils returned from lockdown.
- More focus was placed on reporting accidents at that time.
- There had been training in this regard: some academies reported a lot of accidents; however, there was still variation with some academies only reporting serious incidents.

Trustees commented that the number of accidents being reported by academies ranged from 0 to 145.

- The academies were reporting different types of accidents.
- The 0 was Penketh as they had a separate monitoring system consequently their figures would need to be uploaded to the Trust system. AL would be visiting the academy to go through the accidents.
- Meadowside were reporting a lot. AL continued to work with the school to review what should and should not be reported, as many of the reports related to minor young child accidents.
- It was not necessary to report every accident the school had also been asked to tidy their logs.
- The key information required were accidents involving staff, and all of those were being added to the system, accidents where further treatment is recommended for a child and accidents where the outcome could have been more serious for instance a failure of equipment.
- Work continued with Meadowside on their reporting.

RPA reviews

- The insurer would be undertaking additional reviews.
- These inspection audits had been opted into.
- There would be no additional work required but the audits would provide a wider view of TCAT processes and would assess anything that could cause a claim.
- The central Trust audit had been completed and the first academy audit would take place during the week beginning 18th October at Penketh South Primary.
- The central Trust review draft report had been returned and was very complimentary about Trust processes.
- The report showed that the processes in place to monitor and the Trust policies were appropriate.
- The consistency of action against those processes and policies is where variation may be observed.
- Trustees noted that whilst all of these matters were priorities for schools, the schools were returning from COVID-19 disruption last academic year and many were within the Ofsted inspection window.



- It was therefore necessary to provide headteachers opportunity to analyse what they need to do at present, before pushing forward with other matters.

Business Compliance Reviews (BCR)

- Some BCRs had been completed.
- Last year a number of GDPR website compliance reviews were undertaken; however, this academic year everything would be combined into the BCR which would be completed at the same time as the safeguarding review in an effort to ease the burden on the academies.
- The first BCR was completed at Padgate and the next would be undertaken at Broomfields with Tracy Hatton.
- During the BCR the Health and Safety action plan is also discussed.
- A half day visit at the academies would be undertaken later in the year to review what was agreed.

IT update

- During the summer holidays the primary network update went almost as well as expected.
- There were some issues with emails for primary headteachers and staff which had been resolved.
- There were still some minor reporting issues but most teething problems had been resolved with the exception of those caused by equipment in the academies.
- Some of the academies had very old equipment still in place, some of which were ten years old and as a result they were very slow and could not run the new software.
- Simon Cowell would be completing an audit to see what needed to be replaced.
- A roadmap for the network was being developed.
- The Trust were keen to take advantage of economies of scale.
- The aim was to develop a TCAT network which would enable things like printing to be done between building or for staff to have one ID card that would work in all venues.
- This was being done without additional spend.
- If a school needed a refresh it would be mapped in.
- This would take a few years to be completed as work would not be undertaken unnecessarily.
- Once the roadmap has been developed with timescales it would be brought back to Trustees for review.

Sustainability

- The UN 17 goals relate to sustainable development.
- The goals provide a good framework.
- Reviews would be undertaken from a business management perspective, and a premises and sites perspective to identify a variety of topics to take action on.
- The action plan was in draft form and would match some of Ben Logan's initiatives along with some things that the Trust had been planning to do.
- Free School Meal uptake is important both for funding and reducing poverty.

Trustees asked for information regarding pay levels in particular asking what level apprenticeships were offering at and whether there was a sustainable plan for people working at that level.

The majority of staff were receiving at least the National Foundation living wage, only the very bottom pay scale was not.

The Trust would be looking at water usage, energy consumption transport procurement.



	<ul style="list-style-type: none"> • AL had attended an education conference about sustainability. • There would be funding is coming through that would require a decarbonisation plan, as such every school would need a plan to reduce carbon output. • Schools use 2% of the energy used in the country. • 30-50% of energy is used out of hours by things like servers and lights. • Plans to reduce that consumption were being considered, before a move to Solar PVs. • It would be possible to have a power producing agreement, meaning that a school would be its own provider. • Surveys needed to be completed to review what needed to be done. • The plan would be long term over 4-5 years, and it would be key to ensure that annual goals were included. • The Government goal is 65kwper hour by 2050 for a school. • If that target were achieved with the power coming from solar that would be classified as 0% carbon. <p>Trustees commented that there is a difference between recognising what we are doing and modifying our behaviour.</p> <p>It would be necessary to force the issue.</p> <p>Discussions about the topic had been ongoing for a long time, but little had happened in real terms. AL had been in discussion with IT as they could make a big difference by setting machines to turn off at a set time or to go to sleep after a certain time of non-usage.</p> <p>A significant amount of electricity goes to the servers, if a switch to the cloud were made that would reduce the burden on the servers.</p>
9	<p>Policies</p> <ul style="list-style-type: none"> - Trust Policy Register <p>The following was provided for information only:</p> <ul style="list-style-type: none"> • There were some dates that had not been updated on policy review dates but those had since been captured. • The secondment policy would be moved into the Recruitment and Selection policy. • There was a staff code of conduct in development, into which the drug misuse policy would be placed. <ul style="list-style-type: none"> - Complaints Policy <ul style="list-style-type: none"> • A question had been raised regarding the complaints policy by the SFA who had written to John Carlin. • The policy had been reviewed and there was a section that needed amending on page 6, section 6.3 relating to the review panel, as an independent person is required on a review panel for any complaints. The SFA had advised that anybody across the Trust would have an interest as a member of staff. • The wording of the original document had been taken from the incorrect version on the Key and had since been amended. • A new version had been distributed. <p>Trustees questioned whether the independent person would be the Chair of the Local Governing Board.</p> <p>That was no stipulated. The section states “an independent person”. Who should be approached in these matters would need to be investigated.</p> <p>An SLA with the LA to provide independent persons was under consideration.</p>



	<p>Trustees highlighted that there may be occasions when an expert would be required. AL agreed and confirmed that it would not be appropriate to bring in an individual who did not know anything about education.</p> <p>- Staff Code of Conduct</p> <ul style="list-style-type: none"> • All academies had policies and procedures in place; however, they did not all have a staff code of conduct. • A Trust wide staff code of conduct was in development. The aim had been to share a draft with Trustees at this meeting; however, the document had become quite detailed and needed further consideration with academy leadership and Union representatives. • Part one of the document would cover working practices, safer recruitment and safeguarding requirements, teacher standards and what constitutes good practice and legality. • Part two of the document would cover general standards of behaviour based around the Nolan principles, dignity at work, the responsible use of resources, relationships at work, drug misuse and work outside the Trust. The document would capture as much as possible to provide a robust overview of the regulations. • A final document would be available in early December.
10	<p>Any other business</p> <p>There were no items to be raised in any other business.</p>

The meeting closed at 7:12pm