

**MINUTES OF A MEETING OF THE NOBEL SCHOOL BOARD OF GOVERNORS
HELD ON 11th MAY 2016**

Present: Martyn Henson (Head Teacher), Hilary Rodgers, Nick Hoffman, Graham Blackburn, Julia Marshall, Pippa Frost, Sheenagh Parsons, Keith Hopkinson, Julia Brettell, Sue Padfield, Craig Temple, Richard Aggus, Kojo Wood, Kath Smith

Steve Morley (AHT) (item 4)

Apologies: Kath Smith (late), Hilary Rodgers (late), Nick Collins

Absent: Martin Powell, Phil Cave

(NB: Governor Challenge, Questions and Monitoring are highlighted in italics)

1.	<p>To receive any apologies and decide whether to give consent for absence.</p> <p>Apologies had not been received from Martin Powell and consent was not given for absence. The Chair would write to remind him that 6 months had elapsed since he last attended a meeting with consent withheld.</p> <p>Apologies from Nick Collins, Kath Smith and Hilary Rodgers (late) had been received and consent for absence was given.</p> <p>Apologies had not been received from Phil Cave.</p> <p>The new governors were welcomed to the meeting and introductions were made.</p>	
2.	<p>To receive notification of any other business.</p> <ul style="list-style-type: none"> • Cluster training 	
3.	<p>For governors to declare any potential conflicts of interest for items on the agenda</p> <p>None</p>	
4.	<p>Presentation on Safeguarding</p> <p>Steve Morley gave a presentation on Safeguarding. <i>He and the Safeguarding Link Governor, Sheenagh Parsons, had met several times during the year. SP had undertaken an audit of the practice and had also looked through the files. She had felt it would be useful for governors to have a presentation on processes and policies. Case studies (anonymised) would also be viewed along with the Annual Safeguarding Report (confidential documents – any discussion reported in Part 2 minutes).</i></p> <p><u>E-Safety Policy</u></p> <ul style="list-style-type: none"> • SM highlighted a couple of changes made to the policy since 	

	<p>circulation, regarding use of mobile phones. Staff were not permitted to take photos of students without SLT approval. The content was based on the HfL model policy but the layout was different. It was a very comprehensive policy, and covered governors, staff and students. SM had checked it against the HfL policy to ensure that it covered all the relevant sections.</p> <ul style="list-style-type: none"> • Q <i>The Safeguarding Governor checked that she would need to review the E-Safety incident logs and filtering/change control logs. SM added that most E-Safety incidents were classed as bullying and would be logged as bullying. However, a separate E-safety log would be kept of sexting and other incidents. This was a new practice.</i> • Q <i>Who would be carrying out the network managing role?</i> Christine Crawley, as SBM, directly managed the Network Manager. CC and SM had joint responsibility for E-Safety Co-ordination. • Q <i>A Governor referred to the Herts list of approved companies for hosting data; do we need to ensure that the school is compliant? The technical information would be covered elsewhere by CC. She was happy that everything in terms of technical cover was compliant. Governors added that, from their perspective, they would want to be clear that data was stored in accordance with correct guidelines. This might be covered in a different policy.</i> • Q <i>If staff were allowed to use their own recording devices, could it not create a situation where a video was used by a member of staff whilst not under the jurisdiction of the school?</i> Yes, but there was an element of trust with colleagues and they had all had E-Safety training. They would be asked to delete it. • Q <i>The policy stated that governors could take part in the school training. Was this possible?</i> Yes, E-Safety was covered for staff as part of Level 2 safeguarding training, so should also be covered in Governor Safeguarding training. There was also separate training on E-Safety available for governors. • Q <i>Does the policy state roles rather than names?</i> The policy had the job description and title as well as the name. • Q <i>Will the policy go on the website?</i> Yes, SM would send the latest version to be uploaded onto the website. • Governors agreed that it was good that the policy was not too technical. • A Governor noted that in sections 9 and 10 it referred to just sons rather than sons/daughters. This would be changed. • Q <i>A governor noted that today there was a tweet with a picture of a girl with her full name, which was contrary to guidance in the Policy. The Head said that they did get parents' permission before they did this; full names were required when publishing in the local newspapers, and permission would always be sought. SM would check and change, to clarify that this would only be done with the permission of parents. SM would also clarify the point relating to photos of ex-pupils being used for promotion purposes to make it clear that permission of parents was still required.</i> 	
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	<ul style="list-style-type: none"> The E-Safety Policy was then agreed subject to the agreed changes. <p><u>Annual Safeguarding Report & Case Studies</u></p> <p>Discussion reported in Part 2 minutes.</p>	<p>Action 16/21 SM to make agreed changes and upload revised policy to website</p>
<p>5.</p>	<p>Facilitated Discussion on Foundation Status and Formal Vote on Next Steps</p> <p>A power point presentation regarding Outcomes of Formal Process and Next Steps had been circulated.</p> <p><u>Consultation Process</u></p> <p>The Chair advised that the formal 4-week consultation period had now concluded.</p> <p>I. The following stakeholders and parties were advised via email of the consultation on 30th March 2016</p> <ul style="list-style-type: none"> All Trade Unions (teaching and non-teaching) - via the local representatives at Nobel County Councillor - Robin Parker Local Councillors - Andy McGuinness, Graham Snell, Pam Stuart, Vickie Warwick, Howard Burrell MP - Stephen McPartland Stevenage Borough Council - Sharon Taylor [Leader of Council] and Scott Crudgington [Chief Executive] Herts County Council - Catherine Tallis and Mel Kilminster Heads of all feeder Primary schools, all Stevenage secondary schools and FE College - with request to send a copy to chair of governors FM provider Music School - Rebecca Hughes Chells Community Centre Caretaker/Site Manager <p>II. The Statutory legal notice was published in The Comet newspaper on 31st March 2016.</p> <p>III. A Statement was attached to all entrances to the school by 31st March 2016 and published on the school website; a FAQ document was also published on the website.</p> <p>IV. Several articles were published in school newsletters on the subject of conversion from December to March 2016.</p> <p>V. Consultation with Herts County Council on 23rd Feb 2016</p> <p>VI. Email address published for questions</p> <p>VII. Parent's meeting on 9th March 2016</p>	

VIII. Staff meeting on 27th April 2016 - all staff invited

Questions Raised

The following questions were raised during the consultation process:

1. I have two ■ who attend your school (and) qualify for pupil premium - can you please confirm that when the school changes to a foundation school that this will still apply.
2. Does changing to a foundation school impact on obtaining free school meals or the pupil premium, either now or potentially in the future?
3. ... with its proximity to Nobel, I'd like to know whether Foundation Status will have any effect on Lodge Farm itself such as land ownership etc and how might the relationship between the two schools be affected.
4. Why? It is not clear why the specific change has been made – this is not evident in the consultation document, although the Head's newsletter did suggest that changing the school status would save the Local Authority money on business rates, as the school would be exempt as a charity. However, I would see any change of this magnitude needing to have a positive impact on students and outcomes, but it appears that this change is status quo other than the change of ownership of land/staff etc. This is particularly pertinent as the role of local authority diminishes, and by converting to an academy you would be exempt from business rates anyway. Could you expand more on the proposed benefits to pupils as part of the change?
5. Funding formula – as you know the funding formula for schools is changing and won't come via the local authority. What impact will this have on your change of status in a few years' time?
6. Academisation – given recent announcements, will the school eventually have to become an academy? Will the change to foundation status mean that Nobel takes control of its admissions and will this have an impact on staffing and costs?

Responses to Questions

The Chair had responded personally to each question, ie not on behalf of the FGB and without prejudice to the discussion, as follows:

- **2 Pupil Premium questions** - *The DfE says: The pupil premium is additional funding for publicly funded schools in England to raise the attainment of disadvantaged pupils and close the gap between them and their peers. Pupil premium funding is available to: local authority maintained schools, including special schools and pupil referral units (PRUs) voluntary-sector alternative provision (AP), with local authority agreement special schools not maintained by the local authority (NMSS) academies and free schools, including special and AP academies. Should The Nobel School convert to Foundation status it will still be a Maintained school, just not a Community school, and it will continue to receive its funding from the Local*

	<p><i>Authority as now and my understanding is that Pupil Premium payments will not change. Even had we chosen the academy route Pupil Premium is still paid but the way it is paid differs, however the end result is the same. All schools have to account for Pupil Premium usage and show how the gap in achievement is being closed and Nobel will be no different in the future to its current position. I am sure however you are aware that Pupil Premium funding is outside the 'ring fenced' education funding the government committed to preserving at the current level. It is therefore a possibility that the grant per pupil will fall over time although statements from the government recently suggest that is not in their thinking. The Chair had also provided the DfE guidance.</i></p> <ul style="list-style-type: none"> • Lodge Farm: <i>Informally however I can assure you that as far as land ownership is concerned the boundary between Lodge Farm and Nobel was decided by HCC as part of the BSF work carried out at Nobel several years ago - the so called red line. Transfer of ownership will be the land currently allocated to Nobel as defined by HCC, subject to agreement from Nobel that the proposal is accurate. Any rights of access, leases, club agreements etc will be transferred. Regarding the relationship between the two schools - we see no reason why that should be affected and indeed the recent decision to have a Nobel SLT member join your GB and one of your co-Heads join our GB is designed to strengthen the relationship between Nobel and its feeder primary schools with the aim of improving the transition. If you have a specific concern regarding how our current relationship might change please let me know and it will be discussed.</i> • Why? Funding Formula and Academisation <i>You are correct that this change would indeed save HCC money on the rates. Changing to an Academy would not save Nobel or HCC money. Either route simply reduces the funding to the school appropriately. The change, should it go ahead is not a significant one - it is true that the GB becomes the employer, owns the land etc - and the management time taken up will be low as HCC will undertake most of the work. A foundation school is still a maintained school so, as you allude, it is significantly a status quo position although the charitable status will allow us to bid for funding not previously available to a community school which, if successful, will benefit our students. The funding formula change is currently out for consultation and the recent announcements regarding schools changing to academies is a white paper not yet enshrined in law. Either or both could be changed before they are enacted. The future for all schools is therefore uncertain. What is clear is that should it become necessary to convert to an academy in the future most of the legal complications regarding land, our BSF contracts etc will have been addressed as part of the foundation process assuming we go that route as a result of this consultation - that legal work would cost significantly more than the average legal costs of conversion to an academy which the school would have to fund, but is met as part of a conversion to foundation as we remain a maintained school. This uncertainty can lead to moral</i> 	
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issues which in turn can lead to reducing standards. The path we have chosen to explore is one that we believe keeps staff on board with a sense that Nobel is in control of its future as much as is possible in the current climate and which the leadership believe allows Nobel to improve further in the short term. Changing to an academy brings more staffing concerns due to contract changes for teachers and this in itself was seen as a potential distraction from raising standards. Teaching unions generally support foundation status and oppose academy status. The position for support staff is of course different as either change brings similar TUPE based uncertainty. There is no proven link between becoming an academy and raising standards. Raising standards comes from great leadership and great staff (and a great GB!) and we believe that is why Nobel moved from RI to Good and is, in our opinion, now close to Outstanding. Governors have been clear that, having seen the results of leader's time being spent on BSF leading to standards reduction, that should not happen if we progress with the change of status.

The Board of Governors were happy with the responses given by the Chair. Governors agreed that they had consulted widely and listened to responses. Due consideration had been given to any issues raised and responses had been made to all questions raised. The Board of Governors were happy to proceed with the decision making process. The Board of Governors were satisfied that an appropriate fair and open consultation had been carried out in accordance with due process.

In line with Guidance for Decision Makers (April 2016) Section 2, the Board of Governors considered the following factors:

- I. "Related" Proposals - This is a single proposal for a change from community to foundation status. There are no "related" proposals to be considered.
- II. Education Standards and Diversity of Provision – the Board of Governors were happy that the school was raising standards and narrowing attainment gaps. The change in status should not affect this.
- III. A school led system with every school an academy – there had since been a U-turn by the Government, which would no longer require all schools to become Academies. This was thus no longer relevant.
- IV. Demand v Need - this factor is not relevant to this proposal because it is not related to the establishment of a new school or the enlargement of an existing school.
- V. School Size - This factor is not relevant to this proposal because it is not related to the establishment of a new school or the enlargement of an existing school.
- VI. Proposed Admission Arrangements - This factor is not relevant to this proposal because it is not related to establishment of a new school or enlargement of an existing school.
- VII. National Curriculum - The Governing Body confirmed in its FAQ document that the National Curriculum applies to all maintained schools. There will be no changes to the requirement to deliver

- the National Curriculum as a result of the proposal.
- VIII. Equal Opportunities issues - The school is co-educational, non-selective and fully inclusive. The proposal will not change any of those things. Through the curriculum and extra-curricular provision, the Governing Body is and remains committed to provide a broad range of opportunities, accessible to all.
 - IX. Community Cohesion - The proposal will not affect community cohesion. The governing Body is and remains fully committed to the provision of opportunities as set out.
 - X. Travel and Accessibility - This factor is not relevant to the proposal. There is no impact on travel and accessibility.
 - XI. Funding - This factor is not relevant to the proposal. The implementation of the proposal is not dependent on securing land, premises or necessary funding.
 - XII. School Premises and Playing Fields - This factor is not relevant to the proposal. Although the Governing Body will become the freehold owner of the land and buildings the proposal itself has no impact in the school premises and playing fields.

As part of Stage 4, the Board of Governors mandated the Chair to write to HCC to request that support staff continue to be part of the LGPS.

The Board of Governors agreed that Stage 4 of the process was satisfactorily completed.

A draft email to the DfE had been circulated; the email was not asking for permission to convert to Foundation status, but stated the reasons why the school wished to convert. These reasons related to charitable status, contracts, resolving issues related to land and facilities.

With regards to resolving issues concerning the land, the Chair had emailed Catherine Tallis of HCC. He stated that the Board of Governors was seeking clarity from the Council on:

- (a) the “red line” plan for the land that will vest on a statutory basis under the paragraph 2(2) of Schedule 5 of the PA Regs 2013, including the proposed treatment of the caretaker’s house in that context and;
- b) the Council’s exact proposals in relation to Timebridge.

Catherine Tallis had replied that Richard Fyfe of Lambert Smith Hampton was visiting Nobel to progress work on the red line plan and provide a thorough assessment of transferring assets including Timebridge. He would report back to the Council, after which a full written update would be provided to the school.

The Board of Governors went on to discuss the situation regarding Timebridge and the caretaker’s house. It was felt that there was clearly a lot of work still to be done to resolve all the property issues, which were part of the rationale for conversion. There were also additional issues still to resolve and tidy up, including the Music Centre, which still did not have a formal lease, and the FM contract.

The Board of Governors debated whether they wished to continue the process of conversion or conclude outstanding issues, with conversion predicated on successful resolution of said issues. The Chair said that

	<p>guidance stated that, as long as the school completed the process within 12 months of the end of the consultation, it could decide to adjourn the conversion process within that timeframe pending more information and to give more time to HCC to conclude outstanding issues. The Board of Governors could thus decide this evening to continue the process, looking for a conclusion on 1st September, and take a view in the summer whether to adjourn if necessary. This proposal was agreed by the Board of Governors.</p> <p>(KS arrived and HR left the meeting at this point)</p> <p>Formal Decision</p> <p>KH then formally proposed that the school continue with the decision to convert to Foundation status, with a target date of 1st September 2016. This proposal was seconded by SP. Governors then voted via a show of hands and there was a unanimous vote in favour of the proposal.</p>	
7.	<p>Reconstitution, recruitment of partnership governors</p> <p>The Board of Governors then reviewed the Instrument of Government. They also discussed how to recruit Partnership Governors and who would be eligible. The Board of Governors could only appoint a person as a Partnership Governor if it was felt they had the right skills and there would need to be a consultation to allow stakeholders to nominate potential candidates.</p> <p>The Board of Governors agreed to ask parents, staff, community stakeholders and other local bodies for submissions for potential candidates over the next few weeks. If there was no response, then the total number of Governors would remain at 18 and 2 of the current Co-Opted Governors, fitting the criteria, would become Partnership Governors. If they had a good response, then the total number of governors would increase to 20. This was agreed.</p> <p>The Instrument of Government was therefore agreed to be:</p> <p style="padding-left: 40px;">2 Parent Governors 1 LA Governor 1 Staff Governor 1 Headteacher 0 Foundation Governors 13 or 11 Co-Opted Governors (see above) 2 Partnership Governors</p> <p style="padding-left: 40px;">Total – 18 or 20 (as above)</p> <p>The term of office would remain as 4 years for all categories.</p> <p>To become effective from 1st September 2016.</p> <p>Once finalised, the Instrument would be submitted to HCC.</p>	<p>Action 16/22 Board of Governors to ask parents/staff/stak eholders etc for submissions for potential Partnership Governors</p>

	Governors then thanked the Chair for all his hard work.	
8.	<p>Approval of Budget for 2016/17</p> <p>Budget documents were supplied. The budget for 2016/17 had been approved by the Finance Committee at their meeting. The Chair of the Finance Committee went through the main points and assumptions of the budget. Questions had been raised and answered at the Committee meeting. There were no further questions.</p> <p>It was a deficit budget but CC and MH had done a lot of work to reduce the deficit; the carry forward compensated for the deficit and the future budgets showed a break-even. It would probably come out to be a balanced budget at the end of this year. Monitoring exercises in the Finance committee showed that the cost saving proposals were having a big impact and the position this year was significantly better.</p> <p>JB then proposed that the Board of Governors formally ratify the budget for 2016/17 as recommended by the FP&P committee. The proposal was seconded by CT and KW and the budget was unanimously ratified.</p>	
9.	<p>To discuss urgent matters arising from Committee Meetings</p> <p><u>Finance, Personnel and Premises</u> Minutes of the committee meeting had been circulated. The meeting had discussed and approved the budget.</p> <p><u>L&D Committee</u> Minutes of the committee meeting had been circulated. The committee had had a very useful presentation on MFL.</p> <p><u>Pay Committee</u> Nothing to report</p>	
10.	<p>Policies</p> <p>The E-Safety Policy had been approved by governors in item 4.</p> <p>SEND Policy – <i>SP went through a couple of changes which were due to be incorporated but had not yet been made.</i></p> <ul style="list-style-type: none"> • Page 6 – learning difficulties should not be classed as significant as this suggested too high a threshold. It was agreed to remove “significant” and replace with “specific”. • Page 7 – one sentence seemed to end mid-sentence and needed to be finished. • The Policy stated that it was the Governors’ responsibility to prepare a SEND report, make arrangements for disabled children and their accessibility plans, and inform parents when they were making educational provision for their child. The Board agreed that Governors were responsible for ensuring this happened, but delegated the actions to the school. The Accessibility plan would be ratified but not created by the FGB. 	<p>Action 16/23 SEND Policy to be revised and uploaded</p>

	<p>This would be clarified in the policy and a revised version uploaded onto Moodle. The SEND Policy was then approved subject to these changes.</p>	
11.	<p>Governor Visits and Links</p> <p><i>SP had completed a visit – report to be submitted.</i></p> <p><i>DBS checks –Governors were asked to email Alison Seales every time they made a visit to school. It was understood that if governors did not come into school at least once every 3 months, the DBS check would have to be repeated (Post meeting note: Governance subsequently stated that this referred to a break in service rather than to a visit to school).</i></p> <p><i>SP would check on requirements for governors on SCR/log.</i></p>	<p>Action 16/24 SP to check on requirements for governors on SCR/Log</p>
12.	<p>To agree the minutes of the last meeting on 23rd March 2016</p> <p>The minutes were approved.</p> <p><u>Matters Arising:</u></p> <ul style="list-style-type: none"> • Nil 	
13.	<p>AOB</p> <ul style="list-style-type: none"> • <i>Cluster training –JM had booked cluster safeguarding on 4th July at 7-9pm with Fraser Smith. There was an assumption that all governors were attending, and they should confirm attendance. There were also online courses governors could do on Edu-Care.</i> 	
14.	<p>Dates of next meetings</p> <p>L&D (Teaching and Learning) and FPP Committees – Wednesday 15th June 2016</p> <p>FGB – Wednesday 6th July 2016 (Workshop on next steps re Organisation and Committees; latest thinking on School Plan)</p> <p>(FGB meetings at 7pm; L&D to start at 6pm; FPP to start at 7.30pm)</p>	