

MINUTES OF A MEETING OF THE NOBEL SCHOOL GOVERNING BOARD
HELD ON 10th FEBRUARY 2016

Present: Martyn Henson (Head Teacher), Richard Aggus (Chair)
 Kath Smith, Graham Blackburn, Julia Marshall, Pippa Frost, Sheenagh
 Parsons, Jill Borchards, Hilary Rodgers, Nick Collins, Nick Hoffman,
 Keith Hopkinson, Julia Brettell, Phil Cave

Apologies: Kojo Wood, Craig Temple

Absent: Martin Powell,

(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>Phil Cave, a new Associate Member, was welcomed and introductions were made.</p> <p>Apologies were received and accepted from Kojo Wood and Craig Temple.</p> <p>Apologies had not been received from Martin Powell.</p>	
2.	<p>To receive notification of any other business.</p> <ul style="list-style-type: none"> • Nil 	
3.	<p>For governors to declare any potential conflicts of interest</p> <p>RA employed by HfL.</p>	
4.	<p>Organisation of Governing Board</p> <p>Phil Cave had joined as an Associate Member.</p> <p>The Chair had talked to MP about continuing his role as a Governor and he had said he was still committed to taking part. He would have another conversation with him.</p> <p>Primary Schools were keen to collaborate more on FGBs of other schools. One of the Heads of Lodge Farm was interested in becoming a governor at this school. Subject to governors' approval, it was suggested to offer her an Associate Membership. There were 2 vacancies, currently, so they could extend one to Sue Padfield. It would provide a link to a feeder Primary School. Members of the SLT were also hoping to become governors at other feeder Primary Schools. This would not only enhance co-operation but could also be positive in terms of raising standards. Governors agreed that increasing collaboration with feeder Primaries would be very beneficial and they agreed to offer Associate Membership to the Head of Lodge Farm.</p> <p>The Head added that there were regular meetings with the local Primary Schools. There were benefits in increased collaboration,</p>	

	including the possibility of sharing staff.	
5.	<p>Options re Academy/Foundation Status</p> <p>The Chair presented the output from the Working Party and recommendations. He would circulate the slides.</p> <ul style="list-style-type: none"> • The aim was to make the decision that best fitted in with the Nobel ethos and was aligned with the school vision and values. • The working party believed that Nobel should remain independent in spirit whilst collaborating with others. They wanted to be in control of what happened to them. As a fundamental principle, they believed that they should not be beholden to others as in a Sponsor School or Multi Academy Trust. • The FGB at its last meeting had considered a comparison between Academy and Foundation and had concluded that there were no significant differences. They believed at the time that there was no difference with regard to TUPEing staff. It had transpired since then that the TUPE rules for Foundation and Academy were not the same. There was not a lot of up to date information about Foundation Schools, but it would appear from their research and information from Cornwall Council that, on conversion to a Foundation School, the teaching staff would transfer under a different set of rules – TUPE light. They would not be able to change terms and conditions of the teaching staff, but could with the support staff. The teaching unions were in favour of a Foundation School for this reason. It had not been easy getting confirmation of this point. Another difference was that Academies received funding direct from the Government whereas Foundation Schools received funding from the LAs. • The LA had offered to fund the conversion to Foundation, operating on a specified timescale. • There were other issues discussed by the working party such as the Timebridge issue and whether this would be transferred to Nobel as part of the assets. HCC would be more likely to look kindly on this if the school went to Foundation. • Assets, land assets, building would be transferred to the governing body under both models and the governing body would become the employer of staff. The route was there to convert from Foundation to Academy, if required. • The ESG (Education Services Grant) was worth £87 per student per year, so a school the size of Nobel would receive £104.400 per year. However, the government had already said that this would cease by 2020 and would be cut in a tapered fashion. • The National Funding Formula was currently going through Parliament. There were huge regional disparities under the current system. Nobody knew the outcome of this as yet. HCC did not know the ramifications for schools and how it might affect their budget. This made it very difficult to make budget forecasts. Nobel was close to the median. The funding for next year was as current. • The working party had addressed the key questions raised by the FGB. <ul style="list-style-type: none"> ○ <i>Could there be a clause inserted to ensure staff T&C</i> 	

	<p><i>remained identical to maintained schools for the first 5 years or so? There could be but there were few if any academies that have committed beyond the rules of TUPE.</i></p> <ul style="list-style-type: none"> ○ <i>Does the Academy receive funding for rates at the full rateable value of the school and can then claim back 80% charity rate relief? No, funding would be reduced.</i> ○ <i>Does both Academy and Foundation status ensure that every year group is full at all times? Both can opt to be in charge of their admissions or opt in to LA control. A Foundation school was still within the overall control of the LA and as such may be subject to LA decisions re holding vacant places. In-year admissions – they could theoretically fill if the school had a list, but they did not have a list. They had asked the LA if they could opt into admissions for just Year 7.</i> ○ <i>What is the cost of providing support services, admissions? They would currently receive £87 per pupil to fund those services, but this would drop to zero.</i> ○ <i>In the event of a negative in year budget, who would underwrite the short term school deficit? A Foundation school would look to the LA and an Academy would apply to the DfE.</i> ○ <i>Is there evidence of raising standards by convertor academies and foundation schools? No, but it was early days within the programme and many of the early adopters were outstanding schools and have probably not been re-inspected.</i> ○ <i>If we became Foundation, would the LA buy out the FM contract? This was unlikely</i> ○ <i>Timebridge and caretakers house – ideally both should form part of the footprint transferred to the school.</i> ○ <i>What is the cost of the conversion and would the LA still fund Foundation change as per original time expired offer? As of Monday, LA had said they would still pay, but did add it would be capped funding. They would commit to pay at least some of the conversion to a Foundation school. On conversion to Academy, the government gave £25k, which might not be sufficient.</i> ○ <i>Could Nobel become a Foundation school initially and then change to Academy later? Yes, the conversion would be easier as staff and assets had already transferred.</i> ○ <i>Would becoming an Academy or Foundation school affect the consortium? No, and the needs of the school should be the driver.</i> ○ <i>What would the potential be to achieve sponsorship income via companies in Stevenage once we become a charity? There are no guarantees however being a registered charity can bring benefits such as reduced VAT.</i> ○ <i>Potential impact of whatever is chosen route on academic standards. It was possible that the conversion process would take a lot of leadership time and they would have to be careful that this did not impact on standards.</i> 	
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	<ul style="list-style-type: none"> ○ <i>Other developments and conversions taking place locally.</i> Feeder primary schools were becoming more pro- collaboration with secondary schools. ○ <i>Difference in legal liability of governing board</i> – the governor was the employer and had more responsibilities. ○ <i>TUPE rules</i> – these protected current staff for 2 years. New staff can be on different contracts. <ul style="list-style-type: none"> ● Working party recommendation – the working party had met twice since it was set up by the GB. They had focused on the two options that aligned best with Nobel’s ethos and vision. The working party was made up of staff, governors, TU representatives, parents. Their recommendation was to become a Foundation Trust school. The reasoning was as follows: <ul style="list-style-type: none"> ○ There was very little difference in funding or freedom to make school based decisions. ○ The unions were more comfortable with the Foundation route and may recommend their members to accept such a route. ○ Foundation Trust status could be converted to Academy status at a later date, with less cost. ○ Foundation trust leaves open the possibility of joining or leading a co-operative Trust as opposed to a MAT. ○ They would continue to benefit from the support of HCC. ○ LA may fund the conversion to Foundation – which would help but should not be the reason for conversion. ○ Any small additional funding due to convertor academy schools will cease by 2020. Any financial advantages would cease. ● Items to resolve – there was a meeting with Catherine Tallis to go through all these points. <ul style="list-style-type: none"> ○ Does the LA offer to fund Foundation Trust conversion still stand? The future was very uncertain with National funding formula. They were content to fund conversions to an agreed ceiling. ○ Caretaker’s house – will it automatically transfer with the land? ○ In year admission – are we able to opt in to LA run Yr 7 admission and opt out of in-year admissions to ensure that the school is full all the time? ○ Insurance – will LA extend its scheme for maintained schools to Foundation school? ○ Disaster recovery – in event of serious damage to school requiring evacuation for a period of time, will the LA still offer alternative accommodation or does insurance have to be sought as per Academy? ○ Can staff T&C be changed – initial research says yes, but subsequent research from Cornwall suggests no for teaching staff and yes for support staff ● Conversion process <ul style="list-style-type: none"> ○ Stage 1 – GB considers a change of category to foundation, initiation of statutory process 	
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	<ul style="list-style-type: none"> ○ Stage 2 – GB consults on the plans ○ Stage 3 – GB publishes proposals ○ Stage 4 – period for representations ○ Stage 5 - Proposals determined by GB ○ Stage 6 - Implementation <ul style="list-style-type: none"> ● The next stage if the principle was approved would be to consult with staff and parents, and then make a formal decision at the next FGB meeting in March. They would have to ensure that their conversion process still conformed with legal requirements. ● All on the working party felt that this was the right initial stage, partly as they had the backing of the LA. It would be a time-consuming process so support would be useful. They could not afford for much management time to be diverted to school conversion. ● The recommendation was to consult with staff and parent end Feb/early March, so they could debate any issues raised by the consultation and make a decision at the FGB in March. <ul style="list-style-type: none"> ● Questions ● <i>Looking at the programme, it was a short timescale until March, do you anticipate that it will be a group of governors or the FGB involved in each of these practices?</i> It would logically be the working party set up by the FGB who would handle the consultations, collate the responses and feed back to the FGB. The LA, if they thought they would lose the funding, would see no benefit in aiding the school to convert to Foundation. ● If we become Foundation and then later decide to convert to Academy, there will still be a cost in transferring the land from one status to another and another TUPE transfer, but it would not be nearly as much work/cost involved. The working party could not find any information regarding the DfE paying for a Foundation converting to an Academy. It was an unknown. They had to do what was right for this school. ● <i>Are there other planned conversions in Herts?</i> Yes, 60% of schools were now Academies in Herts, mostly part of MATs. ● <i>As they had fewer schools, will the LA not be able to afford running the services?</i> Until HCC knew how it would play out with the new funding formula, this was an unknown. ● <i>Was the expectation that they would need a balanced budget?</i> Even if they stayed as there were, this was still the expectation. County were not prepared to underwrite deficit budgets anymore. If the school could not balance their budget, they might impose financial action plans. ● <i>The key thing was how much it would affect the standards and learning.</i> The evidence was that parents would not be concerned unless it affected learning and there was no reason why it should. ● The HT had spoken to the staff and they seemed to be OK with the proposal. ● <i>Would it be positive for recruitment?</i> Maybe. It may be positive as some staff do not want to work for an Academy, where their T&C could be changed. It could potentially be a positive. ● A governor noted that converting to Foundation did give the school the opportunity to protect the work they were doing already; it protected them from an outside group taking control. In order to protect their independence, this was the only 	
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	<p>decision they could make.</p> <p>The following resolution was then proposed by SP and seconded by HR:</p> <p><i>The Board of Governors accepts the recommendation from the School Status Working Party, set up by the Board of Governors in December 2015, to pursue a status change for the Nobel School from Maintained to Foundation Trust – subject to the final decision being made by the Board of Governors in March 2016 following staff and parent consultation.</i></p> <p>The resolution was put to a vote and was passed unanimously.</p> <p>The final decision would be taken at the next FGB meeting in March so it was important that governors should attend.</p> <p>(KH and PF then left the meeting.)</p>	
<p>6.</p>	<p>To discuss urgent matters arising from Committee Meetings</p> <p><u>Finance, Personnel and Premises –</u></p> <p>Minutes of the committee meeting had been circulated.</p> <p>The Schools Financial Values Statement was ratified by the Governing Board.</p> <p>The Head added that a Safer Recruitment Policy would be circulated for review and approval by the committee.</p> <p><u>L&D Committee –</u></p> <p>Minutes of the committee meeting had been circulated. The committee had had a very good presentation on SEND. The Head added that they had held a very useful INSET day on SEN the following day.</p> <p>The LA had visited the school to check progress being made by Children Looked After (CLA) students. The school currently had 9 CLA students, which was the highest in Hertfordshire. They spoke to students, staff, and interrogated the data; some were making good progress and some not quite as good. They did say that governors should be asking questions of the staff when they presented data on CLA and the progress they were making.</p> <p>The school did send a report to County on the CLA students. It was suggested that, when a governor visited a Faculty, they could ask about the progress being made by the CLA students and they could also carry out some student voice with relevant students. <i>A governor wondered whether this would breach data privacy and whether they were allowed to know if specific pupils were CLA. The Head would look into it. Student voice was a very powerful tool as students might speak about issues they might not mention to their own teachers. Governors coming in and talking directly to students about their experiences was a powerful piece of evidence. SP was happy to come in and would liaise with JM first.</i></p>	

	<p>JB mentioned that they had been asked to share their good practice with regards to young carers.</p> <p><u>Pay Committee</u> KH had circulated an anonymised copy of the figures relating to pay awards. It included all staff. Not all staff had received an increment. <i>The pay process was rigorous and governors could be assured that the committee was doing its job, challenging the Head and authorising the pay increments for the right reasons.</i></p>	
7.	<p>Policies</p> <p>Nil</p>	
8.	<p>Safeguarding</p> <p><i>SP had visited SM to go through safeguarding policy and documents. It would be available for the next FGB meeting. She had asked Steve Morley to come and present the reports and also bring some anonymised case studies to explain some of the issues and problems the students had; there was a wide range of different issues. There had been a rise in referrals since the beginning of this Academic year and SM would talk further about this. SM had completed his part of the checklist, and SP would be finalising the Governors part. She would be physically checking and looking at some data and documents in school. She would also be meeting the SENCO. She also wanted to attend the PSE class, where a lot of wellbeing and safeguarding matters were discussed with the students.</i></p> <p>The Head commented that it was absolutely essential that their safeguarding procedures were correct.</p> <p><i>SP added that she subscribed to a Safeguarding publication and her research had shown that there were some additions that could be made to the Child Protection Policy, to make it an outstanding policy. It was also noted that the HCC Child Protection Policy had been revised this month and now referenced female gender mutilation and Prevent Duty. Governors agreed that they should be adopting the most up to date version they could.</i></p> <p><i>The Chair had emailed a link to training on the Prevent Duty for governors to complete. Governors should carry out the training and bring in their certificate. The Governing Board had to hold the school to account as to how it was protecting its students against radicalisation, particularly the sixth form students, and be clear that staff were taking the training. Governors should therefore complete the training and then the Board could go through the guidance at a summer term FGB meeting.</i></p> <p>It was noted that the updated HCC Policy and policy recommendations included a section on Prevent. There was a requirement in the guidance regarding evidence to be sought by governors.</p>	<p>Agenda</p> <p>Action 15/67 Governors to complete Prevent training</p> <p>Agenda summer term</p>
9.	<p>Governor Visits and Links</p>	

	<p><i>SP had given a report on her safeguarding visit above.</i></p> <p><i>NC had given a lesson to some BTEC students on the theory of program design and talked about outreach work.</i></p> <p><i>NH had visited the PE Faculty; he would make another visit to go through the H&S Faculty audit for PE after half-term. The Sports Faculty review was due after half-term.</i></p> <p><i>JB would arrange to visit regarding the H&S Faculty audit for the Science Faculty.</i></p> <p><i>Governors were asked, if they did speak to any students, to broach safeguarding – did students feel safe, what would they do in the event any concerns etc. Governors thought it would be useful to have a form with standard questions on safeguarding and the Head would follow this up. Governors should base their questions primarily on the Faculty review and action plan.</i></p> <p><i>HR was coming in to visit the English Faculty shortly.</i></p> <p><i>Governor visit reports were to be stored on Moodle. JB and JM would ensure that Moodle was set up so governors could access the Governors section.</i></p> <p><i>The FGB would hold some cluster training after April on safeguarding.</i></p> <p><i>KS would circulate the governor visit report template with student voice questions.</i></p> <p><i>Governors were always welcome to come in and do a learning walk round with the Head.</i></p>	<p>Action 16/10 Head to follow up questions for student voice on safeguarding</p> <p>Action 16/11 JB/JM to check governor access to Moodle</p> <p>Action 16/12 KS to circulate governor visit report template with questions</p>
<p>10.</p>	<p>To agree the minutes of the last meeting on 9th December 2015 and discuss any matters arising including actions from tracking sheet</p> <p>The minutes were approved.</p> <p><u>Matters Arising:</u></p> <ul style="list-style-type: none"> • Prevent Duty training had been discussed above. • All other actions were complete. • Governors agreed that they needed to think about how they could publicise a meeting for parents to discuss the conversion proposal. The Chair hoped they would have answers to the questions from County in February. They would also consult the students. The working party members would aim to attend any relevant meetings. 	
<p>11.</p>	<p>AOB</p> <ul style="list-style-type: none"> • Nil 	
<p>12.</p>	<p>Dates of next meetings</p>	

<p>L&D (Teaching and Learning) and FPP Committees – Wednesday 9th March 2015</p> <p>FGB – 23rd March 2016</p> <p>L&D (Progress) and FPP Committees – Wednesday 27th April 2016</p> <p>FGB – Wednesday 11th May 2016</p> <p>L&D (Teaching and Learning) and FPP Committees – Wednesday 15th June 2016</p> <p>FGB – Wednesday 6th July 2016</p> <p>(FGB meetings at 7pm; L&D to start at 6pm; FPP to start at 7.30pm)</p>	
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