

**Minutes of the BCAT Board meeting
5 December 2019 at 10.00
Wixams Academy, Wixams**

Present: Ian Pryce (IP) (Chair) Lesley Glover (LG), Mark Kiteley (MK), Elizabeth Nash (EN) Christine O'Reilly (CO'R), Kay Rodger (KR), Gill Scobie (GS)

In attendance: John Higginbottom (Financial Statements Auditor) Mary Langley (Headteacher Wixams Tree Primary), Claire Nash (Business Manager BCAT) Rachel Nicol (Company Secretary), Paul Spyropoulos (PS) Principal, Wixams Academy, Stephen Walker (SW) Financial Controller, Bedford College

BCAT/61/19 Apologies for absence Action

Apologies for absence were received from Anthony Abrahams, Pat Jones and Jasmin Masih.

BCAT/62/19 Declarations of Interest

Ian Pryce, Kay Rodger and Rachel Nicol are employed by Bedford College.

Mark Kiteley is a non-executive director and Chair of BCS Limited, a wholly owned subsidiary of Bedford College.

BCAT/63/19 Matters arising

The Chair informed the Board that BCAT currently use the same payroll services as Bedford College. It was explained that the College has made a decision to transfer all payroll provision in house. The majority of the employees of BCAT are already on the in house system and it is intended to transfer remaining staff in April 2020 subject to testing and assurance that appropriate controls are in place.

The Board noted the position.

BCAT/64/19 Minutes of the meeting

The minutes of the meeting on 3 October 2019 were reviewed and agreed as an accurate record of the meeting.

BCAT/65/19 Principal's report – Wixams Academy

The report was noted to have been read and highlights provided;

- 311 applications were received for September 2020, 200 of which were first choice. This was despite marketing activity being reduced from 8 schools to 4 schools. It was noted that the school will take 150 pupils to ensure provision is available to pupils in the community.
- The consideration of potential CIF capital funding for expansion and development. It was confirmed that the funding criteria prioritises safeguarding considerations and vital repairs. The Board asked that consideration be given to the car park alterations to install a barrier for safety. The Financial Controller highlighted the need for contribution from the Trust under the CIF rules, although it is not known if this is for match funding. The additional pupil numbers taken and the potential for Local Authority involvement were referenced.

The Principal will bring a paper in due course setting out the required accommodation for the projected pupil numbers.

The Board further discussed;

- Whether the car park barrier will cause a problem in the local area and for the safety of pupils off site. It was confirmed that the priority is the safety of the children. It was also explained that the schools consider the open access a security issue. The Board suggested notices required in the car park to make liability clear. PS and ML met with Graeme Coombes, Councillor and he has requested the Highways Agency visit the site. The delay in adoption of roads was referenced. It was agreed that BCAT need to focus on the safety and health and safety issues. ***The Board agreed that the Trust should receive a paper from the Business Manager detailing the costs and other considerations to determine how the matter can be taken forward.***

- Complaints – It was confirmed that one complaint had been received with 14 allegations. Brief details were provided. The Trust asked whether the Local Advisory Body (“LAB”) are aware of their role in the Complaints Procedure. The complaint was dealt with at stage 1 and it was confirmed that the matter is not being pursued at stage 2. The Board asked if the children removed from the school as a result of the complaint impacted on the attendance rate of 95%. It was confirmed that attendance is above national average and target and not impacted by the removal.
- The two external reports; The Principal confirmed that the DfE report was a 7th term visit. The second report was confirmed to have been prepared on the back of a review by an Ofsted consultant. The Board referenced the comments on Key Stage 3 and the areas where he had advised that further thought is required. They also discussed the points made on “most of the time” and “similar” and sought more context. The consultant in his verbal feedback provided more intelligence which the Principal had found helpful. It was confirmed to have been a developmental day and the Principal outlined the process followed. Assurance was given that the Academy will, following the review, be able to better articulate the coherence in the curriculum.
- Risk register – the Board asked how the Principal prioritises the risks and follows trends. The Principal confirmed he has used a development plan for the key educational priorities rather than a risk register. The Board discussed how the Academy should use the risk register. ***It was agreed that there needs to be an assessment of risk in order that they would be prioritised.*** The relationship between complaints and the risk register was highlighted. Assessment of risk was noted to be subjective with different mechanisms available for scoring. Page 6 and the recruitment risk was referenced. The central service and involvement of HR and Finance in approving posts was discussed. There was some debate on how the Trust is

involved in the recruitment of individuals and in distinguishing the involvement of central services to advise management on their decisions and the perception of Trust decisions.

IP will review the process in the context of previous discussions on budgets and advise.

- The Board questioned the reference to the failure to control expenditure and the wording will be amended to remove the double negative.

The Business Manager tabled data on staff sickness absence which had been requested by the Chair.

The Principal highlighted;

- Individuals who have had sickness absence and the background.
- Reasonableness of overall average and how this had been impacted.
- Absence not related to sickness which had caused cover requirements. The Board discussed the potential for internal cover to avoid additional costs. Assurance was given that the management team are monitoring the position carefully and will review overspend.
The Business manager will review the position on supply cover to ensure it is appropriate.

The report was noted.

BCAT/66/19 Wixams Academy budget monitoring

It was noted that the budget monitoring for WA had been included at agenda item 16 within the Business Manager report.

The main contributing factors to the deficit were highlighted;

- Pay scales being higher than anticipated
- Use of consultant to train the SENDCo
- The trainee teacher costs

The Financial Controller referenced the analysis at agenda 15, the Trust budget monitoring report and the

full year forecast showing a projected overspend of £27k at the Academy on staffing.

It was confirmed that the Academy will continue to monitor and action taken to ensure they are back within the staffing budget by the end of the current year.

The report was noted.

BCAT/67/19

Wixams Academy, supplementary paper, Wixams Academy Curriculum Plan and Staffing

The Chair outlined the position of the Board in terms of;

- Curriculum planning oversight.
- Need for model to ensure support staff can be recruited.
- How the model is reflected in the recruitment of people and what is actually advertised.

The Principal tabled the Curriculum Intent document and explained the rationale for not including the document in the hard copy pack to ensure the Board have the most up to date document.

The paper in the pack at agenda 6 was highlighted. The Board reminded the Principal that they had asked for clarification of the line management structure which had not been provided. Roles that had been approved by the Board, subject to them coming within budget, were referenced.

It was confirmed that support staff had been included in the model.

The table setting out how many hours of teaching are required had been reviewed by the Chair and further information requested from the Principal. The Principal referenced the supplementary paper setting out the curriculum vision and intent. The provision of a broad curriculum which supports choice and community demand was discussed. The proportion of children taking a humanity or a language in relation to the national rates was highlighted.

The BCAT vision for curriculum was considered. It was confirmed that the Academy provides extra curriculum

activities and enhancement and that Religious Studies is offered through the enrichment programme. The definition of academic excellence was discussed.

It was agreed that the Trust will continue to monitor development of the curriculum and options. The Board will discuss further at the first meeting in the new year.

The Principal further highlighted;

- The profile of staffing and contact hours
- The staff included in the upper pay scale; 7 out of 9 engaged and salaries matched. Concern was raised on how communication had been managed at recruitment but assurance given that teachers on the upper pay scale have been given whole school responsibility.
- Pressure on salaries and need to advertise multiple times at increased salary rates.
- The recommendations on the final page; including advert for the third Assistant Principal.

The Board asked that the Principal emails the Organisation Chart to the Company Secretary for dissemination, including line management responsibility. The Board asked that WA nominates an individual responsible for social media management within the structure. Assurance was given that all planned appointments are affordable.

It was confirmed that reference will be made to Heads of Maths, English and Science.

The report was noted.

BCAT/68/19

Wixams Tree Primary Head-teacher's report

The report had been read.

Jon Higginbottom from Macintyre Hudson joined the meeting

The Head-teacher highlighted;

- The term had been extremely busy.
- Oversubscription in year groups and how the community can be served. The Board discussed

the potential to open new classes and the balance required in managing the financial risks. The potential for being unable to meet future demand was highlighted. The staffing structure is based on opening another year 3 class. The Head-teacher explained the operation of the General Annual Grant (“GAG”) excluding the pre-school. The Board discussed the flexibility in the modelling and whether temporary staff could service short term demand. The requirement to open additional accommodation and the need for the Local Authority to engage and fund additional teachers was recognised.

- The Board asked whether consideration could be given for a mixed year 3 and 4 group. The Board confirmed they shared the concern of the Head-teacher in respect of the need to provide places to the community and would support a mixed age group approach in principle. ***IP will consider getting the Local Authority to attend a Board meeting to provide their perspective.***

It was confirmed that the proposed staffing structure for 2020-2021 was approved subject to affordability.

It was acknowledged that roles will be recruited to in line with the Recruitment Policy.

The Board asked for line management in the structure to be articulated.

The report was noted.

BCAT/69/19 Financial Statements

JH introduced the financial statements and confirmed;

- that the Trustee’s statement complies with the Academies Handbook
- that there are no proposed amendments to the numbers presented
- In terms of regularity, money is being spent as per government guidelines.

JH confirmed the information provided in the Trustees’ Report is consistent with the Financial Statements and that the Strategic Report and the Directors’ Report

have been prepared in accordance with applicable legal requirements.

The following points were drawn to the attention of the Board;

- Income and costs have increased, donations and capital grants have reduced as a large amount was received in the previous year which has been expended in the current year
- GAG has increased with related expenditure increase being largely attributable to staff costs.
- Actuarial gains and losses. The Board asked how teachers pension costs are accounted for. It was confirmed that these costs are included in the staff costs. The Board questioned the level of the LGPS actuarial adjustment and how this operated.
- Surplus contained within the restricted funds. Unrestricted funds are noted to be limited.
- Increase in intangible assets relating to the software being used. It was confirmed this primarily relates to the Finance system and School Information Management System "SIMS". The Board sought to understand the life expectancy calculation.
- Tangible assets, £166k additions, mainly IT related.
- Debtors; have remained stable and remain low.
- VAT position relating to a timing difference.
- Prepayments and accruals relating to transport costs
- Accrual relating to an invoice from Bedford College.
- Increase in Teachers Pension Costs, how these are accounted for and whether the government is providing any support. **SW will ensure that TPS costs are budgeted for.**
- Accounting policies – it was confirmed that they comply with FRS102, Companies Act, Charities Act and Government reporting.

The Financial Management letter was referenced and the following highlighted;

- Audit findings and processes.
- Scope of the audit work carried out.

- Confirmation that the Trust is a going concern and will continue for 12 months
- Whether expenditure is in the right place.
- Pension schemes and benchmarking check against other entities
- Materiality level; estimated at 0.5 % to 1% of income after specific one-off payments.
- **Need to update Edubase to ensure trustees list up to date and ensure websites up to date. (RN to check and liaise with Heads)**
- Management accounts, frequency of review, requirement for the Board to see 6 sets and for the Chair to review monthly. **(Finance and Chair to agree how process is managed)**
- Internal controls review – ESFA require the details of scrutiny to be submitted each year. Academies Handbook suggested methods include evaluation, advice and insight and risk register. **A framework for the Trust and schools will be agreed.**
- Internal control issues; **lease to be resolved – IP to follow up.** Asset and depreciation will be accounted for once the transfer has taken place.
- Follow up to the internal control on all risks.

The Board thanked the finance team and the auditor.

The Financial Statements were approved by the Board and will be signed by Ian and ratified by the members.

The report was noted.

BCAT/70/19 Wixams Tree Primary Self Evaluation Form (“SEF”)

The Chair outlined the anticipated use of the SEF. It was confirmed that the SEF had been updated in line with the new inspection framework. It was also anticipated that the Local Advisory Bodies will scrutinise the document going forward.

The Board further discussed how the process is handled within the school and the involvement of different departments to ensure appropriate layers of scrutiny.

The evaluation is noted to be collaborative and the outcomes feed into the individual subject development plans.

The Board will seek assurance on the appropriateness of the SEFs in due course from the Local Advisory Bodies. The potential for the Chair of the LAB to provide assurance through email rather than reliance on minutes will be considered.

The report was noted.

BCAT/71/19 Admissions Policy

It was agreed to take the Admissions Policy next on the agenda as the Principal's and Head-teacher's input was required.

It was confirmed that the Principal had updated the Board in April 2019 and no changes to the current policy were proposed. The current review had been carried out following comments at the Local Advisory Body meeting that staff had understood that their own children would be admitted to the Academy under a priority criteria and had not appreciated that this only related to children of staff who had been recruited to satisfy a skills shortage. The Principal at that meeting had indicated that the Trust had changed the criteria.

The review confirmed that the criteria had not been changed and it was explained that to change the criteria would involve a consultation and for September 2021 intake this would have to commence imminently.

Neither the Principal or Head-teacher considered changes necessary for September 2021 and concurred that no post had been determined as a skills shortage post.

The impact of the sibling priority (not limited to catchment) on the overall intentions was considered. Assurance was given that the numbers are reducing and that it is not considered to be preventing admissions to pupils in the community which has been prioritised by the Trust.

It was agreed that no amendments are required to the Admissions Policy for 2021.

The Principal will provide a details analysis on the categories of admissions.

The report was noted.

BCAT/72/19 Pay Awards

The background to the paper was presented by the Chair who had been involved in the process.

The Trust had aspired to higher starting salaries and it was understood that the incremental structure is a generous one.

The Board raised concern that the original 6 point scale had reduced to 5 but acknowledged that the rationale is to have higher starting salaries.

Concern was also raised that staff had been automatically put on higher scales without a clear rationale.

The Board sought to understand the rationale for the increase in scales proposed between 2019-2020 and 2020-2021 and the operation of the fixed entry points. Blanket increases had been included in the proposal.

It was agreed;

- **The increase between 2019-2020 and 2020-2021 points to be 2 percent.**
- **Decisions on the appropriate scale to be made prior to advertising a position and HR to support advertisements to ensure all positions are advertised on the right scales.**
- **Incremental pay rises are performance based and controls should be in place to ensure these are not awarded where staff are in procedure**
- **Board to be satisfied that a higher paid role exists.**
- **HR to negotiate the salary – not the schools**
- **Support staff scale to be finalised by HR and ensure consistency across the Trust**

The report was noted.

BCAT/73/19 Business Manager report

It was confirmed the report had been read.

The requirement for the Anti Bribery & Corruption report was explained. The Financial Controller advised that the policy needs to reference the ESFA and Academies Financial Handbook.

It was agreed that SW and CN will work to finalise the report.

The Board discussed the reserves position generally and management of requests for additional funding from the schools. ***The Board had previously requested a Reserves Policy. It was noted to be set out in the Financial Statements and SW will consider further whether any more information is needed.***

The Business Manager raised the issue of Catering Services from BCS Limited and MK was asked to leave the meeting due to a conflict of interest.

The Business Manager confirmed that both schools have concerns over the quality of the catering provision and the Primary have been exploring alternative providers. BCS had provided a draft SLA which was tabled. The Business Manager proposed that the Trust limits any further commitment to one year with a view to retendering.

The Board confirmed that the decision was an operational one for the schools but asked that the Business Manager be aware of;

- Potential risks in the legal arrangements discussed previously.
- Any TUPE implications and how these are managed.
- All cost implications.

The report was noted.

BCAT/74/19 Governance update

The Board confirmed they had read and noted the items contained in the governance update.

The following were highlighted;

- Written resolutions since the last report.

- Membership of the Board and the LABs, terms of office and recommendations on re-appointments.
- The outcomes of the Board Evaluation exercise and training requirements.
- The current skills make up of the Board.
- The previous agreement to establish a Remuneration Committee and the draft terms of reference. The Chair proposed that he continue with the reviews for 2018-2019 to avoid delay and then the Remuneration Committee will meet to confirm their terms of reference and review the objectives for 2019-2020 in early 2020. The Board provided feedback on the performances in 2019-2020 including external reviews on the schools' performances and need to balance framework and strategic leadership and the relationship with the Board as well as management of the schools.
- Resignation of Heather Cunliffe as Chair of the LAB WA and the plans to recruit externally.
- Safeguarding training.

It was agreed;

- **The written resolution to approve the Safeguarding & Child protection policy is noted**
- **That all directors will be asked to complete electronic safeguarding training (*RN to review options on Governor Hub*)**
- **Elizabeth Nash is endorsed as the Vice Chair of BCAT Limited Board**
- **The appointments of Alan Burges (to 31.12.20), Joe Canzano, Darsh Chand and Lucy Tanner (to 31.08.21) as members of the Wixams Academy LAB are endorsed**

- **The re-appointment of non -executive directors listed below are approved subject to their consent;**

Patricia Jones to 31.08.22

Ian Pryce to 31.08.22

Kay Rodger to 31.08.23

Gill Scobie to 31.08.23

- **Terms of office are agreed as set out in the schedule at Annex A to the report**
- **To note the resignation of Heather Cunliffe and record thanks for her contribution to the Trust**

The report was noted.

BCAT/75/19 Next meeting

The next meeting will take place on 6 February 2020.