

MEETING OF THE RISK & AUDIT COMMITTEE

BOLTON IMPACT TRUST

FRIDAY 1 DECEMBER 2017 AT 11.00AM AT YOUTH CHALLENGE

Present: Keith Davies (KD) – Chair of Committee, Paul Hodgkinson (PH) – Executive Principal and Mary Powell (MP) - Chair of Trustees

In Attendance: David Smith (DS) – Finance Director and Emma Stoddard (ES) – Clerk

KEITH DAVIES IN THE CHAIR

1. WELCOME AND APOLOGIES FOR ABSENCE

Trustees were welcomed to the meeting. PH reported that Kevin Gribbin had resigned due to work commitments, therefore this would create both a Trustee and Member vacancy as KG had held both positions. There were now 2 Trustee vacancies in total. DS reported that a skills audit had been completed and the Trust would benefit from recruiting a person with finance, resource or procurement skills and experience. KD stated that he would make enquiries with a view to filling one of the vacancies, it was noted that the second vacancy was a Local Authority vacancy. It was agreed that the 2 new appointments would be asked to join the Risk & Audit Committee.

Action: KD (make further enquiries)

2. DECLARATION OF INTEREST

No declarations of pecuniary interest were made.

3. NOTIFICATION OF ANY OTHER BUSINESS

There were no items of Any Other Business reported.

4. RISK MONITORING

Trustees were directed to the Risk Management Register, which had been included with the agenda papers.

PH advised that some risks would always be present, such as the complex needs of the pupils but the main risk that Trustees needed to consider was capacity. PH reported that the Personal Learning Centre (PLC) and Youth Challenge (YC) had both had a huge surge of pupils, making this a significant risk in terms of provision and resources. New accommodation would need to be sourced to accommodate the PLC and PH had been liaising with the Tony Grimshaw, Chair of the Finance Committee regarding this.

MP requested that the Risk Register be RAG rated for future reference as this would enable members to see what areas have been actioned or where there has been change.

Action: DS (RAG rate Risk Register)

5. **CORPORATE SERVICES**

Review of the LA / BLA Service Level Agreement

A copy of the Service Level Agreement (SLA) 1 April 2017 to 31 March 2019 had been circulated. Trustees discussed the SLA and raised the following queries / suggestions:

Page 2 – MP stated that within the SLA, 40 pupil places had been allocated to the Forwards Centre but there was currently 43 pupils on roll and asked how these additional 3 pupils were being funded. PH explained that these pupils would be charged £66 a day, without place funding and this was cost neutral. PH added that the numbers included in the SLA were not an accurate picture of demand and this affected the funding that the Trust received, making it very hard to plan ahead.

Page 3 – PH proposed that an additional clause (1.6) be added to include the charges for when demand exceeded the agreed number of places, as follows:

‘In the event that demand exceeds the agreed number of places, BIT will provide provision to the LA at a rate of £66 per day per pupil. If it becomes clear that a pupil has significant complex needs, BIT and the LA will discuss additional support arrangements for the pupil prior to admission’.

MP questioned whether this clause would encourage the LA to keep the base numbers low, therefore causing additional problems for forward planning of resources and staffing. MP suggested that a cap be added to the numbers to try and prevent this scenario. KD referred to pupils with additional needs and stated that this clearly needed to state that this would incur additional costs. MP stated that the Trust needed to conduct a review of pupil numbers to ensure that they could cope with demand. DS explained that a review of numbers was currently conducted in June. MP stated that she felt this was too late to have any impact for the next academic year and suggested that a review be completed in March. Trustees discussed who should be involved in the review and it was agreed that this should initially be via discussions between the Executive Principal and the LA, and then this should be brought to the full Trust Board for approval.

Page 4 – PH referred to clause 3.3 and stated that every child who had left YC had returned within 12 weeks, making the population very static. KD referred to clause 3.4, which read ‘Discussions regarding future support arrangements or more suitable placements will take place as soon as there is sufficient evidence that a pupils’ needs

are not being appropriately met' and stated that this needed to clearly specify that there would be a cost associated with this.

Page 6 – PH referred to clause 5.2.2 and confirmed that these places were not selective to Bolton LA. One child had just been admitted from Bury LA and the Trust had received an increased amount of funding for this child. A Provision Offer for Lever Park was circulated. Trustees agreed that this would assist the Trust in securing additional funds.

Page 11 – PH referred to the Special School Band Funding, which currently included SEMH – Level 1 at £19,083 and SEMH – Level 2 at £47,611. PH reported that a proposal had been put forward to include a midway banding of £23,347 but discussions were still taking place between the LA and Special Schools. MP stated that originally an agreement was due to be made by December and this delay was unacceptable.

PH reported that two Bolton Head Teachers had asked BIT to provide a satellite service within their schools. MP stated that whilst this provided a new business opportunity for the Trust, the risks would also need to be considered as the Trust name would be associated with these schools. The Trust would need to consider how they would be paid for this and whether the satellites would be classed as additional academies within the MAT. DS reported that the Trust could not accommodate this unless they received some investment up front. PH stated that the current priority was still to consolidate the current service. MP stated that whilst she acknowledged this, the Trust needed to consider that the schools could go elsewhere for this service and satellite branches could also take some pressure of the services currently in the Trust structure. Trustees agreed that this was an option worth exploring.

In response to questions PH stated that he would update the SLA with the recommendations discussed today and was meeting with T Birch on Monday and would push for the SLA to be signed.

Agreed: i) That the SLA be approved with the proposed amendments
 ii) That the satellite service be investigated further

Action: PH / DS

Review of Pupil Numbers across the Trust

PH directed Trustees to the Pupil Number Update and reported that this would be the main discussion at the meeting with T Birch on Monday. Demand for places continued to increase and PH stated that the academies were dealing with very challenging pupils on a day to day basis. KD asked if there were any particular factors influencing this behaviour. PH reported the main factors to be:

- Pupils struggling with the transition from Year 6 to high school and this impacted on both Year 7 and Year 8 – PH reported that he was due to work with primary heads in the new year to see why pupils were not ready for the transition
- Huge social problems mainly manifesting in Year 9 pupils across the borough
- International New Arrival profiles – these pupils were often very challenging
- More behavioural issues amongst boys than girls

DS stated that the budget cuts to the Early Intervention Services between 2010 and 2012 were now having a significant impact as the support was no longer available at the early stages.

PH added that parents often did not take control at home and the Trust now offered a programme called 'Who's in Charge', which had so far been very effective. PH referred to a report titled 'Making the Difference' and reported that some elements of the report would be included in the full Trust meeting documentation.

Action: PH (email 'Making the Difference' report to Trustees)

Consideration of Key Financial Risks

DS reported on the current financial position and highlighted the significant cost and income variances. MP asked for further details regarding the significant sickness levels at Lever Park. PH explained that these were not work-related absences. Transport costs at Park School had reduced due to the Trust purchasing a car and employing a driver. Trustees agreed that the traded income generated so far was very encouraging. PH added that very positive feedback had also been received from the schools involved.

DS reported that there were currently 16 pupils on roll at the PLC and the minimum target had been delivered. MP asked that thanks be passed on to all staff for their hard work.

DS reported that the financial impact of mitigation of £140,000 would bring the expected financial in year position to £73,000 surplus for 2017/18. DS stated that the Trust had recognised that the LA was limited regarding Lever Park but the flexibility in the PRU provision had contributed to this turnaround. Trustees were cautioned that the Trust would need to start re-paying the LA debt from January and this would hamper expansion plans. Trustees commented positively on the figures presented and stated that this was a much more positive picture compared to last year. The Chair of Trustees thanked both PH and DS for their hard work in managing the budget.

Results of the recent Staff Well-Being Survey

PH stated that all members of staff were working in a complex setting and he had asked staff to complete a Well-Being Survey to ascertain where the main stresses were. The results of the Staff Well-Being Survey had been circulated to all Trustees.

A Staff Wellbeing Charter had been produced with the aim of rewarding existing staff but also making the Trust an attractive place to work for future staff. Trustees agreed that this was an excellent idea and would act as a real incentive. MP noted that there were many ideas listed and suggested that staff be asked to vote for their favourite suggestion and use the top 6 in the charter. KD referred to the suggestions regarding early closures and asked of these would result in any contractual changes. In response PH explained that no contractual changes would be required and there would be no negative impact on the offer that the Trust currently provided to pupils. MP thanked the Executive Principal for taking the time to consider the well-being of all staff.

6. POLICY RATIFICATION

All policies had been emailed to Trustees with the agenda.

Alcohol and Drug Policy

MP stated that she was concerned that the Alcohol Policy did not take account of the fact that staff were dealing with the borough's most vulnerable children. MP stated that the primary duty of care was to the children and this needed to be made more explicit.

KD referred to item 1.3, which read:

'Employees are required to ensure that they are not under the influence of alcohol, or any drug which is likely to impair their ability to properly carry out their duties when required to attend (or to be available to attend e.g. on standby for work). Any employee who is found or believed to be so influenced when required to attend (or to be available to attend) for work will be dealt with in accordance with the Trust's Disciplinary Procedure'.

In response to questions PH confirmed that being under the influence of alcohol or drugs would be classed as gross misconduct and this was included in the Disciplinary Policy. JD suggested that the Alcohol Policy be cross-referenced with the Disciplinary Policy so members of staff were clearly aware of this.

A Trustee asked how the Trust would help any member of staff with alcohol or drug problems. PH reported that staff would be referred to the Employer Assistance Programme. Trustees suggested that this be made explicit in the policy.

MP questioned whether the Trust would need to pay sick pay for a member of staff who was deemed to be an alcoholic and cautioned that this could have a financial

impact for the Trust. DS explained that a doctor's note would be required in this instance.

British Values Statement

KD asked whether this was a policy. DS explained that this document had been prepared as a basis for the common values that staff and pupils would be expected to adhere to. This would also be useful when expanding as any new customers / academies would be expected to work to these values. MP stated that this was a very important document but suggested that this be made more succinct and be no more than one page.

MP stated that the safeguarding and welfare of pupils was paramount and stated that all Trust policies should clearly reflect this.

Agreed: i) To approve and adopt the following policies:

- Adoption Policy
- British Values Statement
- Domestic Violence Policy

ii) To approve and adopt the Alcohol and Drug Policy, subject to the amendments arising from today's discussion

Action: DS (update Alcohol and Drug policy)

7. ITEMS DEFERRED FROM TRUST MEETING

Key Performance Indicators (KPIs)

PH reported that, following discussions at previous meetings, the Key Performance Indicators had now been re-named Key Performance Areas and Accountability and an up to date report was circulated.

Capacity Report

Trustees agreed that this item had been discussed under the Pupil Numbers Report.

Process for due diligence

PH reported that BIT was currently looking at the work of the Greater Manchester Learning Trust to aid in the process of due diligence and this was on-going.

8. DATES OF NEXT RISK & AUDIT COMMITTEE MEETING

Agreed: That the next Risk & Audit Committee meeting be held as follows:

Friday 23 March 2018 at 11.00am

9. CONSENT TO ABSENCE

All Trustees were present.

10. ANY OTHER URGENT BUSINESS

Committee Meetings – Potential Conflict of Interest

PH reported that MP, Chair of Trustees, currently sat on each committee and asked Trustees if this was felt to be a conflict of interest. KD stated that, in his experience, he did not feel that this presented any conflict of interest.

11. CONFIDENTIALITY

Agreed: That the following matter discussed at this meeting be designated as confidential in accordance with the Academy’s Memorandum and Articles of Association:

The meeting closed at 1.00pm

SUMMATIVE ACTIONS:

Minute No.	Responsible	Action
1	KD	Make further enquiries regarding the Trust vacancy
4	DS	Rag rate the Risk Register
5	PH / DS	Update SLA / Investigate satellite services
5	PH	Email ‘Making the Difference’ report to Trustees
6	DS	Update Alcohol and Drug policy

ITEMS FOR NEXT AGENDA:

To be confirmed.

Signed as a correct record: _____

Date: _____

(Chair of Risk & Audit Committee)