

**Trust Board of Directors
Challenge Meeting
Wednesday 14th June 2017, 17:00 – 19:30
at Kelford School, Oakdale Road,
Kimberworth, Rotherham S61 2NU**

ACTION POINTS SUMMARY SHEET

Agenda Ref:	Actions	By & Target Date
4.3 15/03/17	Policy Review - Clerk to put Information Governance Policies on agenda Sept 2017	Clerk September 2017
4.4 15/03/17	Monthly Nexus Trust Budget and Budget Plans. CFO developing a reserve document to show where reserves will be used. Document to show medium & long term plans. CFO to present at next meeting 17/05/17 – ongoing	CFO 12/07/17
6.1 15/03/17	Nexus MAT Governance Review Proposal. Clerk to purchase NGA Chairs 360 Appraisal Package Delay NGA 17/05/17 – Order made problems with NGA in receiving package at present, enquiries ongoing	Clerk 12/07/17
6.1 15/03/17	Nexus MAT Governance Review Proposal. Trust Board to undertake a self-assessment using the NGA self-assessment document	CEO September 2017
6.1 15/03/17	Nexus MAT Governance Review Proposal. LGBs to undertake a self-assessment using the NGA self-assessment document	CEO Autumn 2017
6.1 15/03/17	Nexus MAT Governance Review Proposal. 3 rd party assessment of the effectiveness of the Nexus MAT Board and LGBs to take place in the Autumn term of 2017, using National College guidance	CEO Autumn 2017
6.6 15/03/17	Free School Application Update. CEO & AC to arrange follow up meeting with SCC. Meet all 4 MBC in area tomorrow & Meet Sheffield next week 17/05/17 – Due to General Election application window closed CEO update. Work on application continuing	CEO 12/07/17
6.8.1 15/03/17	Budgeting and Accounting Software Approval for purchase of HSCC Accounting program – ongoing 17/05/17 – Investigations still ongoing	CFO 12/07/17
6.10 15/03/17	Benchmarking Data CFO to work with BHP to analysis information 17/05/17 – Still ongoing	CFO September 2017
3.1 05/04/17	Strategic Objective 4 – Free School Application CH & WC to start links with NHS & share application 17/05/17 – Not carried out due to delays in Free School Application process	CEO/CH September 2017
3.1 05/04/17	Strategic Objective 4 – Free School Application SB to develop a list of possible prospective investors/partners 17/05/17 – Still ongoing	SB 12/07/17
2.1.3 17/05/17	School Improvement Lead to make a presentation to Directors in September. Clerk to ensure on agenda	CEO/Clerk Sept 17

2.1.4 17/05/17	2.1.4 Abbey Bank Account Update to protocol to ensure accounts are checked on a regular basis even through holidays	CFO 12/07/17
2.1.4 17/05/17	2.1.4 Abbey Bank Account CFO will be checking to ascertain the type of transactions 14/06/17 – Dealt with at item 4.6 on this agenda	Completed
4.2 17/05/17	Trust Budget - LGBs established a governor-led working group to look at budget setting - Governors not involved at Kelford CFO to arrange	CFO 12/07/17
6.1 17/05/17	CEO Report – Outcomes of referrals to Social Care to be reported to LGBs. CEO to amend school reports	CEO 12/07/17
6.2 17/05/17	Governance Structure - Terms of Reference for positions & committees to be updated	Clerk 12/07/17
6.2 17/05/17	Governance Structure - Appointments of LGB Chairs, CEO to work with Headteachers and current LGB Chairs & report back to Trust Board	CEO 12/07/17
4.3 14/06/17	Risk Register Financial Risks & Mitigation – TB to amend figure. SS & TB to continue work on document & report to A&F Committee	CFO/SS 20/07/17
4.6 14/06/17	Anti-Fraud, Bribery & Corruption Policy - 5.2 - Wording agreed to be amended	CEO Completed
4.6 14/06/17	Anti-Fraud, Bribery & Corruption Policy - Check whistle blowing policy to ensure it is in line with this policy	CEO Completed



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Attendees:

John Coleman	Director / Member & Vice Chair of Trust Board of Directors	JC
Warren Carratt	CEO Nexus MAT	WC
Alan Meloy	Director	AM
Peter Castleton	Director	PC
Sue Shelley	Director / Chair Kelford School LGB	SS
Catherine Hall	Director	CH
Amanda Benton	Associate Director	AB

Also Present:

Clare Southwell	Clerk	CS
Tracey Brooke	CFO Nexus MAT	TB

Apologies:

Andy Child	Director / Member & Chair of Trust Board of Directors	AC
Jayne Fitzgerald	Director	JF
Steve Booth	Director / Chair Hilltop School LGB	SB

1. APOLOGIES FOR ABSENCE	Actions
1.1 To receive apologies for absence <ul style="list-style-type: none"> • Apologies were received from AC, JF, SB, AB 	
1.2 To receive, but not accept, apologies for absence <ul style="list-style-type: none"> • All apologies received 	
2. ITEMS OF URGENT BUSINESS	
2.1 Chair to determine any items of urgent business to be considered <ul style="list-style-type: none"> • There were no urgent items to be considered 	
3. DECLARATION OF INTERESTS	
3.1 Individual Directors to declare any personal, business or other governance interests on any item on the agenda <ul style="list-style-type: none"> • There were no declarations of personal or business interest 	
4. ITEMS TO BE CONSIDERED	
4.1 Update on negotiations with RMBC regarding Element 3 funding <ul style="list-style-type: none"> • Further meeting: Mark Chambers (MC) & Paula Williams (PW) with CEO & CFO • Concerns re implementation of Minimum Funding Guarantee (MFG) and budget funding. Abbey & Hilltop have both had budgets with 1.5% MFG deduction, Kelford's is more than 1.5% • Hilltop get additional £50,000 per year due to different base funding allocation but this isn't reflective of need and CEO believes there should be parity between Hilltop and Kelford. • Hilltop have high number of enhanced placements which also enhances the budget • Kelford to look at increasing bespoke packages as some current pupils on base funding that should be on bespoke packages • Nexus continuing to address increments to funding • LA previously agreed annual review of needs of pupils between November & February each year in preparation for the new budget but this has not taken place <p><i>PC – if this is going to be the pattern in future how is Nexus going to manage?</i></p> <ul style="list-style-type: none"> • With expected rebalance via national formula the pressure on the High Needs Block should reduce • Trying to get the approach of the ESFA on the situation as they are responsible for academies <p><i>TB – TB explained that at the recent meeting with the LA that if an agreement could not be made then the matter would have to be escalated to ESFA & Secretary of State</i></p> <ul style="list-style-type: none"> • LA continuing to address NHS contributions from continued continuing health care funding • PW still keen to find a solution. All hopeful of a solution but still no strategic view for future • LA not looking at ways to reduce but they do have capital funding which would all new classroom provision, which would then all pupils to be brought back to Rotherham rather than out of area 	

<p><i>SS – Should someone at a higher level be involved in these meetings so that they can take responsibility for any decisions made?</i></p> <ul style="list-style-type: none"> • Karen Borthwick, Assistant Director for Education & Skills is due for Retirement and no successor is known at present. Unknown lines of responsibility at LA at present <p><i>PC – Do you feel that the LA are taking the situation seriously are they committed to address the matter? Do we need to impress on LA that there are alternative ways of addressing the issues?</i></p> <ul style="list-style-type: none"> • LA not building trust with their approach, but Paula has acknowledged this. Many interim leaders so no one making long term decisions, as leaders are on short term contract and short term assignments • Nexus to maybe obtain some legal advice from ESFA there may be the same situation in other LA nationally <p><i>JC – It is the law that the budget is needs led</i></p> <ul style="list-style-type: none"> • We mustn't assume that it will be addressed, LA might have a very different agenda • We want to help them to make the right decisions but very difficult to influence their decisions • Places are needed in the authority so Nexus should continue to push for what is right for funding and for a Free School 	
<p>AB arrived at the meeting. Apologies due to emergency incident at own school</p>	
<p>4.2 Presentation by TB – How the Nexus MAT is funded</p> <ul style="list-style-type: none"> • TB detailed explanation of the difference between mainstream funding & special school funding • Funding received from ESFA & LA • Explanation of difference between Place Funding and Top Up Funding • At PV and in Doncaster there is just a base fund for all special schools and then anything above there are arrangements for additional funding just as a bespoke package with not different levels as in Rotherham <p><i>PC – Does the LA funding come from the Government to the LA</i></p> <ul style="list-style-type: none"> • Yes <p><i>PC – If direct from Government why do LAs pay different rates?</i></p> <ul style="list-style-type: none"> • LAs are able to set their own rates • Different areas have different priorities and different criteria for special school provision and there are different costs • Government felt that LAs were able to make better decisions <p><i>AB – Do you get the funding from the date of the admission? In mainstream there is often a gap between admission & funding being received?</i></p> <ul style="list-style-type: none"> • Funding is often delayed but it is backdated to the end of the year • Rotherham model was introduced to enable set amounts to be delegated rather than numerous applications for bespoke packages • Figure within report taken from public LA document including context explanations • Money delegated from HNB to mainstream schools for SEND pupils • Other pressures on the school budgets highlighted, numerous major pressures 	

<p>several new implications since conversion</p> <ul style="list-style-type: none"> • Nexus continue to question how the LA have implemented the MFG regulations • ESFA seem to be uninformed about SEND funding • Nexus needs to influence the market & talk to other provisions <p><i>AB – Is place funding age related?</i></p> <ul style="list-style-type: none"> • £10,000 is a contribution, the Top up funding used to have a different rate for P16 but that is no longer applicable • Pupil Premium slightly different for Primary & Secondary <p><i>PC – What has it been used for?</i></p> <ul style="list-style-type: none"> • Primarily used to build MAT reserves • A&F Committee to regularly review reserves and their planned use • Salaries of central MAT staff • Investment for School improvement • ICT investment • HR services • A full breakdown of costs will be available after end of year audit <p><i>JC – If MAT able to build up reserves in first year does the contribution of schools need to be reviewed?</i></p> <ul style="list-style-type: none"> • MAT funding 5% contribution is take from schools but only from main funding • Nexus set 2-5% contribution other MAT are often higher • Nexus will continue to look to reduce the contribution wherever possible <p><i>PC – can money be moved and vired between schools?</i></p> <ul style="list-style-type: none"> • Agreed at last budget that a school with more than 5% will be held centrally by MAT. It will be ring-fenced but could be used to help with cash flow • Possible at end of year that if Hilltop funded by extra £50000 above Kelford & Hilltop have a surplus it might be that the Trust vires money from Hilltop to Kelford to ensure no deficit budgets • Additional Grant funding was received so this has booted the reserves that are currently held • Appeal system in place for Headteachers to use if they do not agree with MAT contribution. It is hoped that this would not be need to be used as close relationship between HTs & MAT 	
<p>4.3 Risk Register Financial Risks & Mitigation</p> <ul style="list-style-type: none"> • Document brought to board to share information, still a work in progress • Current report just on finance risks • SS & TB to continue work on document & report to A&F Committee. Error on figure noted CFO to amend • TB delegated to be the board risk owner • LA would have held risk registers centrally for schools prior to conversion • Scoring system – key not shown at present. <p><i>PC who is establishing figures for valuations in columns?</i></p> <ul style="list-style-type: none"> • TB & SS establishing figures that will then be reviewed and challenged by A&F Committee <p><i>PC – Why are we not finding more creative solutions to mitigate risks?</i></p> <ul style="list-style-type: none"> • Different way of talking about things 	<p>CFO/SS</p>

<ul style="list-style-type: none"> Monitoring efficiency Felt that current wording was not specific Asset audit across the schools will be very beneficial 	
<p>4.4 Reserves Update</p> <ul style="list-style-type: none"> This item was covered under 4.2 & 4.3 of this agenda 	
<p>4.5 ESFA Health Indicators</p> <ul style="list-style-type: none"> CEO/CFO carried out self-review against indicators Some naturally will take time Sharing of knowledge and experience across schools Need to celebrate & champion good practice and use it build our reputation Websites would be a good forum to show outstanding practice <p><i>PC – what is Extended Services?</i></p> <ul style="list-style-type: none"> LA have been paying for independent providers to provide out of hours provision but not receiving a good service. Year by year contract from LA £125,000 for Nexus to provide the service. Mary Jarrett, LA Service Manager for Children with Disabilities, possible use of premises in central Rotherham which would be used for extended services and could also be used during the day for pupils & central Nexus staff and meetings Other extended services already in place across Rotherham – Action from Kelford LGB to look at Brinsworth model which is self-sustaining 	
<p>4.6 Anti-Fraud, Bribery & Corruption Policy</p> <ul style="list-style-type: none"> Incident at Abbey school reported to ESFA CEO responding to ESFA enquiry document which is to be submitted shortly CEO will also circulate response to all Directors If any further questions or challenges from ESFA they will come to Directors for Directors to challenge CEO as CEO is the Accounting Officer BHP have checked and agreed responses <p><i>PC – pleased that it is being scrutinised</i></p> <p><i>AM – we are a public body, full scrutiny of situation and procedures is important</i></p> <ul style="list-style-type: none"> Lloyds think that fraudster may have accessed bank details from where the information was held on an external website where card details had been stored Good practice to have Anti-Fraud, Bribery & Corruption Policy Fraud awareness training session BMs attended webinar training session hosted by Lloyds Internal audit now to be focused on credit card & transactions led by BHP <p><i>SS – Item 5.2 in policy - Who has casting vote to start an investigation?</i></p> <ul style="list-style-type: none"> 5.2 - Wording agreed to be amended Check whistle blowing policy to ensure it is in line with this policy & that anyone also able to go direct to ESFA 	<p style="text-align: right;">CEO</p> <p style="text-align: right;">CEO</p>
<p>5. ANY OTHER URGENT BUSINESS</p>	
<p>5.1 To consider any other urgent business agreed by the Chair</p> <ul style="list-style-type: none"> All urgent business had been dealt with at item 2 on this agenda 	
<p>6. CONFIDENTIALITY</p>	

<p>6.1 To consider the confidentiality of any items discussed during the meeting</p> <ul style="list-style-type: none"> No items were deemed to be confidential 	
7. DATES OF NEXT MEETINGS	
<p>7.1 Future Trust Board of Directors meeting dates:</p> <ul style="list-style-type: none"> Standards Committee – Thursday 6th July 2017 - 17:00 at Kimberworth Children’s Centre Audit & Finance Committee – Tuesday 20th July 2017 – 17:00 at Hilltop School TBoD – Wednesday 12th July 2017 – 17:00-19:30 at Kimberworth Children’s Centre Nexus MAT AGM – Monday 24th July 2017 – 17:30 Challenge Group - Wednesday 16th August 2017 – 17:00-19:00 at Kelford School - Strategic Priority 1: Increasing quality of provision from all our schools <p>7.2 To agree the draft planner for 2017/2018</p> <ul style="list-style-type: none"> The planner had been circulated with the agenda The meeting plan for 2017/2018 was agreed for publication 	

Minutes approved

CHAIR	SIGNATURE	DATE
ANDREW CHILD		12/07/2017