

Minutes of CAST Board meeting held on Friday 29th May 2020
Remotely via Zoom from 10.30am to 12.30pm

Attendees:	John Burnett (JB)	-	Foundation Director (Chair)
	Andy Nicholls (AN)	-	Foundation Director
	Sandy Anderson (SA)	-	Foundation Director
	Terry Stockley (TS)	-	Foundation Director
	Deacon Richard Edwards (RE)	-	Foundation Director
	Jacqui Vaughan (JV)	-	Foundation Director
	Ann Harris (AH)	-	Foundation Director
	Graham Briscoe (GB)	-	Co-opted Director
	Laura Fox (LF)	-	Co-opted Director
	Les Robins (LR)	-	Co-opted Director
	Raymond Friel (RF)	-	CEO
In Attendance:	Karen Cook (KC)	-	CFOO
	Kevin Butlin (KB)	-	Director of Education and Standards
	Cannon Mark O'Keeffe (CaM)	-	Member
	Helen Laird (HL)	-	Clerk

1. Welcome and Opening Prayer	Decision/Action
<p>Opening prayer by Canon Mark O'Keeffe.</p> <ul style="list-style-type: none"> JB thanked all the SEL, Headteachers and Staff of CAST for all the work they are doing to support the students of the schools. JB welcomed HL back following the bereavement of her Father. JB thanked all the Directors for their hard work and support, specifically GB and AH. 	
2. Apologies and Confirmation of Quorum	
<p>Apologies from DR.</p> <p>Quorum met.</p>	
3. Declaration of Interest	
<p>JB – his Law firm represents the Trust</p> <p>LF – Has completed some work for Central Team</p>	
4. Minutes of previous meeting of 28th February 2020	
<p>4.1 Minutes approved as an accurate record.</p>	Approved
<p>4.2 Actions</p> <p>Status updated on Actions Summary.</p> <ul style="list-style-type: none"> 19.71 Wimborne - KB advised there is further discussion to be had on this and a proposal will come to the Finance Committee. Report to Board on 24th July 	
5. Chairs Business	
<p>Chair Succession Plan</p> <ul style="list-style-type: none"> JB advised the board he will remain in place until the end of calendar year and further updates on the succession plan will come. 	
<p>CEO Recruitment and Induction</p>	

- AN updated on the meetings in place for Zoe Batten, new CEO from September, and the induction processes. ZB will join the July Board meeting.

Recruitment Policy and Leadership Update

- JB advised this would be covered under the Finance and Resources section of the meeting.

6. CEO Update

RF provided some further dialogue to the report he provided prior to the meeting.

- RF advised there is no further update on the issues with Buckfast and asked for support from the Board in moving this on. The Board discussed the stalemate situation they are now in with the need to update the Articles.
- The Board discussed options with re-brokering and what the RSC may be able to do to support.
- RF noted the relationship between the Headteacher, and the Trust is very positive so the day to day work is good.
- KC added that the Trust are ensuring the budget is built with requests for specific funding from the Abbey to formalise the agreement.
- RF asked for any comments on communication from the Trust to the schools throughout the Covid-19 crisis.
- RF advised he has spoken with all the Heads and Central Team from a pastoral point of view. The Main Office remains close and there is no plan at present to re-open just yet with the Government guidance to work from home if you can. All members of the Central Team are working from home successfully with no disruption to the services provided.
- There were further no questions regarding RF's report.

7. Education and Standards

7.1 Director of Education Report

The Board received the update from KB in advance of the meeting.

- JB thanked KB for his work and clear focus throughout the crisis so far.
- KB talked of the work done at the Education and Standards meeting in April and the report from this was available to the Board prior to the meeting along with the draft minutes.
- KB updated on the support of the ESMs for the schools and how this is being devised for the coming year based on the needs of each school.
- KB talked of the changes to leadership at ND and SBC with Kate White now Acting Head for SBC and taking the role of Executive Head for both schools from September. There is a lot of work on-going in the schools now to move things forward at pace and the work with Priory Learning Trust will begin again in September.
- KB talked of some other changes to Plymouth Primaries with 1 Year interim appointments for Headteachers in 2 schools whilst long term plans are explored.
- RE asked if there were factors the Board should be aware of in the departure of the Head at Keyham Barton. KB and RF advised that there were push and pull factors and location was a big pull. The Head there has been

complimentary of her time with the Trust and the support received.

- KB updated on safeguarding in the schools and addressed the questions that arise from the reporting of these issues. KB talked of the forensic work that needs to be done when looking at the data to establish what is happening in each school.
- KB advised the ESMs have Safeguarding on every agenda when they go into schools.
- KB updated on some LADO reports that have needed to be completed in recent weeks.
- JV asked how the numbers of reported issues are comparing now to those before lockdown. KB responded that the end of term reports have not yet been received but there have not been many recordings. An addendum has been sent out for the Safeguarding Policy for all schools to implement during the school closure time to ensure the DSLs remain engaged with students not in school.
- JV asked if any of the ESMs sit on the LA Safeguarding Boards. KB advised they do not. RF added that each ESM is linked to a LA and they work closely with them.
- GB asked why the number of recorded issues does not tally with the individual details. KB acknowledged this and talked of the issue with variety of recording. This will be addressed, and training support provided as needed.

Update from Chair of Education and Standards
Covered by KB.

7.2

Coronavirus Update

- KB talked of the work to arrange risk assessments and plans for opening up schools as per the Government requirement from 1st June.
- KB advised the priority in primaries has been given to Year 6 where schools cannot accommodate Reception, Year 1 and Year 6 following thorough risk assessments.
- KB advised that the Secondary schools would open for Years 10 and 12 later in June. 15th June for 12 – 2 weeks of direct teaching followed by 2 weeks of assessments. 22nd June for 10 who will be in school for 2 days per week each in quarter of cohorts. Home learning will continue for all other students and those not in school from those year groups.
- KB advised 71% of staff across the Trust are available to return to school.
- RE asked if the unions are focusing on the Trust in any other way than other academies. KB advised of a misunderstanding with one school which has been resolved and the involvement of unions in all processes. There was very little union response to the updated Coronavirus Policy. KC added further work needs to be done to support those who feel unable to return and those with childcare issues.
- KB talked of the risk assessment process and how this have been worked through by schools and ESMs and then signed off by the ESM with support from KB. This has enabled staff to feel safe in their return to schools and the unions are comfortable with the work done.

- LF asked about KB's thoughts for September. KB acknowledged there is still concern about what will be reasonable in September due to student numbers and staff availability. There is the possibility for a phased opening in September.
- LF queried whether there would be church halls that could be used as additional space for schools. KB advised this is something that have been part of discussions and there are details of this in emergency plans. KC added this is varied due to locations across the Trusts and many of the emergency plans include using Secondary school spaces which would not be an option in this situation. KC also added that reduced staffing would also be an issue in those circumstances.
- GB provided a statement from the CST detailing how the Board can know they have done all they can to mitigate the risks for their own liability, and confirmed his full support for the SEL having seen the work has been done. The statement from the CST is as follows;
*"Liability for Health and Safety sits with the Trust Board as the employer. So, the Board needs to assure itself that risk has been carefully assessed and will be actively controlled through your planning. If there were to be an incident that caused the Health and Safety Executive (HSE) as the regulator to investigate, the HSE would seek to establish that the Board had taken proportionate and reasonable actions. It is also important to note that the HSE has published a [statement](#) which confirms that the regulatory approach will take proportionate account of the risks and challenges arising from the pandemic. If you follow **DfE guidance, the SAGE advice, undertake thorough risk assessments, base your plans on risk mitigation and the hierarchy of controls, consult with your staff** – then it would be hard to argue that you acted with anything other than reasonable care.*
It is also important that the Board takes good notes. The Board should be able to show due process in terms of decision making and that it has considered the risk and actions to mitigate the risk before reaching a decision."
 GB concluded with the comment - my personal understanding of the legal position of our MAT Board is that = if the MAT Board has sought advice, has not acted outside their authority, has acted in the best interests of the MAT and has considered all of the information at hand - they should be safe from any personal liability.
- The Board agreed that they feel secure in the work done by the Trust to mitigate risk as each of the highlighted areas above had been thoroughly explored and this was evidenced in the report from KB and further discussions. JB thanked GB for sharing of this information to enable the Board to feel confident in the decisions being made. .
- KB advised the Board on the concerns for BAME staff detailed in Government guidance relating to increased risks from the virus. KB confirmed these members of staff are included in the vulnerable group and Headteachers have been asked to undertake individual risk assessments with these members of staff. Staff have

been asked to discuss any underlying medical conditions with students in this category.

- LR asked if all LAs have input into the processes as only Devon was mentioned in the report. KB confirmed that they are all involved and varying factors are taken from each of them to enable the SEL to make decisions for all schools.
- LR asked about processes of drop off and collection of students. KB advised this is covered in the individual risk assessments.
- GB asked if any of the schools provide their own transport. KB confirmed there is no specific school transport but transport in general has been an issue for some parents.
- GB asked for confirmation that the Trust is doing no more than is required by the Government as referred to in Governance guidance from sources such as the CST. KB confirmed this to be the case.
- RF advised he had received some questions prior to the meeting and asked Directors if they felt these had been covered.
- SA asked what the protocol would be if someone in a school came down with suspected Covid-19. KB advised the schools will have the appropriate PPE to deal with first aid needs and any symptoms of the virus. PS has sourced hand sanitiser and other items the schools need which are being delivered today or early next week. Each school has plans for containment areas and protocols for dealing with these issues.
- AN asked about the cost implications of the process of opening the schools more widely. KC confirmed PPE cost is around £20K. Additional staff costs are not yet known but estimated for the next 6 weeks at anywhere between £30K and £150K.
- JB asked for the thanks of the Board be passed on to PS for all the work he is doing behind the scenes. RF will pass this on.
- RF raised the question from DR asking how the Trust can ensure the schools are implementing what they have put in their plans. KB advised the ESMs will be monitoring but also that there needs to be an element in trust with the professional people in place.
- There were no further questions and the Board fully supported and approved the risk assessment process and plans across the Trust for the wider opening of schools on 1 June.

Action – RF to pass on thanks of Board to PS

Decision – Action plans across the Trust approved for implementation of further school opening

8. Finance and Resources

Reserved Posts

- KC provided some update on the issues faced with current temporary contracts and the need to have a policy in place going forward to support the Bishop's instructions to ensure reserved posts are held by Catholic Leaders.
- KC advised that when an employee in in post they cannot be dismissed if it is deemed to be on the grounds of their religion. This can only be used as a reason to discriminate at appointment.

- Legal advice has been shared with the Board in order to support them in making the correct decisions now for those currently on temporary contracts.
- JB asked for approval of the Board to confirm the permanent appointments of the 10 employees as noted with a discussion to take place with CaM and SB before this is finally approved. JB read the following statement for agreement *"The Board is minded to support the recommendation in paper 5.3.1 from Dr Karen Cook that we confirm the 10 colleagues covered by sections 3 and 4 of her report as being permanent in their posts. Out of respect for the Bishop and mindful that the compelling legal advice on this matter was received by the Board on 26 May 2020, we will seek a meeting with Canon Mark O'Keeffe and Sarah Barreto to explain our rationale before asking the Board to approve the recommendation as stated."*
- RE raised his concern that the Board could move into a position of conflict with the Diocese over this matter but believes this proposal avoids this and allows working together.
- RE asked what the mechanism would be for final approval after the meeting. It was agreed all Board members would be included in a Zoom meeting to approve. RF will arrange the meeting with JB, SB, CaM and the Trust's Lawyer, Terry Falcao.
- All were in agreement with the way forward and will now wait for communication to arrange a meeting for final approval.
- KC discussed the Recruitment Policy and referred to a statement within it regarding the Bishop's right to remove Foundation Governors from the Board if they go against the guidance of the Diocese and questioned if this is a little adversarial. CaM noted this is within the Bishop's remit if it is felt the Trust are not following direction. KC questioned if it needs to be reinforced in a policy when this is stated in the Articles. The Board agreed this does not need to be included when it is clearly stated in the Articles.
- KC asked for Board approval with the change suggested.
- All agreed. This will also be discussed at the meeting RF is arranging.
- RF recommended a change of wording to "on appointment" regarding when the Trust can discriminate on the grounds of religion. All agreed.

Action – RF to arrange meeting with CaM, SB, JB and Terry Falcao

Decision – Approval of Recruitment Policy recorded changes

8.1 CFOO Report

Documents were received by the Board prior to the meeting for review.

8.2 Management Accounts to 30th April 2020

- KC advised the Trust is currently in a £1.1M positive position.
- Capital grants will be reviewed at next Finance meeting. This are is likely to be overspent but there is a crossover of reserves which will be reviewed at the meeting.
- KC requested approval of the Support Staff pay award of 2.75% when it is passed through unions shortly.
- TS asked if this includes all support staff. KC advised not ESMs or SEL but all those beneath are included.

	<ul style="list-style-type: none"> All were in agreement to support this award once it is approved by unions. 	Decision – Approval of Support Staff Pay Award
8.3	Budget Planning, including investment strategy <ul style="list-style-type: none"> AN noted this process is the best the Trust has seen, and it is working well. 	
8.4	Update from Chair of Finance and Resources Covered in above sections	
9.	Governance and Management Update from AH <ul style="list-style-type: none"> AH has communicated with LGBs to keep them updated. AH recommended subscribing to the CST to support the harmonisation and governance work needed. GB fully supported this recommendation and provided his own experience of the organisation from other Boards he is involved in. All agreed. KC and HL will look at arranging membership for the Trust. 	Action – KC and HL to arrange membership to CST
10.	Policy Review Family Friendly <ul style="list-style-type: none"> KC advised this has gone through unions and is largely statutory. Policy approved by all present. 	Decision – Approval of the Family Friendly Policy
11.	Close Meeting closed at 12.25	

Future Board Meeting Dates

All meetings to commence at 10.30am at CAST Offices, Edmund Rice Building, St Boniface's College, Plymouth, or Remotely via Zoom if necessary.

Friday 24th July 2020