

The Corporation of New College Durham

**Minutes of the Academy Sponsorship Committee
meeting held on 30 November 2023**

Present:

Chris Patterson (Chair)
Joyce Drummond-Hill
Andy Broadbent
Christine Warren

Apologies:

None received

In attendance:

Karl Fairley
Caroline Winter
Peter Robson, Head of Governance and Trust Secretary, NCDAT

Action

23/18 Chair's introduction and starred items

The Chair welcomed everyone and reminded members to declare their interests in any item of business to be discussed at the meeting.

The interests of committee members and attendees in New College Durham Academies Trust (NCDAT) are:

Christine Warren – Trustee NCDAT
Joyce Drummond-Hill – Sponsor Member, NCDAT
Andy Broadbent – Sponsor Member, NCDAT
Karl Fairley – Chair, NCDAT and Trustee, NCDAT
Peter Robson, Head of Governance and Trust Secretary, NCDAT

23/19 Apologies for absence - none received.

23/20 Minutes of previous meeting (Paper A)

The minutes of the meeting held on 23 May 2023 were agreed as accurate and signed by the Chair.

23/21 Matters arising

23/13 – the current NCDAT Members and Trustees were listed in the Appendix to Paper C, which detailed the Principal Sponsor and Co-Sponsor representation.

23/14 – an update would be provided during the meeting.

23/17 – the Annual Report was on the current agenda and provided an update on trust growth.

23/22 Annual Report from the Chair of New College Durham Academies Trust (Paper B)

Karl Fairley, as Chair of the Academies Trust Board (ATB) presented Paper B, an overview of key issues, milestones and performance data for the academies to enable the Committee to assess the reputational risks for the College, as lead sponsor, from continued academy sponsorship.

Members noted the inspection judgements across each of the three academies. All were assessed as 'good', including Wellfield Community School, which had joined the MAT in June 2023. Karl updated on the further growth proposals for four primary schools to join the Trust, and members noted each of the schools had also been assessed as 'good' by Ofsted. Members noted the timeline for the application process and that the outcome of the second stage due diligence process was due imminently. Karl emphasised the importance of ensuring high performance in the existing academies before any further expansion, and explained there may be a pause on further growth to enable a focus on this until results had improved as required.

Members sought assurance on the Wellfield rating given the time period since the last inspection. Karl confirmed that whilst there had been a slight fall in results this year it was not significant. There had been a positive set of Progress 8 results, which indicated good performance. It was also noted that the school had a calm environment and was well-managed.

Members noted progress in relation to inclusion of the primary schools in the Trust and asked whether changes to the governance structure were needed to underpin the expansion of the Trust. Karl confirmed the Trust recognised that governance arrangements would need to evolve, and this was currently underway. The membership of all sub-committees had been reviewed and terms of reference significantly refined, a Trust-wide standards committee would be established for primary schools with the capacity to undertake deep dives as there was for the secondaries, and that some strong new governors had been identified from the incoming schools, which would support future growth.

Members noted that governance of the Trust's resources and corporate functions was working well and emphasised the need for focus on standards and academy performance. The focus of the Local Governing Bodies had been reviewed to give more autonomy to look at day to day issues facing individual academies and ensure Headteachers were held to account at local level. The changes sought to avoid any overlap within the governance arrangements and make the most of governor time and contribution. The importance of ensuring good communication between the different tiers of governance was highlighted and this was also being developed. Karl updated on a very positive strategy day held in April which had considered the Trust vision

and values. Karl advised that governance of the Trust had consistently been recognised as a strength as evidenced in the external governance review report and that whilst there were some areas of risk emerging from the due diligence process these were balanced by significant strengths.

Karl updated members on the challenges in terms of senior leadership capacity which remained in flux. Members noted however that the Chief Executive (CEO) was now established and this was also the case with Head Teachers in two of the schools, with a temporary Head Teacher at Wellfield. Members noted the positive observations on leadership by Ofsted at North Durham and Consett and were advised that the ATB was continuing to review leadership capacity. A proposal was currently being developed to provide additional support at North Durham and Wellfield. Members sought further detail on the challenges in this area and assurance as to how this was categorised only as minimal risk. Karl advised that teacher resignation and recruitment was the key concern and that there was a need to support individuals already in the schools to develop. The CEO was keen to have a presence at the schools and had been happy to step in and act as a Head Teacher when this had been required. This allowed an assessment of the situation in a school, to make suitable appointments and provide mentorship.

Karl advised that leadership was assessed as medium risk on the Trust register but minimal risk from the Sponsor's perspective. Members highlighted the link between leadership and performance and Karl confirmed that this had been differentiated in the annual report to recognise that whilst there had been a fall in performance at Wellfield he had no concerns in that respect, in contrast to North Durham Academy where leadership was stable but performance was medium risk. Members also noted that concerns had been raised in relation to the risk of the Chief Operating Officer role as a single point of assurance/failure from a financial perspective, at a time of significant change. Karl advised that this had been mitigated through the appointment of a qualified accountant as financial manager. In relation to the overall coordination of Corporate Services, a strong team of leaders was in place with capacity to grow and develop in the context of future succession planning.

Karl summarised the academic performance across all three academies, which was detailed in the CEO's report as circulated. Consett results had improved slightly, Wellfield and North Durham (NDA) had declined and performance at all three academies needed to improve. Karl explained the context of the results in each academy. Members commented that whilst the performance position represented a reputational risk to the Sponsor, the Committee did not have the levers or influence to address the issues, emphasising that the lack of progress at NDA was the key concern. Karl advised that a range of factors impacted on the school's performance. Measures were being taken to address

those areas within the school's control such as the high level of exclusions and how these were managed, but also levels of attendance which had been improving before covid but then significantly impacted afterwards. Members noted that incremental progress was being made but that it would take time to see an impact of the changes being made and attendance would remain key. It was recognised that the NDA position was the greatest challenge and that this was the only element of risk to the College's reputation assessed as medium in the annual report.

Karl advised that the financial health of the Trust was strong and that any risk was being effectively and professionally managed. Members noted that an anonymous whistleblowing complaint in relation to Consett Academy had been raised with the Department of Education. A detailed response had been provided with clear evidence to rebut the allegations and no further response had been received from the DfE.

Members discussed the strengthening profile of the Trust within the County with a reputation for supporting its communities. It was suggested that this would also reflect positively on the College as the Principal Sponsor and had the potential to develop future links with the primary schools.

Members concluded their review of the reputational risks for the sponsor, noting the key issues, milestones and performance data detailed within the Annual Report.

23/24 Process to appoint Sponsor Trustees and Members of NCDAT (Paper C)

Peter Robson presented Paper C, which outlined the proposed process to appoint Sponsor Trustees and Members.

Peter explained that the external review of governance arrangements at the Trust during the 2022/23 academic year had highlighted the unique link between the College and the Academy Trust Board (ATB) and a need to review the process to appoint Sponsor Trustees and Members. It was proposed that the Trust Search Committee would seek appropriately skilled applicants to meet identified gaps and invite them to a discussion with the Chair of the Trust's Search Committee and the Chair of the Academy Sponsorship Committee (ASC). It was also proposed to invite the Chair of the relevant Trust Committee to the discussion to consider the applicant's skills and assess their fit with the team they would be joining. In response to a member's question, Peter confirmed that the next stage would be a discussion between the Chairs, then any recommendation for appointment would be submitted along with the application, for consideration by the Academy Sponsorship Committee.

Members considered whether an interview or discussion would be the most appropriate approach and it was acknowledged that a

structured/semi-formal discussion would enable the applicant's suitability for the role to be tested while giving them the opportunity to ask questions and find out more about the role. Members welcomed the involvement of the ASC Chair to provide assurance on behalf of the Sponsor and suggested that the Chair could also nominate another member of the ASC to attend on their behalf if necessary to avoid any delays in making appointments. Members emphasised the importance of retaining an ability to make appointments via email between meetings of the Committee. Members asked that the process was clear that the Sponsor made the appointments with notification to the ATB to progress, and that they would be subject to two satisfactory references and DBS check.

PR

Members approved the proposed process, subject to the amendments to include the ASC Chair or their nominee and the relevant Trust Committee Chair.

PR

23/25 Review of Academy Sponsorship Committee (Paper D)

Caroline Winter presented Paper D, which asked the Committee to review its role and the ongoing need for a separate committee to monitor Academy Sponsorship matters.

Caroline advised that the paper had been prepared at the request of the Corporation's Search and Governance Committee, in response to their wider concerns over resilience across all of the Corporation's committees, and the individual governor time commitment required to ensure membership coverage across all committees. It was therefore important to emphasise that the driver for initiating the discussion was the overall capacity of Corporation and its members rather than any issues or concerns with the work of the ASC itself. Members considered the Committee Terms of Reference, the impact of the NCDAT external governance review on the workload of the Committee and the importance of having the capacity to fully consider the progress of the Trust from the Principal Sponsor's perspective.

Karl Fairley was asked to provide a view as the management lead for the Committee and emphasised the value of the insightful discussion earlier in the meeting on the annual report and also highlighted the expertise within the Committee. Members commented that whilst the volume of business had reduced, the functions of the Committee would remain and questioned whether Corporation would have the capacity to facilitate the same level of discussion within its busy schedule and lengthy meeting agendas. Members emphasised the importance of the Committee's monitoring role in terms of the risk to the College's reputation and expressed concern at the potential to lose this focus due to time constraints. Members also pointed out that over time Corporation had consciously delegated matters to sub-committees to ensure detailed discussion could take place on key issues and it was difficult to see how this could be accommodated at this time of year

when Corporation agendas were particularly busy with annual performance and financial matters.

Members reviewed the suggestions around alternative arrangements and commented that the appointments process could potentially be accommodated by the Corporation's Search and Governance Committee. The Search Committee met more frequently and had the flexibility to consider Sponsor appointments. Members considered their previous discussion on the appointments process and agreed that if this responsibility moved to the Search and Governance Committee, the only change to the appointments process as agreed would be that the report of the Trust Head of Governance recommending Sponsor appointments would be submitted to that Committee rather than the ASC. In response to a member's question, Peter confirmed there was a formal process to remove a trustee if necessary, which was detailed in the NCDAT Articles of Association.

Members confirmed their view that the Academy Sponsorship Committee should be retained with a focus on the reputational risk to the College of its role as Principal Sponsor of NCDAT. The Corporation Secretary confirmed that the outcome of the discussion would be reported to the next meeting of the Corporation's Search and Governance Committee.

**Corp
Sec**

23/26 New College Durham Academies Trust - receipt of minutes of the Directors meetings (Paper

The minutes of the Directors meetings held on 4 May 2023 and 29 June 2023 were received and noted by the Committee.

23/27 Any other business

None.

23/28 Date of next meeting – to be decided.

Signed.....Date.....