

The Corporation of New College Durham

**Minutes of the Academy Sponsorship Committee meeting
held via Microsoft Teams on 29 November 2024**

Present:

Chris Patterson (Chair)
Andy Broadbent

Ben Fisher
Davey Benson

Apologies:

None

In attendance:

Karl Fairley, Deputy Chief Executive
Caroline Winter, Head of Governance and Corporation Secretary

Action

24/01 Chair's introduction and starred items

The Chair welcomed everyone and noted this this was the first meeting of the Committee for Ben Fisher and Davey Benson. The Chair 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:

Andy Broadbent – Representative of New College Durham as Sponsor Member, NCDAT
Karl Fairley – Chair, NCDAT and Trustee, NCDAT

24/02 Apologies for absence – none were received.

24/03 Minutes of previous meeting (Paper A)

The minutes of the meeting held on 30 November 2023 were agreed as an accurate record.

24/04 Matters arising

23/24 – the process to appoint sponsor trustees and members of the Trust was amended to reflect the Committee's comments.

23/25 – the outcome of the Committee's discussion on retaining the Academy Sponsorship Committee was reported to the Search and Governance Committee on 18 January 2024. Members were advised that there had been no changes to either the Academy Sponsorship Committee or Search and Governance Committee terms of reference to transfer responsibility for NCDAT appointments.

24/05 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 principal sponsor, from continued academy sponsorship.

Karl briefed members on School Improvement and Achievements for 2023/24, confirming that each secondary school had improved its position on the previous year. Members received clarification on interpreting the progress score measure and Karl advised that whilst the North Durham Academy (NDA) score remained below national average, the current overall Trust progress score was within the boundaries of average performance and was an improvement on the previous year.

Members reviewed the attendance figures and in response to a query on the reason this had fallen in each secondary school, Karl advised that attendance was a county-wide school and college issue. An increasing number of families did not prioritise attendance at school and after withdrawing a child from school some were seeking home educator status. Members acknowledged that this reflected a national trend toward home elected education.

Members reviewed the number of suspensions across each school and noted the links to attendance and permanent exclusions. Karl explained the measures to address the issue in each school including consideration of whether additional resources were required in individual schools, a review of the behaviour policy and building in additional phases into the process to take pupils out of the classroom and into other learning environments to keep them in school. Members noted the significant reduction in suspensions at NDA compared with the previous year and queried the reasons for the increase at Consett Academy. Karl advised that the issue was pupil behaviour with a particularly challenging cohort in one year group generating repeat suspensions. Members observed that looking at the number of suspensions in isolation was alarming, however a deeper understanding of the actual number of pupils involved gave a different perspective. Members discussed the behaviour issues also currently being experienced within NCD and commented that these differed each year. In response to a question about application of the behaviour policy across the MAT, Karl explained that this had not been consistent in previous years and had resulted in an increase in the number of suspensions at NDA for minor behaviour issues. The CEO then met with all seven headteachers to discuss the policy and ensure consistency across the MAT. Members emphasised the importance of dealing with behaviour quickly and effectively due to impact on a school's reputation and on behaviour for the rest of the year. Confirmation that this was being dealt with consistently across the MAT was key in the committee having assurance that behaviour issues were being addressed appropriately. Karl advised that the MAT's Standards Committee reviewed the latest position the previous week and this had demonstrated that suspensions were declining.

In relation to the four primary schools, attendance was close to the national rate and whilst suspensions and permanent exclusions were rare at primary level this was now being seen in some other Trusts. Karl advised that schools were experiencing the same issues as the College in respect of funding for pupils requiring high needs support and it was noted that this was an issue for Pelton in particular, which was reflected in the increased number of suspensions within a challenging cohort.

Members reviewed the MAT's financial position, which continued to be strong. Karl explained that whilst the reserves position was quite high, it was anticipated that some of these funds would be required to support future trust growth. Karl updated on the latest progress in respect of further growth of the Trust with two primary schools having signed Trust Partnership Agreements as a precursor to joining the MAT and members also noted developments to establish nursery provision linked to some of the schools. Karl advised that the Trust was also investigating the potential to establish alternative provision within the Trust. In respect of the risk associated with further Trust growth, Karl advised this was being managed through its clear growth plan. In response to a member's question on the pull to join the Trust, Karl explained that subject to concerns over performance, schools were able to retain significant autonomy when joining the MAT and also pointed to the strong corporate services in place.

Governance of the Trust remained strong particularly in respect of secondary school expertise among governors and primary expertise had also been recently strengthened. An exceptional Head of Governance had been recruited during the last year, however an area of concern was the need to recruit Trust Members following an indication from some existing members of their intention to step down in the new year.

Members noted that previous concerns over senior leadership turnover had now been addressed and the Trust was in a more settled position. Changes to the senior leadership structure would be considered by the ATB in December to address capacity and reporting challenges arising from the growth of the Trust and to support succession planning for the CEO role. Members emphasised the need to review the position around primary leadership and Karl explained the Trust would in time explore a potential cluster approach for the primary schools in a local area with one strategic lead.

Karl provided an update on the whistleblowing complaint reported to the Committee at the previous meeting and advised that the DfE had concluded there were no grounds to substantiate the allegations. One recommendation was made in relation to the approval of settlement agreements and Trust processes had been strengthened in response.

Karl briefed members on the positive annual strategic conversation with DfE representatives and members reviewed the DfE follow up letter summarising the meeting.

Members discussed the overall performance of the Trust and the secondary results in particular, commenting that whilst progress had been made, the provisional achievement was well below the forecast. Members recognised that an improvement strategy and development plan were in place but emphasised the importance of capacity to deliver and the need to see progress in line with expectations, noting this was a key area of risk for consideration by the sponsor.

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

24/06 Academy Sponsorship – Principal Sponsor role (Paper C)

Caroline Winter presented Paper C, which summarised the role and responsibilities of the College as Principal Sponsor of New College Durham Academies Trust. Members noted that the role of a principal sponsor was not clearly defined in legislation and had been clarified through legal advice which was appended to the report.

Members noted that the overarching role of the College as principal sponsor was to support the MAT by sharing its knowledge, experience and expertise to improve the overall performance of the academies within the Trust. Members were briefed on the key roles, responsibilities and liabilities of the principal sponsor, the MAT Members and the MAT itself, acting through the Academy Trust Board.

Caroline advised that the legal briefing confirmed that the key area of risk arising from the College's sponsorship of the Trust was the reputational position, particularly in light of the direct link of the name of each organisation. Members noted that this reinforced the Committee's primary focus in oversight and monitoring of the College's involvement with the Trust.

Members noted the key considerations involved in removing a principal sponsor from a MAT should there be any future proposal to do so, and Karl Fairley updated members that the MAT CEO had recently expressed a desire to explore reviewing the sponsorship arrangement now that the MAT had developed into a successful organisation. Karl explained that the sponsorship was an old model for academy trust arrangements, but that NCDAT had made significant progress supported by the College into a financially strong organisation with improved achievement. It was important that the College continued its support until the MAT was able to demonstrate consistency in its results and also achieve improvement in its primary schools. Karl advised that the position

would be clearer following the academic results in July 2024 and proposed that the Committee review the sponsorship arrangements after that point.

Members recognised there may be a case to review the arrangement in future and a wide-ranging discussion followed which considered: the purpose of the sponsorship model, the progress made by the MAT, the reputational risks as sponsor and in being associated by name with NCDAT around results, safeguarding, the rationale for the College's ongoing involvement including the commitment to the local communities, the benefits to the College from closer links to feeder schools and the positive benefits to its reputation from the improvement seen in individual schools to the MAT developing overall as a strong independent organisation. Members welcomed the clarity from the legal briefing on the role and responsibilities of each element of the MAT governance and emphasised the need to establish sustainability and stability of the MAT before making any changes to the current sponsorship arrangements. Whilst it was still too early to establish a trend in positive results, there would come a point where the reputational risk was outweighed by the College's input to the MAT and as the Committee's primary responsibility was to the College, consideration would be needed on whether the College had completed its job as sponsor. Members considered the implications for the MAT Chair in continuing the role without the College as Sponsor and members were assured that the College's Executive Leadership Team would continue to work hard on establishing and maintaining relationships with the MAT and its headteachers. The annual report had provided a clear picture of the MAT's trajectory and members therefore felt that reviewing the position in 12 months was an appropriate time scale.

In response to a member's question Karl confirmed that if the College ceased sponsorship there would be no requirement for the MAT to find another sponsor, and the MAT would stand alone moving forwards.

After careful consideration of the key issues detailed in the report and legal briefing, members agreed to:

- explore a review of sponsorship arrangements from July 2024 and
- advise the College Corporation of the contents of the paper and the proposal to review the sponsorship role post July 2024.

Members requested that a synopsis of the Committee's discussion was included in the report to Corporation.

CW

24/07 Review of Sponsor Nominations (Paper D)

Members reviewed Paper D, which proposed the appointment of Christine Warren as a member of New College Durham Academies Trust.

Members considered Christine's application and individual skills audit and noted the appointed was supported by the Chair of the Academies Trust Board and the NCDAT Head of Governance.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] In response to a member's question it was confirmed that Christine's continued role as a Director of Westfirst Limited would not present a conflict in respect of her appointment as a member of NCDAT.

It was noted that Christine's nominated referees were linked to the College and/or NCDAT and members agreed that in the circumstances it would not be necessary to request references from either individual.

After careful consideration members agreed to appoint Christine Warren to serve as Sponsor Member of NCDAT.

24/08 New College Durham Academies Trust - receipt of minutes of the Directors meetings (Paper E)

The minutes of the Directors meetings held on 13, December 2023, 27 March 2024, 1 May 2024 and 10 July 2024 were received and noted by the Committee.

24/09 Any other business

The Chair drew members' attention to the frequency of meetings of the Committee and the subsequent challenge in confirming the accuracy of minutes after such a lengthy period. It was agreed that committee members would be asked to confirm the factual accuracy of the minutes when circulating the Chair approved minutes to members after the meeting.

CW

24/10 Date of next meeting – to be decided