

**The Heath Family (NW) Multi Academy Trust**  
**PART I - Minutes from the Extra-ordinary MAT Board meeting held on**  
**Thursday, 21<sup>st</sup> May 2020 at 8.00 am**

**\*\*\* This meeting was held remotely using Microsoft Teams \*\*\***

Present: Helen Stevenson (Chair), Edward Vitalis, Morag Davies, Alison Duckworth, Karl Smith, Dave Lancaster, Kate Whittlesey, David Donnelly, Craig Parkinson, Judith McConville		Apologies: Anantha Subramanayam		Non attenders:	
				Clerk: Trish Roberts	
Items	Discussion	Action	Who	When	Notes
<b>1. Welcome, introductions &amp; apologies</b>	Ms Stevenson welcomed everyone to the meeting. Apologies were accepted from Mr Anantha Subramanayam.				
<b>2. Covid-19 Planning the Heath Family's Response for Reopening Schools</b>	Mr Donnelly explained that a Powerpoint presentation had been produced in relation to planning THF's response to the reopening of schools. Mr Donnelly went on to explain each slide in detail.  <b>Q: Can a copy of the Powerpoint presentation be shared with Trustees?</b> <b>A: Yes, that's not a problem. We will ensure all Trustees receive a copy.</b>  Mr Donnelly then went on to explain that both the Trust Exec Team and the Principals were keen to reopen schools as soon as possible; concerns are high in terms of keeping in touch with all students. It was noted that although regular contact is taking place for the most vulnerable, the fact is that the Trust currently has 3500 students currently not in school, and therefore their welfare/whereabouts are unknown.  Mr Donnelly stated that he was aware that there is a need to balance a number of conflicting issues, and to date the Trust has consistently followed the Government's advice and advice from Public Health England. He then went on to explain that discussions have taken place with the Principals in relation to producing this plan, and that they had agreed that this was the right time whereby the Trust/Schools move out of kilter from the guidance provided by Government (further information to be provided	All Trustees to receive a copy of the Covid-19 Planning our response for reopening schools Powerpoint presentation.	C Parkinson / P Roberts	ASAP	

	<p>within the presentation). It was also noted that intensive discussions have taken place with Compliance Education, the Trust’s Health &amp; Safety advisor. Compliance representatives are visiting school sites to conduct capacity assessments on learning environments within in each school within the Trust. Discussions have also taken place with Local Authorities; Mr Donnelly explained that although the Trust does not have to follow LA policy, it is important that links are maintained.</p> <p><b>Government Advice</b> Mr Donnelly then went on to talk about the Government’s most recent guidance, in that:</p> <ul style="list-style-type: none"> <li>• Nursery, Reception, Year 1 and Year 6 children to return from 1<sup>st</sup> June 2020 at the earliest</li> <li>• Year 10 to receive face to face opportunities before summer</li> </ul> <p>Mr Donnelly stated that LA’s and Unions are currently reporting that it will be problematic for primary schools to reopen on 1<sup>st</sup> June; although it should be noted that it is ‘from 1<sup>st</sup> June at the earliest’, not on that date itself.</p> <p><b>Legal Advice</b> Mr Donnelly explained that the legal perspective is that although there is the desire to get children back to school, the overriding duty is to provide a safe environment for staff and students. This duty outranks both the government advice and the educational impact of decisions taken. Mr Donnelly confirmed that the Exec Team have received this guidance from Hill Dickinson, the Trust’s Legal advisors; regular contact is taking place between the two parties and will continue to do so throughout this process.</p> <p><b>Q: Can Trustees receive a copy of the legal advice provided by Hill Dickinson?</b> <b>A: Yes, we will ensure Trustees receive this.</b></p> <p>The union recognition agreement mandates that the Trust consults with unions/ professional associations on health &amp; safety matters before implementation; and to this effect a meeting has been arranged (22.05.20). Mr Donnelly stated that it is important to note that this is a consultation process; and there is always a possibility that complete agreement is not reached between all parties.</p>	<p>All Trustees to receive a copy of the legal advice provided by Hill Dickinson.</p>	<p>D Donnelly/ C Parkinson</p>	<p>ASAP</p>	
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It was also noted that the government has still not provided the directive that the 1<sup>st</sup> June start date has been given the 'green light'. Mr Donnelly reported that the Government are giving a further update on 28<sup>th</sup> May and it is expected that clarification will be provided at this point.

**Health & Safety**

Mr Donnelly explained that the capacity assessments conducted by Compliance Education have shown that classes of 15 will make it impossible to follow current social distancing rules in most cases. Calculations have shown that in order to follow social distancing within our school's classrooms, capacity should be set at 7-8 pupils and 1 adult; Mr Donnelly added, given this Health & Safety advice is specific to our schools, it is proposed that this is the advice we should follow.

**Proposal 1:** *the Trust Exec Team recommend that the Trust follows the Trust's Health & Safety advisor's (Compliance Education) advice in relation to pod sizes. The rationale behind the proposal is in accordance with the overriding duty of ensuring the health & safety of all staff and children.*

**Recommendation:** *General classroom capacity to be set at 7-8 pupils and 1 adult per class pod*

Mr Donnelly then went on to explain that all of our schools have operated throughout the lockdown period, and therefore they are all moving towards having more students/ staff on site, rather than reopening from total closure. Parents with children within Reception as well as Years 1, 6 and 10 have been surveyed to ascertain whether they will be sending their children into school once the exemption is lifted; this is so that plans can be made in respect of approx. numbers.

Mr Donnelly explained a number of issues in relation to Nursery children returning to school; ie how nursery aged children could be expected to respect and abide by social distancing rules, and also how their curriculum could be delivered under such rules. It was also noted that nursery-aged children do not fall into a statutory age group. Mr Donnelly has spoken to a similar, local Trust to THF about these issues and their Exec Leaders have reached the same conclusions. It is therefore proposed that nursery-aged children do not return at the same time at Reception, Year 1, 6 and 10.

**Proposal 2:** *the Trust Exec Team recommend that the Trust does not look to reopen to nursery-aged children in the first stages of reopening. The rationale behind the proposal is in accordance with the overriding duty of ensuring the health & safety of all staff and children, ie it is virtually impossible to expect this cohort to respect and abide by social distancing rules, plus the inability of staff to deliver the curriculum under such rules.*

**Recommendation:** *Nursery-aged children do not return within the first phase of schools reopening (i.e. 1<sup>st</sup> June 2020 at the earliest)*

Mr Donnelly went on to explain that schools are carrying out in-depth planning currently, focussing on “if we were to open, can we do it in a safe and detailed manner”. Mr Donnelly also provided assurances that once draft plans are produced, both he and Mr Parkinson will review them.

Mr Parkinson also provided details of the staff survey that had been sent out this week; explaining that it had been set up as a series of objective questions requiring yes/no responses, each question dependent on the previous outcome, similar in practice to a flow diagram. At the end of the survey the staff member is notified of which category they fall into, ie:

- Possible Covid-19 - Awaiting results
- Covid-19 positive
- Shielding
- Vulnerable
- In a household with a shielding family member
- Available for work
- Available for work (in a household with a vulnerable family member)

Mr Parkinson explained that this survey enables the Trust/Schools to understand the potential availability to work; and is a quick/easy method to receive this information. It was noted that initially there were concerns raised by some local union representatives, in respect of staff completing the survey, as it was seen as part of the school reopening planning process, something which unions had advised their members not to take part in. Discussions took place between the respective parties, and once the rationale behind

the survey was clarified, union reps appeared happy for their members to participate. Mr Parkinson confirmed that the uptake has been really positive; in that nearly all staff have now responded. He then provided details of staffing capacity results:

Available for work is most prevalent at 63%, but once the data includes vulnerable household category it increases to 71%

Shielding (incl household shielding) 10.5%.

Covid awaiting results (1 member of staff) = 0.3%

Vulnerable category (clinically vulnerable) 18.2%

**Q: How many staff are available for work?**

**A: The only staff unavailable for work are those in the first 3 categories, which is 3.3% of our total staffing. The percentage available for work is therefore 96.7%, although sensitivity is advised with regards the vulnerable and household shielding categories. The vulnerable group of staff were initially told by the Government that they were within the clinically vulnerable group and therefore needed to stringently socially distance themselves, now the advice is if they cannot work from home, they should look at returning to work with support from their employer. It is expected that this may cause anxiety.**

Discussion followed regarding what would happen in relation to a member of staff in this position. Mr Donnelly explained that there are a number of staff who are anxious (and scared) about returning to work; and that HR advice would be to consult their own GP about the issue and if deemed appropriate obtain a sick note to cover their absence.

Mr Vitalis raised concern about this course of action, stating that unlike NHS staff, school staff did not sign up to work in 'potentially unsafe' working environments such as this; and therefore to take up this stance it would seem taking a 'hard-line'.

Mr Parkinson confirmed that this would not be the first course of action; ie if a staff member raised concern ref anxiety on returning to work, initially a 1:1 meeting would be arranged so that a conversation could take place to discuss the cause of the anxiety and

to explore potential options, including remote working etc. Mr Parkinson then went on to provide evidence of what is currently happening at LHS, and how they are working with staff to alleviate/navigate around such concerns.

Mr Vitalis explained that he did not want staff to be in a position whereby they have been coerced to return to work. He then went on to provide a potential scenario.

Ms Stevenson then asked Mr Vitalis the following question:

***Q: Are you saying that you disagree with staff being told to go to the doctor to request a sick note; and if so when would you propose we move to this position?***

***A: I will not countenance staff going into unsafe environments.***

Discussion followed regarding the need for staff to return to work, and how schools cannot be run on a 'voluntary' basis.

***Q: Have the unions seen this presentation?***

***A: They will receive it at the meeting tomorrow afternoon.***

Ms Stevenson stated that this presentation showed the journey that the Trust is currently undertaking; and then asked each of the Trustees to state whether they were comfortable with the reopening of our schools:

KW: If it is done properly and well, ie rigorous routine, everything assessed etc, then I would be happy for them to reopen.

KS: I don't think 1<sup>st</sup> June is workable, when taking into account the timeline of receipt of Government / Union advice. At my place of work, we are working towards 15<sup>th</sup> June; not seeing anyone back at that point, but looking at redeployment of staff/classes

MD: I agree with KW and KS. The reopening should be gradual and not forced.

AD: We need to take the right steps in terms of Health & Safety for our staff and pupils. Schools should only open once everything is ready and in place. Time should be taken to ensure this is so.

DL: The plan should be drawn up first, and then a date set. In terms of staffing, childcare is also a massive issue. We should look to survey staff and parents again, once the plan is known. They need to know what the plan looks like so that they can make an informed decision regarding returning to work/school.

**Q: What has the response from the parents' survey been so far?**

**A: It varies from school to school; we have had approximately a 50% response so far. The vast majority of parents have stated that they do not know whether they will send their children back to school, a number have stated they probably will not, and a smaller number have indicated that they will not. The plan that is being drawn up is looking at providing for key workers children and the additional year groups, only HPS know fully how many of their children are returning, and by and large we can provide what parents want.**

EV: I want schools to reopen, but everything needs to be in place to ensure a safe environment for all.

*At this point Mr Vitalis explained to Trustees that he would need to leave the meeting early as he was due to attend a work-related meeting.*

Mr Donnelly then went on to provide details of when each local authority is planning to reopen their primary schools:

Sefton – no earlier than 15.06.20

Halton – no earlier than 08.06.20

Knowsley – no clear position has been communicated as of yet, but history suggests they will closely align to the Liverpool City Council position

Mr Donnelly explained that THF plan is proposing no earlier than 08.06.20; stating that plans could be ready by 01.06.20, but consultations with staff and unions could not be arranged by the 1<sup>st</sup>. Tomorrow's meeting with the unions is to agree individual frameworks; each school has its own set of risks and therefore each school will need its own framework for reopening.

Mr Donnelly then provided a summary of the proposal for reopening:

- Set group sizes at 7-8 in general in order to maintain social distancing.
- Do not bring nursery-aged children back, as it is not manageable in terms of social distancing
- Fill the PODS in Yr 1 and 6 from the bottom upwards, in order that the Trust meets the needs of highly vulnerable in the first instance
- Yr 10 – set up the same size PODS, and bring students in on a rota basis, so that social distancing can be maintained (possibly 1 session per week)

Mr Donnelly provided further details regarding how the Primary School PODS will work, ie each POD will have a POD Leader and they will spend the full day with their specific POD in order to minimise contact. Secondary School PODs will also be with the same people whilst in school, and lessons could be projected across the groups. The risk analysis/work plan will be key; and therefore it is imperative we get this right.

- Reopening Proposals to be discussed with JCNC at tomorrow’s meeting.

Mr Donnelly spoke about the JCNC meeting and noted concerns that could be raised by union colleagues; ie lack of social distancing. Mr Donnelly explained that unions were recommending that class sizes should be no more than 10, and therefore if this proposal was agreed by Board their concerns regarding this would be addressed.

Further discussion followed regarding the consultation process and how it will progress.

**Q: How helpful have Local Authorities been throughout this process?**  
**A: Knowsley have always been open and transparent; our relationship with Halton has improved greatly (ie COO is invited to weekly update meetings); there has been some communication from Sefton, but not a great deal (though invites now forthcoming for our Sefton Heads to be included in LA sessions).**

Ms Stevenson then asked:

**Q: Do we work with furthest date (ie 15<sup>th</sup> June), so that we are clearly working in partnership with all local authorities linked to the Trust?**



**A: DD – yes, it is a good point that you raise. We are suggesting no earlier than 8<sup>th</sup>, so we could move to 15<sup>th</sup>. I would however like all of our primary schools to return on the same date.**

Discussion followed and it was noted by Trustees that a number of the larger MATs are working towards the 15<sup>th</sup> and therefore it may be beneficial to come in line with them.

Mr Smith and Mr Vitalis agreed with this proposal.

*At this point Mr Vitalis gave his apologies and left the Microsoft Teams meeting at 8.45 am.*

*In accordance with THF Trust Articles, as 6 Trustees remained online, the meeting was still deemed quorate, and therefore could continue.*

Mr Donnelly stated that he would come back to the Board with the proposal; adding that he didn't want to delay the return, without a clear rationale behind it.

Further discussion followed regarding a possible phased reintroduction, ie Primaries to bring in Year 6 first, and then Year 1 would follow.

**Q: Will a staff feedback mechanism be introduced? This will enable the leadership to review how the plan works in practice.**

**A: Yes, there will be a mechanism for staff to able to feedback at the end of each day.**

Mr Donnelly stated that he will come back to the Trust Board following his meeting with JCNC, and suggested that following this, notification will go out to parents.

Mr Donnelly also asked Trustees to confirm specifically if they were in agreement with the proposal not to bring back nursery-aged children in the first phase of reopening. All Trustees agreed with this proposal.

Discussion then moved on to staffing; Mr Donnelly advised that those staff not required to be in school, will be released to work from home and that each school will be as equitable as they can.

Ms Stevenson spoke about the responsibilities of the Trust in relation to the health, safety & care of its students and staff; but also stated that there is a need to remember that this situation will come to an end at some point and that we need staff to feel/recollect that the Trust handled the situation in as positive a way as possible.

Mr Donnelly explained that he has spoken to a number of staff throughout this situation; staff members have spoken positively about how they have been given the opportunities to build stronger relationships with some of their most vulnerable families. Mr Donnelly also stated that staff have worked well throughout this period and some have gone over and beyond what is expected. Mr Donnelly agreed that we need to keep everyone on board, but also stated that we need to know what is happening with the welfare of our children.

Ms Stevenson agreed with Mr Donnelly's statement but noted that there are other agencies that should also be focussing on the welfare of children; and stated that school staff are not social workers.

Mr Donnelly stated that he would not expect staff to undertake a social worker role; although school staff are frontline workers in relation to child welfare, and children are better to be in school than not.

Discussion followed taking into account that these issues are not just apparent within THF, they are indeed national issues. Mr Donnelly also reported that school colleagues have indicated that they are concerned about their students, both in terms of their welfare and education. Mr Donnelly drew Trustees attention to the fact that there is talk about some children not returning to school until September, if this is the case, they will have been away from school for 6 months.

Mr Donnelly stated that the health and safety of staff and students is paramount, and that these are difficult discussions; there is no hard or fast rule and governors and school leaders are having to go with their 'gut feeling'.

**Q: Are the school plans for Year 10 going to add value?**  
**A: There is no way we will be able to put back the lost progress, performance will look to be addressed, but their lost education will impact their educational outcomes from**

***this point forward. The school reopening plan will address the matter of reengaging the students in education, including online learning. Not all students are engaged with the remote learning that is currently in place, and we need to reengage them as soon as possible; it is hoped that when they return in Year 11 they will be a little more ready.***

***Q: Have any of the Local Governing Bodies met since lockdown?***

***A: Some of them have held 'keep in touch' meetings so that communication links are maintained, however these meetings have not included any decision making agenda items. LGB delegation was suspended by the Trust Board due to the Covid-19 situation.***

Ms Stevenson stated that she was in total agreement with the reengagement of Year 10, but enquired whether we would just be focussing on students; ie should we be looking at reengaging with parents as well.

Mr Parkinson informed Trustees that the Trust had received digital hub grant funding; and that this funding was being used to enable a facility to deliver interactive online lessons for students. LHS staff have been a driving force with this and the first lesson via Teams will be taking place shortly.

Mr Donnelly then summarised the framework for reopening:

- Consultation sessions to take place with unions
- CEO to report back to Board
- CEO to speak to Principals
- Risk Assessments/Policies reviewed/in place

***Q: Have all policies been reviewed and updated in view of Covid-19 restrictions?***

***A: We have an overarching Safeguarding policy, and each LA has provided a LA-specific addendum which covers arrangements during Covid-19. The HR team are continuing to review documents and keep an eye on policy/protocols to ensure compliance (supported by Legal Advisors, Hill Dickinson). The Director of Teaching and Learning is continuing to review/assess the impact on teaching and learning, including what can be done to address the likely fall in performance. The financial impact is also under constant review by the Trust Financial Controller, and regular contact is continuing with the ESFA.***

**Q: How is Leadership capacity coping across the Trust?**

**A: All staff have been on rotas over the past weeks. It has been pretty 'full on' and we need to be aware that it is having a wearing factor. We need to ensure they are having down time / breaks, as leaders have found it quite stressful.**

Mr Donnelly confirmed that during half term (w/c 25.05.20) schools will only be open for those who need it. The Trust has not closed any of its schools, but currently there is only the need for 3 schools to be open. All parents who are designated key workers were asked if they required the provision next week, and a large number confirmed that they didn't.

Mr Donnelly reaffirmed that staff cannot be expected to work through to September without a break.

**Q: Where are schools currently at in terms of grades? Are they happy with ranking of students?**

**A: The ranking is just about complete in terms of predictions, but we think that within the ranking system there will be winners and losers, eg this year THF schools were predicting increases, but the ranking system will look at prediction and take into account last year's grades. It is expected that we will be ranked in a similar position to that of last year, and therefore our students will not be awarded the grades they would have got.**

Ms Stevenson stated that there are a number of other Trusts in a similar position, and that they have written directly to Gavin Williamson, Secretary of State for Education. Ms Stevenson offered to put Mr Donnelly in touch with Tom Quinn in relation to this.

Mr Donnelly stated that he would look into this.

Mr Donnelly went on to confirm that the Trust's performance profile will look almost identical to last year and that he feels bad in terms of the children's results in August.

Ms Stevenson thanked Mr Donnelly, his team and the school teams for all they have done over the past weeks; and asked that her heartfelt thanks are passed on to all staff

	<p>within the Trust. Ms Stevenson stated that with the decisions that have been taken she has clearly seen that school communities are at the heart of everything the Trust is doing.</p> <p>All Trustees agreed with this statement and gave their thanks to all staff as well.</p>				
<b>3. Date of Next Meeting</b>	<p>Ms Stevenson asked all present whether next week's MAT Board meeting should be moved to Friday 29<sup>th</sup> May; the reason being that the Government's update is due on the afternoon of 28<sup>th</sup> and it would be more beneficial for the Trust Board to meet after this had taken place. All agreed with this proposal.</p> <p>Date of Next Meeting: Friday 29<sup>th</sup> May 2020, 8.00 am</p>	Calendars to be updated to reflect new MAT Board meeting date.	P Roberts	Immediately	

Meeting closed at 9.10 am

These minutes are approved as a true record of the meeting

Signed: .....

**[Helen Stevenson]**

Date: 29<sup>th</sup> May 2020