

## SIR JOHN CASS'S FOUNDATION PRIMARY SCHOOL

Minutes of the Extra-ordinary Governing Body on 5 October 2016 at 4:00pm

### Membership

Mr D Alexander*	Parent
Mr J Fletcher *	Local Authority
Mr C Henry *	Foundation LDBS
Ms A Godas *	Parent
Mr D Hogben*	Foundation - Sir John Cass's Foundation
Deputy H Jones	Local Authority
The Revd L Jørgensen*	Foundation - ex-officio
Mr E Keene*	Foundation - Deanery Synod
Ms H Khan	Staff
Mr A Mullee	Foundation - Sir John Cass's Foundation
Mr M Piper*	Foundation Parent – St Botolph's PCC
Mrs J Welsh*	Support Staff
Mr T Wilson*	Head
Mr D Williams*	Foundation
Mr A Wright*	Foundation Parent - LDBS
Vacancy	Foundation Parent – Sir John Cass's Foundation

\*denotes attendance

### In attendance

Mrs R Basit	Clerk to the Governing Body
Mr M Paddon	School Business Manager
Mr Alex Allan	Deputy Headteacher
Ms Pip Hesketh	Interim Education and Early Years Manager, City of London

## **PART A: PUBLIC ITEMS**

### **1. Opening prayer**

The meeting was opened with prayer by the Headteacher.

### **2. Apologies**

Apologies for absence had been received from Deputy H Jones and Mr A Mullee.

### **3. Declarations by Governors of any personal and pecuniary interests in respect of items on the agenda**

The Chair said that she was a Trustee of the Sir John Cass Foundation and the Rector of St Botolph. The Chair said that she did not have any personal and pecuniary interests in respect of the agenda items.

Mr Hogben said that he was also a Trustee of the Sir John Cass Foundation however he did not have any conflict of loyalty and was not representing the trustees. Mr Hogben said that he did not have any personal and pecuniary interests in respect of items on the agenda.

#### **4. Update on Reconstitution of the Governing Body**

The Chair updated the GB on discussion at the meeting on 13 September with the Cass Foundation, the City of London and the LDBS. The reconstitution was discussed and all parties were given the opportunity to express their position. The Cass Foundation's view was that they should appoint all Foundation governors in order to be in control of their asset. The Cass Foundation used the example of the Sir John Cass's Foundation and Red Coat Secondary School where the school had been placed in special measures and they had had no control over it.

It was noted that the primary school was scrutinised by both the City of London as the local authority and by the LDBS, and that the Cass Foundation can currently appoint four governors to the governing body of the school.

The Chair provided a breakdown of the suggested compromise of the Reconstitution: 1 LDBS nomination; 1 nomination from the PCC; 1 nomination from Deanery Synod and 1 ex-officio (Rector of St Botolph) and 5 Sir John Cass nominated Foundation governors. This would mean there will be 4/5 split enabling the Sir John Cass Foundation governors to have a majority.

The Chair put to the Governing Body whether they would agree with the above split.

Mr Fletcher asked what the LA's view was. Pip Hesketh, (LA representative present) said that the LA did not have a view on this and it was a matter for the GB and the Foundation to reach a decision:

The Chair said that the other governors on the proposed Instrument included: The Headteacher in an ex-officio role; 1 Staff governor; 1 LA governor; 2 parent governors; and 1 co-opted governor. The Chair said that the co-opted governor was negotiable; however it was important to consider that Governing Body was required to have the necessary skills to carry-out statutory functions and hold the school to account on its performance. Co-opted governor would be an option to recruit specific skills to the Governing Body.

The Headteacher said that the legal view was that the Church bodies had a right to nominate Foundation Governors and the Charity Commission confirmed that that right could not be removed unless the respective body consented to relinquish their right.

The Chair said that the GB had been discussing this issue for a very long time and this had taken up several GB meetings when the GB should be directly focussed on improving the outcomes for children.

The Headteacher said that he welcomed the split as suggested above and said this would also preserve the religious character of the school.

Governors enquired about the voting rights for the groups of governors. In reply to the question the Chair said that all governors had an equal vote however, only the Foundation Governors had voting rights regarding the Instrument of Government. The GB, in consultation with the nominating bodies, proposes the Instrument which is then voted on by the Foundation governors. It was noted that as a CofE school the LDBS also had to approve the Instrument of Government.

The Chair confirmed that all the nominating Bodies had indicated that they wished to retain their rights to nominate Foundation governors.

Governors asked if a compromise was not reached how this issue can be drawn to a close. Pip Hesketh said that the Authority would encourage a compromise and support a sensible Instrument of Government. The LA also had the power to intervene should there be diminishing outcomes for children. This can include a removal of the Governing Body and establishing an Interim Executive Board (IEB). Pip Hesketh added that it was in the best interest of the school to be actively governed and achieving the best possible outcomes for children.

Mr Keene asked whether the Church bodies were only asked to compromise, and whether the Cass Foundation offered a compromise.

The Chair replied that the Cass Foundation offered the compromise that they will appoint all foundation governors, but would normally appoint the Rector of St Botolph's (assuming that person had the appropriate skill set) and a governor suggested by the LDBS.

The GB also considered a smaller Governing Body; however it would mean reducing either 1 Foundation (nominating bodies) governor or the 1 co-opted governor. Governors commented that it would be better to have an odd number of GB.

Governors enquired whether they got any inclination from the Cass Foundation on whether they were likely to agree to this compromise. The Chair said that it was clear that the current situation cannot continue and the current GB was operating without a confirmed Instrument of Government.

Pip said that the LA was committed to working with all governors to reach a solution.

The Chair said that given the requirements of the GB there was a need to have active governors who participated in the work of the GB to hold the school to account and fulfil their role as a governor.

The Chair reiterated that this issue had now gone on for too long and a resolution needed to be reached.

The Chair put it to a vote on the suggested 9 Foundation governors with a 4/5 split; with 5 Foundation Governors from the Sir John Cass Foundation, retaining the nominating rights of the church bodies, and the ex-officio place for the Rector of St Botolph without Aldgate.

**Resolved:** That the Governing Body unanimously voted in favour of the proposed Instrument of Government; with a 4/5 split in the Foundation governors (with 5 Foundation governors from the Sir John Cass Foundation)

**Action:** The Chair to write to the Cass Foundation with the above decision.

### **5. Bulge Class**

The Headteacher updated the GB on the status of the current bulge class in Reception. There were 59 children in Reception and it was anticipated that the classes will be full shortly. The Headteacher said that the classroom refurbishment was complete and the teaching and learning walls looked good.

The Headteacher said that children were largely from the local area and there was also a draw from Tower Hamlets.

The Chair explained that the GB needs to consider whether the school should take on a second bulge class for Reception 2017.

Pip Hesketh said that it was the LA's responsibility to ensure that there were sufficient school places for the local children. Whilst, families were willing to travel to a good/outstanding school, most children attending the school were drawn from the local area. The LA's view was that families from Hindu and Muslim background also preferred faith school as it supported principles from their faiths.

Pip Hesketh said that data analysis indicated that the school could have filled an additional class every year for the last five years. Pip said that she was confident that the school will be able to fill the additional Reception class going forward. Pupil Place Planning projections indicated a 15% birth rate increase in the City of London and 23% in Tower Hamlets. Pip assured governors that she was confident that the school will be able to fill the places for the next five years based on the projected birth rates.

Governors noted the vacancies in the west part of Tower Hamlets, and commented that the impact on the schools within close proximity would be unfortunate.

Governors noted that a tripartite meeting was due to be held on Monday 10<sup>th</sup> October when this will be raised.

The Chair said that the Governing Body needs to consider the bulge alongside the school expansion.

Pip Hesketh said that in her view the school needs to seriously consider the school expansion before reaching a decision about the bulge class, as the school expansion offered more stability for families.

In reply to a question about the risks involved, Pip said that the main risk was financial viability. The school will need to continue to be sustainable and remain financially viable. Pip added that should the school become unviable the LA will need

to intervene. The Chair added that the school will need to maintain the resources for the expansion.

In relation to the school space, Pip said that the school had adequate space; however the current use of the space was not intelligently allocated.

It was noted that there needs to be a clear allocated plan should the expansion be agreed.

The other risk to the school was that should it lose its Outstanding status than this may affect the admissions number.

In reply to a question about the current bulge class, Pip said that the school was at a disadvantage given the decision to open a bulge class was very late and did not allow for necessary publicity. However, governors noted that the bulge class was nearly full.

The Headteacher said that given the financial climate 1 FE school was not sustainable in the long term. It was commented that a 2FE school was more sustainable in the long term.

It was noted that there was sufficient internal accommodation however the funding for a bulge class will need to be seriously considered as the previous £35,000 was not sufficient to make the required physical alteration. It was suggested that should the school decide to move towards increasing the size of the school, than a more permanent solution should be considered.

Governors asked Pip about the impact of Free Schools / Academies. Pip said that whilst this was not within the LA's control, it did depend on the local demand. It was noted that it was becoming increasingly competitive however; governors will need to consider whether the expansion meets the strategic direction of the school and how to ensure that the school becomes more sustainable.

Governors enquired about the timeframe for the decision. Pip said that basic planning needs to take place and the earlier a decision was reached was better for planning purposes. The Chair said that further discussion on the expansion will take place at the tripartite meeting.

The Chair proposed that a decision on the expansion be reached before considering the bulge class.

Governors commented that they did not have sufficient information on the viability and the demand issue had not been met.

Pip said that the LA was expecting a rise in the number of applications. The LA will need to find school places for every resident who make an application for a school place. In reply to a question the Pan London coordination of application process was explained.

The Headteacher said that this was another issue that had been discussed for a long time and a resolution was requested. The Headteacher added that previously

funding and design for the building refurbishment had been agreed two years ago and this now needed to be revisited.

Parent governors present commented on the use and the stretch on existing space i.e. playground and dining room and asked the Headteacher to look in to the impact of the current bulge class. The Headteacher replied that whilst it was busier, lunch and playtimes were managed through staggered lunch.

Ms Godas commented that she had received feedback that children were rushed during lunch. The Headteacher said that initially there was an issue with managing the lunch times; however this was due to not having a Catering Manager within the school. This had been resolved and there was now a Catering Manager in post. The Headteacher said that he was not aware of any recent issues where children were rushed at lunchtimes.

A full discussion will take place at the next GB meeting.

*(Calvin Henry left the meeting at 5:10pm)*

The Chair said that a decision needs to come after the Cass Foundation decisions at their October board meeting.

It was noted that a decision could not be made at this meeting as the Cass Foundation needs to make a decision on the expansion, which will impact on the decision to open another bulge class, and subsequent building works will also need to be considered.

**Acton:** That the Governing Body to look at strategy on how to best manage the school and make it sustainable for the future.

#### **6. Any other business**

None

#### **7. Meeting dates for 2016/17**

The following dates were agreed:

- Curriculum, pupil affairs and pupil achievement – **19 October 2016**
- Staffing and Finance and General Purposes – **09 November 2016**
- Full Governing Body – **07 December 2016**

*The meeting was closed at 5:15pm*

Signed Laura Jorgensen  
Chair

Date 7/12/16