

Minutes
BOARD OF DIRECTORS
Thursday 27 November 2019 09:30am until 12:00pm
2nd Floor Collaboration Room, Denmark Road, Carshalton

Attendance

Directors - Ian Comfort (Chair), Nick Ireland, Dean Clark

Apologies: Jenny Sims, Krishna Yergol

In attendance – Fiona Phelps, Bob Harrison, Inigo Churchill

Invited – Rebecca McGeachy

Minutes – Julie-Anne Walter (notes taken by Bob Harrison / Inigo Churchill)

1. Apologies for absence

1.1 Apologies were received from Jenny Sims, Krishna Yergol and Julie-Anne Walter.

2. Declarations of Interest

2.1 It was noted that Nick Ireland's association with the London Borough of Sutton would be recorded as a standing declaration for all meetings.

3. Minutes of the meeting held on 27 June 2019

3.1 It was AGREED that the minutes were an accurate reflection of the meeting held on 27 June 2019. It was noted that the Chair commented on the minutes being good.

4. It was noted that for the board to be quorate, there only needs to be two in attendance. It was acknowledged that the Board is concerned about the lack of representation of B shareholders and the lack of progress with finding a second representative for the B Shareholders.

5. Action tracker

1. IC has written to Helen Bailey
2. Ladder to 90 days to maximise savings

6. People Report

6.1 There was a discussion on Cognus contract stakeholder pensions

6.2 The Board discussed the items listed below and it was AGREED to align these to 1 April 2020, rather than January. It was noted that this had previously been suggested in September.

- Cost of living
- Appraisal linked increases for LBS staff

6.3 It was noted that roles that have been evaluated to be on higher salary points will also move to an April implementation.

6.4 It was noted that the cost of living increase is statutory for the Local Authority and will be implemented on 1 April 2020. It was AGREED that we will implement cost of living increases at no less than the Local Authority.

7. Finance Report

7.1 Inigo presented new versions of reporting which can now be extracted by the team rather than having to go to Williams Giles for the same information. It was noted that William Giles

are making a number of manual adjustments which do not help in gaining clarity for managers with the accuracy of the accounts.

7.2 It was noted that we must have a better way of ensuring 'accruals' and other provisions are made when we know we have completed work and we know the money is coming into our accounts in the future. Nick Ireland asked why, if we know the money is coming in, is it being recorded/presented as a loss?

7.3 It was AGREED that we need to have something less detailed for the board and much higher level as a clearly presented overview which should include:

- Cashflow Report, month to month
- Make sure that accruals are correctly reported/recorded
- Clear P & L with management accounts, show cash in bank and movements of same month to month
- Clear profiling against budgets and then forecasts for same

7.4 It was noted that the Board do not need the balance sheet or to see so many account codes within the chart of accounts. It was acknowledged that it might be helpful to clarify the 'Rules of Engagement' and Nick Ireland offered to help with this.

8. Corporate Report

8.1 It was noted that the report was well received, and contents noted.

8.2 Discussions were held regarding the licences for Synergy and the Synergy project. It was AGREED that access and permissions need to be appropriately managed for those with licences etc. and it was noted that we need to make sure that the appropriate settings by teams and roles are put into place.

ACTION: Report to come back to the Board regarding access to records by the roles within the business and the permission levels for the team(s) and appropriate safeguards in place etc

9. DPO Report

9.1 Inigo presented that the current contracted hours with our existing DPO provider is coming to an end / the hours are being exhausted. It was noted that the rate being quoted for the renewal has come down but is still high. We agree with the current DPO on the number of issues we have addressed but we do not agree with them on every minute of every hour of time being monitored/reported by issue. E.g. for one request a whole hour which has been charged may take less than the hour, but billing is undertaken every 6 minutes.

9.2 It was acknowledged that we have identified an alternative provider who currently delivers the training to our existing DPO and who can provide better rates and extra support which the current provider does not or do not at the same value for money.

9.3 It was AGREED that the Board would like a third quote for DPO services to be obtained and that we should investigate what the situation with the Local Authority is and if they can deliver a service, after which the Acting Managing Director will make a decision about the preferred provider of DPO services. It was AGREED that in the meantime, we will use the current provider on short term/bespoke arrangements.

ACTION: Inigo to gain a third quote for DPO services and explore what the Local Authority might offer or do for their DPO function.

10. Directors Report

- 10.1 It was noted that we have used a dashboard approach and that this provided a heatmap with three proxies. It was acknowledged that everything has been backed up by evidence and conversations with the Local Authority.
- 10.2 It was noted that each team has its own heatmap against KPI's that have been agreed with the Local Authority and our teams.
- 10.3 It was noted that the quality system is not yet fully embedded and there is a big push on the use of Synergy. It was acknowledged that whilst this has gone well with some teams, it hasn't gone as well with others.
- 10.4 It was noted that we have recently employed a person to lead on EOTAS. It was acknowledged that there are between 250-300 children when included with EHE. It was noted that this is not a service, but more of a monitoring exercise. It was noted that we need to explore what the Local Authority and Cognus can do to support the EOTAS service.
- 10.5 It was noted that VPP is working well.
- 10.6 Regarding Schools Causing Concern, it was noted that we have only just started a clear approach to this. It was noted that we need to clarify how many schools are involved and how they are identified. It was acknowledged that sometimes schools don't want help and some schools don't engage. It was acknowledged that maintained schools are our responsibility. It was noted that having a general school improvement offer is one thing, but if maintained schools are not taking up training offers, that is a concern. It was noted that there are three tiers and the aim is to reduce the number of maintained schools that cause concern. It was AGREED that the Board would like information on what are the schools causing concern, why is there a concern, what is being done about the concern and what is the trajectory for improvement?
- 10.7 It was noted that the Sensory Impairment Service is doing well, with some good examples and evidence but it was acknowledged that they need to improve their reporting.
- 10.8 It was noted that we feel that we could support Sutton Travellers if we were not working with Merton and there are currently three members within the Travellers Service team.
- 10.9 It was noted that there are some challenges within the Attendance Team, and this is much to do with capacity. It was acknowledged that the team are not achieving well, not trading well and they have lacked leadership. It was noted that we are commissioned to monitor and intervene and offer support. The capacity to intervene and support is limited by resources. It was noted that we do deal with prosecutions and it was acknowledged that the Penalty Notice income covers the team costs, which are not funded. The Board asked:
- What have Cognus retained as functions?
 - What are the rules around the issuing of penalty notices? Many schools have attendance staff.
 - What are we doing and what should we be doing?
- 10.10 It was noted that Education Business Partnership (EBP) is a huge concern and there is a question mark over why we are still doing it, as there is no statutory responsibility. It was noted that we do work experience placements and some tutoring of college students. It was acknowledged that if we cut the service, there would be two redundancies. It was noted that this service is not in the Commissioning Agreement. It was acknowledged that there might be an offer to make money if re-structured. It was noted that schools are not buying into it and there is competition for business. It was noted that the service no longer breaks even

and questioned if the local area wants an EBP.

10.11 It was noted that issues around the new CPD website offer have been resolved by reverting to the old system of invoicing.

10.12 It was noted that the Surrey Governors Service is purely a service for local authority for ASGs. It was acknowledged that there is no clerking at the moment, but we know the clerking leads in Surrey.

10.13 It was noted that we need to add more information to the report on:

- EOTAS
- Schools causing concern issues
- Attendance
- EBP and what we do going forward.

10.14 It was noted that we need more information, in the form of a separate report, on the red sections.

10.15 It was noted that Bob Harrison is writing Outcome and Impact KPI's for teams in draft, to be discussed in December.

ACTION: Bob Harrison to update

10.16 It was noted that in terms of Communications, things may go quiet, but we need to be in a strong position to manage our reputation for the next few months. It was acknowledged that the PLMR initial retainer has been used up. It was noted that we are currently exploring the idea of seconding a person from the Local Authority Communications team but there is a concern over whether we would we get Cognus, rather than Local Authority views put out but it was acknowledged that we are no further than an initial conversation.

10.17 It was noted that we need to maintain direct access and maintain a strong communications team for the next 3 / 4 months. It was AGREED that there is a concern that the Cognus viewpoint might be submerged by the Local Authority and that we need to have our own voice.

ACTION: It was AGREED that this decision would be delegated to Fiona Phelps

10.18 It was noted that SEN is still at 100% for meeting deadlines.

10.19 It was noted that there are still similar themes on complaints, which we are dealing with.

10.20 It was noted that there may be a reduction in the bill to the Local Authority for therapies to support the local savings strategy. This is within the Reserves tolerance of the business at the time.

11. Any Other Business

11.1 It was noted that the Annual Staff Conference is being held on Monday, 2 December 2019 and that Ian Comfort and Dean Clark will be attending.

11.2 It was noted, the timeline for the Council's report. Sharon Scott is working to Corporate Management next week, comments from meeting yesterday. It was noted that she will complete her draft report in the next couple of weeks. It was noted that the People Committee Chair's Briefing is on 16 December, with People Committee on 16 January 2020. It was acknowledged that, broadly, the first two parts are positive, but the third part is more complicated. It was noted that the Chair would like the opportunity to fact check the contents

of the report. It was acknowledged that there may be disagreement on some points, but fact checking would be helpful. It was noted that the report will go online a week before the People Committee. It was noted that Nick Ireland asked that the Local Authority Communications team is represented at the Chairs Briefing. It was AGREED that Cognus need to a) manage what's in the report and b) what is agreed at committee. It was acknowledged that if the report is published before anything is said to the Cognus teams, this would be unfair and would not be constructive. It was acknowledged that when the decision is taken, we must be ready for the outcome and have communication in place to handle this.

ACTION: Nick Ireland to ensure that Cognus teams are considered and that the timing of communication is really important when we are looking at the report contents and committee decision announcements.

12. Date of next meetings:

Thursday 23rd January 2020, 10.00-12.30

Thursday 19th March 2020, 10.00-12.30