

## Meeting of the South Bank Academies Board

4.00 - 6.00 pm on Thursday, 28 March 2019  
in University Academy of Engineering - Trafalgar Street, London SE17 2TP

### Agenda

No.	Item	Pages	Presenter
1.	Welcome and apologies		RF
2.	Declarations of interest <i>Directors are required to declare any interest in any item of business.</i>		RF
3.	Minutes of last meeting	3 - 12	RF
4.	Matters arising	13 - 16	RF
<b>Items to discuss</b>			
5.	CEO's Report	To Follow	NL
6.	Education update <ul style="list-style-type: none"> <li>• Education update – outcomes 2019</li> <li>• UTC Ofsted visit update and action plan</li> <li>• Staffing investment plan</li> <li>• Ofsted report</li> </ul>	17 - 48	DC
7.	Health & Safety report	49 - 60	CC
8.	Management Accounts to Feb 2019 <ul style="list-style-type: none"> <li>• 3-year financial forecast</li> <li>• Proposal for incremental investment in teaching staff</li> </ul>	To Follow	CC
9.	Safeguarding reports	61 - 64	DC
10.	Update on review of re-appointment of Kingston Smith as external auditors	65 - 66	RF, NF
<b>For Approval</b>			
11.	LSBU and SBA Governance Agreement	67 - 80	MB
<b>Items to note</b>			
12.	Judicium data audit report	To Follow	NL
13.	Risk registers	81 - 86	CC
14.	Summary of committee and School Advisory Boards' meeting	87 - 88	AE

*No. Item*

*Pages*

*Presenter*

**Date of next meeting  
4.00 pm on Tuesday, 9 July 2019**

**Members:** Richard Flatman (Vice-Chair, in the Chair), Douglas Denham St Pinnock, Tony Giddings, Nicole Louis, Lesley Morrison, Chris Mallaband, Fiona Morey and David Phoenix

**Apologies:** Hitesh Tailor

**In attendance:** Michael Broadway, Clym Cunnington, Dan Cundy, Natalie Ferer and Alexander Enibe

**Minutes of the meeting of the South Bank Academies Board  
held at 1.00 pm on Tuesday, 11 December 2018  
1B27 - Technopark, SE1 6LN**

**Present**

Richard Flatman (Vice-Chair, in the Chair)  
Nicole Louis  
Lesley Morrison  
James Stevenson

**Apologies**

Douglas Denham St Pinnock  
Tony Giddings  
David Phoenix

**In attendance**

Michael Broadway  
Clym Cunnington  
Anjali Kothari  
Dan Cundy  
Alexander Enibe

**1. Welcome and apologies**

The Chair welcomed members to the meeting, including Shivani Kothari from Kingston Smith (Auditors).

The Chair confirmed that Richard Parrish had resigned from the Board on 18 October 2018, due to increased responsibilities at his school.

The above apologies were noted.

**2. Declarations of interest**

The following attendees declared their interests in pay awards:

- Clym Cunnington (Trust Business Manager)
- Dan Cundy (Trust Executive Principal)

**3. Minutes of last meeting**

The Board approved the minutes of the previous meeting of 11 October 2018, subject to changes.

**4. Matters arising**

The Board noted the actions arising from the previous meeting.

Under item 4 of the previous meeting, the CEO confirmed that the Judicium data audit / report would be done in early 2019. The Board requested that a report to be provided at the next Board meeting on 21 March 2019.

Under item 5, the Board noted that the UKVI audit was reported to the SBA Audit committee meeting on 27 November 2018.

The Board noted that the Executive Principal would review the A level curriculum at both schools.

Under item 7, the Board requested that the final draft of the Governance Agreement to come to its next meeting on 21 March 2019.

Under item 8, the CEO confirmed that they are looking at incorporating the schools into LSBU Health and Safety committee and looking at LSBU estates providing shared services support across the Multi Academy Trust (MAT).

It was confirmed that LSBU Group Executive has the oversight of Health & Safety across the Group. The Board requested that an update be provided by the Business Manager at the next meeting on 21 March 2019. The Board also requested that the Business Manager provides a Health & Safety update for each Board meeting and a more detailed report annually.

The Board noted strategy day planned for the 14 May 2019. The Board requested that Trust KPIs are reviewed.

## 5. **External audit findings**

*Shivani Kothari (Auditors) joined the meeting.*

The Board discussed in detail the external audit findings for the year ending 31 August 2018, which had been reviewed in detail by the Audit committee. The report had been updated following the Audit committee meeting.

The Board noted that although there had been improvements from the previous year including new appointments and training provided at the Trust, financial control issues still remain.

The Chair confirmed that the Audit committee was satisfied that progress has been made, and were reassured that some of the recommendations from last year were being implemented.

The CEO confirmed that there is an action plan to address the issues raised which will regularly be reviewed by the Audit committee. The Business Manager confirmed that capacity issues are also being addressed. The Chair confirmed that LSBU is moving to a group structure and oversight.

An update would be provided to the ESFA.

## 6. **Letter of representation**

The Board discussed the letter of representation to the external auditors, which had been reviewed in detail by the Audit committee.

The Board noted the representations specific to SBA.

The CEO and Business Manager confirmed that all material matters had been disclosed to the auditors and that the representation were accurate and reasonable.

The Board approved the letter and authorised the Chair to sign on behalf of the Board.

## 7. **Annual report and accounts 2017/18 (to approve)**

The Board discussed the draft Annual Report and Accounts for the year ended 31 August 2018, which had been reviewed by the Audit committee.

The Board noted that the changes to the accounts since the meeting of the Audit committee on 27 November 2018, including:

- Removal of the £14m adjustment to account for the funding paid to Trinity Academy regarding UTC occupied premises

The Board noted that the Auditor's regularity report is in line with the reporting requirement.

The Board noted assurances from the CEO and Business Manager that the form and content of the report and accounts were accurate and could be approved by the Board.

After careful consideration, the Board approved the annual report and financial statements for the year ended 31 July 2018 and authorised the Chair and the CEO to sign on behalf of the Board.

*Shivani Kothari (Auditors) left the meeting.*

## 8. **Appointment of auditors**

The Board approved the written resolutions to reappoint Kingston Smith as external auditors, subject to a review by the Audit committee.

## 9. **CEO's Report**

The Board reviewed the CEO's report.

The Board congratulated Dan Cundy on his recent appointment as Trust Executive Principal. Mr Cundy will continue to act as the Principal for the UTC

for the remainder of the academic year. The plan is to have a new UTC Principal to start by September 2019.

The CEO confirmed that the Trust is looking to recruit an interim Vice Principal for the rest of the academic year.

The CEO confirmed that the Trust has appointed an HR Manager to work across both schools, and to lead on all HR transaction, compliance and organisation development matters. A number of areas requiring action had been identified, and the HR Manager is leading on the action plan. HR reports were discussed at the Audit committee meeting of 27 November 2018.

The Board noted that the Chair, CEO, Executive Principal and Business Manager attended a meeting at the DfE on 20 November 2018, where they provided an update on governance, operations, strategy and funding across the Trust.

The Board noted that the UTC is currently preparing for its first OFSTED inspection. The Executive Principal confirmed that the schools, including the UTC local governors are preparing thoroughly. The Board noted the UTC draft mock OFSTED inspection report by Judicium, which identified areas for improvement.

The Board noted the UAE School Improvement Advisor report which was completed on 13 November 2018 by the School Improvement Advisor, and will be discussed in detail by the SAB.

#### 10. **Management accounts update**

The Board noted the verbal update on management accounts. The Business Manager confirmed that the Board would have a report at its next meeting on 21 March 2018.

The Board requested that the Business Manager circulate December 2018 management accounts by mid-January 2019 to the Board. In addition, it was agreed that the December 2018 management accounts should be reviewed by the Group CFO and Group Financial Controller.

#### 11. **Safeguarding reports**

The Board discussed the safeguarding update for November 2018 for the UAE and UTC.

The Board noted that each school works with their local safeguarding board (UAE work with Southwark and UTC work with Lambeth).

The Executive Principal confirmed that staff have been trained on reporting and auditing safeguarding activities.

The CEO confirmed that an audit on safeguarding had been carried out on UTC and UAE over the last year and the major issue had been identified. Issues raised at the UTC in February 2018 have been fixed.

A director asked the CEO and Executive Principal about any safeguarding issues that the Board should be aware of. The Executive Principal confirmed that there were no safeguarding issues at the schools. The Board noted the decline in support from the local authorities as a result of cuts in local government resources.

A director asked the Executive Principal about the schools' relationship with the local police on gang related issues. The Executive Principal confirmed that the schools have had review of its relationships with their local police.

The Board requested to a safeguarding training requirements. The Clerk would circulate the latest DfE 'keeping children safe in education' to the Board.

The Executive Principal is working with LSBU to review support to staff on wellbeing.

The Board approved the new safeguarding update template.

## 12. **Governance update**

The Board noted the SBA and SAB Chairs' appointment update.

Following the DfE governance review of South Bank Academies Trust, at its meeting of 11 October 2018, the Board had agreed to appoint an independent Chair of the Board and Chairs of the School Advisory Boards.

The Board noted that candidates had applied.

The governance team is continuing to explore the LSBU alumni network for suitable candidates.

The Board agreed that all three candidates are invited to meet the Group CEO, LSBU Pro Vice Chancellor (Further Education) and the Executive Principal to discuss their interest in the role further.

Following this meeting, successful candidates would be invited to an interview with the interim Chair of the Board, interim CEO and an independent director.

Any recommendation to appoint will be brought back to the Board to approve via email.

## 13. **Annual cost of living pay awards**

The Board discussed the proposed salary increases for 2018/19.

This covers an annual cost of living pay award of 2% across the staff base, in addition to scale-based increases post appraisal, which will be a further 3.5% increase in the base. The proposal was based on the 2018/19 Teachers' COL pay award.

The Board queried the figures as it appeared as some people would be getting a 5.5% pay awards. The Board asked whether the whole amount will be fully funded by the Trust or there will be some funding from DfE to cover the costs of the increment. The Business Manager confirmed the DfE will be providing some funding towards the salary increment and that the increase is budgeted.

The Board noted that it is very competitive to recruit teachers in London.

The Board approved the proposed salary increases 2018/19, subject to clarification on the actual costs.

A director asked whether salary increases were performance related. The CEO confirmed that the increases are dependent on a satisfactory appraisal.

The Board noted that the SBA remuneration committee meeting will be done via email, as most of the members are not able to attend in person.

**14. Annual register of interests**

The Board noted the updated register of interests.

**15. Policies Update**

The Board noted the ongoing review of the company policies.

The Board noted that the Business Manager will be reviewing the policies.

**16. Risk registers**

The Board noted the risk registers and approved the proposed new template.

**17. SBA Audit committee and School Advisory Board reports**

The Board noted the summary of the Audit committee and School Advisory Boards' reports.

**Date of next meeting  
1.00 pm, on Thursday, 7 March 2019**

**Confirmed as a true record**

.....



..... (Chair)

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Written resolution of the **South Bank Academies Board**

passed on Thursday, 7 March 2019

1. **Declaration of Interest**

The Board noted Lesley Morrison's interest in the proposed appointment as Chair of the UTC SAB.

2. **SBA and SAB Chairs' recruitment**

*Chair of the Board*

The Board approved the appointment of Hitesh Tailor as Chair of the Board, subject to LSBU as sponsor appointing him as a director.

*{Secretary's note: at its meeting of 14 March 2019, the LSBU nomination committee, on behalf of LSBU as sponsor, approved the appointment of Hitesh Tailor as a director of SBA. Accordingly, Mr Tailor was been appointed as a director of SBA and Chair of the Board with effect from 14 March 2019.}*

*Chairs of the School Advisory Boards*

The Board approved with immediate effect:

- the appointment of Chris Mallaband as a director and Chair of the UAE SAB; and
- the appointment of Lesley Morrison as Chair of the UTC SAB.

**Circulated to:**

Richard Flatman  
Douglas Denham St Pinnock  
Tony Giddings  
Nicole Louis  
Lesley Morrison  
David Phoenix  
James Stevenson

**Signed on behalf of the South Bank Academies Board**

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**SOUTH BANK ACADEMIES BOARD - TUESDAY, 11 DECEMBER 2018  
ACTION SHEET**

<b>Agenda No</b>	<b>Agenda/Decision Item</b>	<b>Action</b>	<b>Date Due</b>	<b>Officer</b>	<b>Action Status</b>
4.	Matters arising	Judicium data audit / report to be done early 2019 and report to be provided to the Board meeting.	28 March 2019	Nicole Louis	on agenda
		The Executive Principal to lead on review of A level curriculum at both schools.		Dan Cundy	Verbal update
		The Board requested that the final draft of the Governance Agreement to come to its next meeting, before going to DfE.	28 March 2019	Michael Broadway	on agenda
		Incorporate schools into LSBU Health and Safety Committee and look into LSBU providing shared services across the MAT.		Nicole Louis, Clym Cunnington	verbal update
		(i) an action plan to track key issues and regular report (ii) Health & Safety report now a regular item on Board agenda and a more detailed annual Health & Safety report (iii) a six-monthly staffing report.	28 March 2019	Ed Spacy and Clym Cunnington	To do
	The CEO and Executive Principal to liaise and come up with an early new date for SBA strategy day and Trust KPIs to be reviewed.	Early 2019	Nicole Louis, Dan Cundy	verbal update	

<b>Agenda No</b>	<b>Agenda/Decision Item</b>	<b>Action</b>	<b>Date Due</b>	<b>Officer</b>	<b>Action Status</b>
5.	CEO's Report	The Trust to recruit a new UTC Principal to start by September 2019, and looking to recruit an interim UTC Vice Principal for the rest of the 2018/19 academic year.  HR Manager working on action plan to address number of areas requiring action.	Early 2019  28 March 2019	Nicole Louis  Jacqui Collins	completed  covered in CEO's report
6.	Management accounts update	The Business Manager to share accounts with Group CFO and Financial Controller for review, and then circulate December 2018 management accounts to the Board.  The Board requested to have management accounts at its next meeting.	Mid-January 2019  28 March 2019	Clym Cunnington  Clym Cunnington	verbal update  on agenda
7.	Safeguarding reports	The Board requested to circulate the latest DfE 'Keeping Children Safe in Education' and arrange a comprehensive safeguarding training.  The CEO to introduce the Executive Principal to the LSBU team to look into providing the schools' staff support on mental health and wellbeing.	January 2019	Alexander Enibe  Nicole Louis	guidance circulated and training being reviewed  verbal update
9.	Annual cost of living pay awards	The Board requested that the Business Manager provide actual figures to the Group CFO.		Clym Cunnington	verbal update

<b>Agenda No</b>	<b>Agenda/Decision Item</b>	<b>Action</b>	<b>Date Due</b>	<b>Officer</b>	<b>Action Status</b>
10.	External audit findings	The Board requested that the Business Manager prepare an action plan for addressing the issues identified in the external audit findings. The action plan will go to the next Audit committee meeting.	5 March 2019	Clym Cunnington	completed
13.	Appointment of auditors	After deliberation, the Board approved the re-appointment of Kingston Smith as external auditors, subject to a review by the Audit committee.		Richard Flatman, Natalie Ferer	on agenda
14.	Policies Update	The Business Manager leading on review of Company policies.	9 July 2019	Clym Cunnington	on plan

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# Agenda Item 6

	CONFIDENTIAL
Paper title:	Education update
Board/Committee:	South Bank Academies Board Meeting
Date of meeting:	28 March 2019
Author(s):	Dan Cundy, Trust Executive Principal
Sponsor(s):	Nicole Louis, SBA CEO
Purpose:	For Discussion
Recommendation:	The Board is requested to discuss the education update

The Board is requested to discuss the following:

- Education update – outcomes 2019
- UTC Ofsted visit update and action plan
- Appendices
  - Staffing investment plans
  - Ofsted report

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## Education update – outcomes 2019

### 1. UAE South Bank

Context. While UAE had their first cohort of Year 13 students in 2018 securing A level and BTEC outcomes, the first cohort of Year 11 students is due to sit their final GCSE examinations in summer of 2019. Results will be published on 22<sup>nd</sup> August nationally. This first cohort started UAE in Year 7 and have experienced significant staffing and curriculum change, with stability and firmly embedded systems for ensuring high quality teaching and learning in place comparatively recently in Year 10.

UAE leaders are very cautious of predictive data. This is partly due to the vast majority of teaching staff and subject leaders not having led cohorts through to the end of GCSE courses before, partly due to the difficulty of making predictions generally as grade boundaries are variable year-on-year and partly due to the lack of predictive accuracy and validity of mock examination data. Instead, current data is presented as grades from the mock examinations sat in December 2018. This was the first set of mock exams sat by students, so their first experience of exams of this length and intensity; a second set of mocks is currently being sat.

There are a number of key measures of performance at GCSE measured to which leaders are held to account.

## Progress 8

**Progress 8 is not a measure of individual students' performance; rather it is a measure of the value add each school provides through Key Stages 3 and 4. Progress 8 takes each student's performance in eight qualifying subjects at GCSE level across the whole cohort and maps this against the progress of students with the same starting points nationally. This national progress level is set at 0.0 every year. Thus if a school's Progress 8 score is above zero, on average, students in the school make more progress than similar peers nationally. In general terms, Progress 8 varies between -1.0 and +1.0, with -0.5 being the 'floor' target for schools in England and Wales. -0.5 would indicate that on average, each student in the cohort makes ½ a GCSE grade less progress than their peers of similar ability nationally. Progress 8 is a key indicator but is heavily affected by the outlier effect, where single students with particular issues skew the data overall. It is also heavily affected by curriculum design to promote an EBacc curriculum, which may not be an optimal route for all students.**

### **Commentary on current performance from John Taylor, Principal, UAE South Bank.**

'The data on the following page details the attainment and progress made by students from their Mock Examination results which were taken in December. The most important figure is the 'Progress 8' figure. This measures the progress made by our students from the Year 6 (primary school) SATs results to their GCSE (and BTEC) examinations and compares this to the progress made by all students nationally that took their examinations last summer.

Our current score of -0.91 means that overall our students made almost 1 complete grade less progress in every subject than students did nationally.

If our students make an additional ½ a grade of progress in every GCSE subject between their mock examination in December and their actual GCSE in May/June then our progress 8 score will be -0.41. This is a reasonably conservative expectation. A final progress 8 score of 0.00 is average for secondary schools across the country.

Our students are sitting their final mock examinations next week (beginning 18<sup>th</sup> March). Once we have the results from these we will have a clear picture of the progress made since December, and also of the anticipated progress that will be made up to them sitting the GCSE examinations in May/June.'

It is worth considering performance by group nationally is highly variable. For example boys P8 sat at -0.24 nationally last year, disadvantaged students at -0.4, SEND at -0.59 and Black Caribbean at -0.23. If the national figures are adjusted by UAE student proportions, -0.1 would be in line with national average for gender.

### **Attainment 8**

**Attainment 8 is a measure of the total GCSE points (grades) achieved by each student in the cohort, divided by the number of students in the cohort. It is measured on the best 8 GCSE subjects in certain qualifying 'buckets', with English and maths double-weighted. For example if a student achieved 8 GCSEs at grade 5 including English and maths, their Attainment 8 score would be 50 ie 6x grade 5 plus English and maths grade 5 double weighted. As with Progress 8, this measure has little meaning to a student: entry to 6<sup>th</sup> form provision is dependent on the number of GCSEs at particular grade levels, rather than an overall A8 score. As an example, entry to many A level programmes would be 5 GCSEs at 5-9 grades including English and maths with grade 6+ in any subjects to be studied at A level.**

Attainment 8 based on mock 2018 data at UAE stood at 38 points, below the 44 points scored nationally on average in 2018.

### **Basics**

**Basics represents the proportion of students achieving a pass grade in both English and maths, at grade 4 (standard pass) and grade 5 (strong pass).**

UAE current performance is 47% grade 4+ and 25% grade 5+.

Further detail on current performance based on December mocks in in the sheet below. The academy has the ability to produce live dashboard data to be able to identify trends, concerns and patterns.

## Year 11 (2018/2019) Mocks copy (12/02)

Whole Cohort

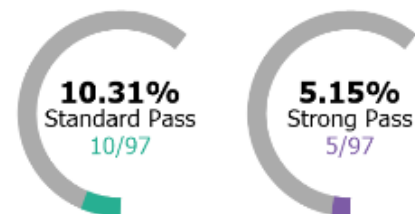
### Pupils

97 Pupils   66 Boys   31 Girls

### Baccalaureate

51

51 Pupils Entered - 52.58%



### Baccalaureate Subjects

	Eng	Ma	Sci	Hums	Lang
<b>Entries</b>	97	97	97	57	81
	100%	100%	100%	59%	84%
<b>Standard</b>	65	51	29	40	31
	67%	53%	30%	41%	32%
<b>Strong</b>	51	25	14	27	19
	53%	26%	14%	28%	20%

### Baccalaureate APS

<b>3.27</b>	<b>4.18</b>	<b>6.4</b>	<b>6.83</b>
<b>All</b>	<b>Entered</b>	<b>Standard</b>	<b>Strong</b>

### English

Entries	9 to 7	9 to 5	9 to 4	
97	14	51	65	
<b>Pupils</b>	100.00%	14.43%	52.58%	67.01%
<b>Entries</b>	-	14.43%	52.58%	67.01%

### Maths

Entries	9 to 7	9 to 5	9 to 4	
97	4	25	51	
<b>Pupils</b>	100.00%	4.12%	25.77%	52.58%
<b>Entries</b>	-	4.12%	25.77%	52.58%

### Science

	Entries	Pupils	Entries
<b>1 Science</b>	97	100.00%	-
Grade 4+	38	39.18%	39.18%
<b>2 Sciences</b>	97	100.00%	-
Grade 4+	29	29.90%	29.90%
<b>3 Sciences</b>	44	45.36%	-
Grade 4+	18	18.56%	40.91%
<b>Bio/Chem/Phys</b>	44	45.36%	-
Grade 4+	18	18.56%	40.91%

### MFL

	Entries	Pupils	Entries
<b>1 MFL Entry</b>	81	83.51%	-
Grade 4+	31	31.96%	38.27%
<b>2 MFL Entries</b>	9	9.28%	-
Grade 4+	3	3.09%	33.33%

### English & Maths Threshold

Both Subjects	46%	28%	English Only
	<5 45	27 5+	
	<4 27	19 4+	
	28%	20%	
Maths Only	5%	47%	Both Subjects
	4+ 5	46 4+	
	5+ 1	24 5+	
	1%	25%	

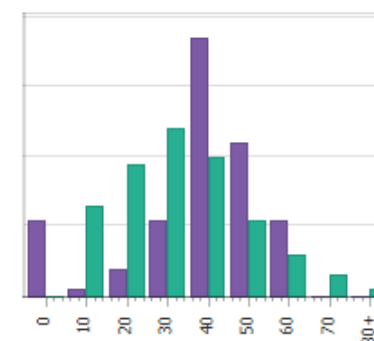
97 Pupils Entered - 100.00%

### Entries

<b>9 to 8 - inc A*'s</b>	(4.36%)
	36
<b>9 to 7 - inc A*-A</b>	(9.69%)
	80
<b>9 to 5 - inc A*-B</b>	(34.02%)
	281
<b>9 to 5 - inc A*-C</b>	(35.23%)
	291
<b>9 to 4 - inc A*-C</b>	(52.30%)
	432
<b>Total</b>	<b>Average</b>
826.00	8.52

### Progress 8

A8 Estimate   A8 Actual



	A8	P8
English	9.2	-0.48
Maths	6.87	-1.13
EBac	10.59	-1.02
Other	11.56	-0.94

**Overall**   38.21   -0.91

**Entries**   86   88.66%

### Performance

	Pupils	Percent
<b>5 A* to C</b>	41	42.27%
Inc EnMa (4+):	37	38.14%
Inc EnMa (5+):	24	24.74%
<b>5 Grade 5+</b>	27	27.84%
Inc EnMa:	21	21.65%

## Year 13.

### Subject value added

John Taylor: 'The current residual score gives a comparison of what each student achieved in their mock examination against what students from the same starting points achieved nationally in their actual A level examination. A residual of 0.00 means that our students achieved in line with other students nationally. A residual of -0.5 means that the combined results for that subject were ½ a grade below what students achieved nationally.

These results for A level subjects are already ahead of what our Y13 students achieved last year. Their final examination value added score was -1.04.

These results indicate that if our students make 1/3<sup>rd</sup> of a grade improvement in every subject from February to their summer exam, we will achieve a positive value added this year.'

Subject name	Qualification	Current Residual
Biology	A level	-0.33
Chemistry	A level	-0.33
Economics	A level	0
Maths	A level	-0.38
Product Design	A level	0
Physics	A level	-0.5
Bus Studies	A level	-0.55
Engineering	Level 3 BTEC	0.36
<b>Overall</b>		<b>-0.22</b>

## 2. South Bank Engineering UTC

### Year 11.

#### Progress 8

Progress 8 is a meaningless measure for UTCs, as the measure accounts for progress across five years of Key Stages 3 and 4, over which the UTC only has influence over Years 10 and 11. The Ofsted inspection handbook outlines its view towards Progress 8:

‘When evaluating pupil progress, inspectors will take account of those pupils who started a key stage elsewhere or have not completed their current key stage. This could include middle schools and newly opened schools, or where pupil mobility is high. When evaluating pupil progress between key stages 2 and 4, inspectors will take into account where pupils start part way through a phase or key stage (for example if they join a university technical college at age 14).’

The most appropriate measure of progress in a UTC is that from starting points, ie the GL Assessment baseline at the start of Year 10. Based on this, progress is measured at 0.41 from national average GL baseline against 0.0 nationally, based on December 2018 data; a new dataset will be generated based on mock results at Easter 2019.

Progress from baseline by group is variable noting small cohort size, with all groups in the top 25% bar disadvantaged (27<sup>th</sup> percentile) and high prior attainers (57<sup>th</sup> percentile) – indicating work remains to narrow the gaps with disadvantaged and more able students.

#### Attainment 8

Current professional predictions (December 2018) are 39.8 points. National average in 2018 was 44 points. Based on the baseline Progress Test conducted in September 2017, the cohort on average is significantly below the national level with a mean SAS of 86.8 against 100 nationally.

#### Basics

Current professional predictions are for 54.7% Grade 4+ (standard pass) and 22.6% Grade 5+ (strong pass).



## Year 13

A level value add

Chemistry average grade B-, value add -0.02

Computer science average grade C-, value add -0.07

Mathematics average grade C-, value add -0.50

Physics average grade D+, value add -0.39

Core maths level 3 average grade D+, value add -0.18

Engineering average grade Distinction, value add +0.52

Year 13 engineering is performing strongly, with very positive outcomes expected on all course sizes. A levels are trending more strongly than in 2018. Maths and physics are subjects with particular attention paid: maths with strategic intervention through additional consultant support and strategic withdrawal onto AS courses. Final grades and VA are predicted to increase, with a further data collection at Easter 2019 to confirm.

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## UTC Ofsted visit update and action plan

**Context.** The UTC was inspected in late January by two HMI for two days. The draft report contained a wide range of factual inaccuracies, to which UTC leaders responded and following which much of the wording of the final report was revised. Separately, the UTC has complained about the 16-19 Study Programmes judgement, as it is felt this was not sufficiently cognisant of the strengths or the unique nature of the UTC in this area. The outcome of the complaint was partially upheld, but has not changed any gradings. The report has been published and is now 'live'.

**Headlines.** The effectiveness of leadership is good. Personal development, behaviour and welfare is good. Safeguarding is effective. The UTC is not yet good overall however, because the quality of teaching, learning and assessment requires improvement, as do outcomes for pupils.

**Ofsted inspection handbook:** 'A school that is judged as requires improvement (overall effectiveness grade 3) is a school that is not good but overall provides an acceptable standard of education. The judgement of requires improvement is not a formal category of concern but the school may be subject to monitoring by Ofsted, although this will not normally apply to a school that has been judged as requires improvement for the first time. The school will be re-inspected under section 5 usually within 30 months after the publication of the previous section 5 report.

**Action plan.** The table below represents an initial high-level action plan related to the Ofsted Areas for Development (AfDs) which will form the basis of the next inspection monitoring visit. This will be developed into a full action plan linked to responsibilities, budgets, timelines, success criteria and monitoring processes.

Feedback from Ofsted	Commentary / <i>Actions</i>
<p>Leaders must ensure that they:</p> <ol style="list-style-type: none"> <li>1. have the capacity to check the quality of teaching and learning to ensure that it is of a consistently good quality</li> <li>2. provide timely support and professional development for staff</li> <li>3. ensure opportunities for strong teachers to develop their leadership skills to increase their capacity still further</li> <li>4. make sure that their focus on improving attendance gathers momentum so that pupils are punctual and regular attenders</li> <li>5. ensure that all pupils make at least good progress from their starting points, particularly the most able</li> </ol>	<p>-This is a coded comment as discussed in the Team Meeting: there is insufficient leadership capacity at all levels to ensure that QTLA is good – this applies at senior but particularly middle leadership level. <i>Build middle leadership team with strong department heads over time. Initially increase senior leadership capacity to leverage improvement</i></p> <p>-This is particularly targeted at early stage teaching staff including qualified teachers. <i>Designated senior leader to manage Beginner Teacher group, with increased capacity for personalised development including peer-review.</i></p> <p>-Designated senior leader to develop teachers through coaching and mentoring; <i>increased cross-fertilisation of staff and ideas between MAT schools.</i></p> <p>-Designated attendance officer (and Front Desk) role allocated; <i>increased capacity to work with families; increased use of rewards and sanctions for attendance and punctuality; management support system to support quick transition between lessons; review of pastoral programme and timetable for 6<sup>th</sup> form students to drive attendance.</i></p> <p>-Continue to ensure high quality, nationally-recognised baseline data is in place from which to establish progress; <i>continued focus on quality-first teaching; evaluation of accurate progress data to drive high quality, developmental feedback and robust, impactful intervention to drive progress of all students and groups.</i></p>

<p>6. check which pupils and students access the range of opportunities available to them.</p>	<p>This was a pertinent observation by Ofsted: the UTC provides a wealth of opportunities but they are taken advantage of by a sub-set of students – with those potentially benefiting most not accessing as much as they might. <b>Introduce clearer oversight of 16-19 study programmes to include tracking and evaluation on individual basis of uptake of opportunities including work placements and projects, led by designated senior leader.</b></p>
<p>Improve teaching and learning across key stage 4 and in the sixth form, by ensuring that:</p> <p>7. teachers routinely check pupils' and students' understanding of key concepts and ideas, adapting their teaching accordingly to meet individual needs</p> <p>8. pupils are able to recall prior learning so that their knowledge is secure, and they can progress confidently</p> <p>9. teachers give clear advice about how pupils can improve their work</p> <p>10. teachers use the extensive resources available to them so that pupils can be active and curious learners</p>	<p><b>-Strategy to improve QTLA with particular focus on assessment, marking and feedback so that lessons match learners' needs on a consistent basis, with planning lessons matched to need so that all students are challenged and supported. VP to lead.</b></p> <p><b>-This comment was based on snapshot information generated by student interviews including those with SEND. It does reveal a lack of ability of students to recall their knowledge. Significant move in approach to T&amp;L towards a knowledge-based curriculum, with input from designated UAE senior leader.</b></p> <p><b>-Marking and assessment is variable, with inconsistency in ensuring that teaching responds to needs, corrects misconceptions and drives progress of all students over time. Strategy to ensure assessment, marking and feedback is developmental and formative, led by Vice Principal, to drive progress. Evidence in work of students' errors and misconceptions corrected and acted upon.</b></p> <p><b>-This comment echoes the Lead Inspector's view that learners should have access to active learning experiences. Far more practical engineering both in lesson times and</b></p>

<p>11. all teachers support pupils to write accurately and effectively for a range of different audiences and purposes.</p>	<p>through enrichment and projects. Engineering technician planned to support, and honorarium in place for teacher to lead 'engineering experiences'</p> <p>-This point was given large prominence through the inspection. The development of literacy across the curriculum has been a focus since opening. Revised and enhanced strategy to be developed with Lead Teacher of English across the curriculum to develop transactional writing, along with deep and appropriate reading, as well as speaking and listening.</p>
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## Post-Ofsted investment plan

### Shadow leadership structure 2019-20

- Dan Cundy – Executive Principal / CEO (0.6FTE shared with the MAT 0.4FTE)
- Kam Bains – Vice Principal: curriculum, timetable, quality of teaching, learning and assessment, staffing, calendar
- Rob Harding – Trust Vice Principal (0.8FTE shared with UAE 0.2FTE); achievement, 6<sup>th</sup> form study programmes, pastoral and careers programme,
- David Bell – Assistant Vice Principal, Director of Engineering; attendance, conduct and rewards; employer projects
- Austin Sheppard – Trust Consultant Senior Leader (0.6FTE shared with UAE 0.4FTE), Director of Science, maths and computer science; middle leadership development; beginner teacher training and support
- + Annette Moses – UAE Vice Principal – pedagogy, knowledge-based curriculum and CPD, shared on a no-cost consultancy basis in 2019-20
- Net cost is +0.8 FTE compared to 2018-19, roughly **£60,000** plus on-costs = **£76,200**

### Further investment needs

-Laptops to support development of personal study. Costed at **£13,751** through revenue budget for 41 Lenovo laptops.

-Cover supervisor, to minimise internal cover requirements and generate capacity for staff to give high quality marking and feedback. Will generate savings against supply teacher budget. Cost roughly **£20,000** plus on-costs minus supply cost savings of roughly **£8,000** = **£17,400**

-Engineering technician, to generate ability to operate more workshop-based activity as part of UTC's DNA. Potentially part-time, potentially ex-UTC student. Cost roughly **£17,000** plus on-costs = **£21,590**

-6<sup>th</sup> form study support assistant, to supervise 6<sup>th</sup> form personal study, again generating capacity for teaching staff. Cost roughly **£17,000** plus on-costs = **£21,590**

### Restructure

-Reduce pastoral management structure from two to one, with responsibility for Key Stage 4. Cost saving roughly £28,000 plus on-costs = £35,560

-Pastoral Support Officer to increase from 0.6FTE to full time to generate capacity to support 6<sup>th</sup> form administration including tracking of 16-19 study programmes. Cost roughly £9,000 plus on-costs = £11430

Rough calculation is for an additional cost of £126,401 for 2019-20. The proposal is to partly fund this through revenue budget offset against surplus, and partly through investment from reserves or trust central resource.

### March 2019 update

The initial, high-level Ofsted action plan was shared with the SAB at the February 2019 meeting, and outlined UTC responses to the Areas for Development (AfDs) as outlined in the published report. Following from this, the key action plan areas have been allocated to individual leaders, each of whom will develop detailed operational improvement plans which comprise key activity linked to responsibility holders, with progress assessed against regular milestone points.

The operational improvement plans are allocated as follows, all linking closely to Ofsted AfD areas:

- Quality of Teaching, Learning and Assessment: Kam Bains
- Quality assurance and staff development: Austin Sheppard
- Literacy and communication: Ruth Vandenhautte
- 16-19 study programmes and outcomes: Rob Harding
- Attendance, punctuality and behaviour for learning: David Bell

The Lambeth Secondary Improvement Advisor, Rachael Norman, has advised on the development of the plans, and is working closely with each plan area leader to refine. In addition, Carolyn Unsted, DfE Education Advisor, is involved to give further support and guidance, as is Neil Bramwell, Baker Dearing Trust Educational Advisor. In this manner, a number of expert inputs are sought and received, and progress is triangulated and verified externally. Next steps include regular inputs from Rachael Norman on 22<sup>nd</sup> March, including unannounced visits to lessons to judge progress over time against the plans.

A sample of a plan outline template is below. Further updates will be provided as progress is measured, with the SAB monitoring.

Ofsted AfD	Details of actions, management, resourcing and timing	Key Performance Indicators (KPI)	Milestone May ½ term 2019	Milestone July 2019
Insert	Insert	<i>Insert</i>	-Insert	Insert





## Staffing investment plans

### South Bank Engineering UTC

The current number on roll is 220, with forecast numbers to increase to around 250. The curriculum will stay the same size in terms of classes, bar engineering where additional capacity will be required.

#### Leadership

Accelerated progress against the strategic improvement plan is required in order to journey towards a Good judgement at the next Ofsted inspection visit. This requires significant investment in staffing to enhance leadership and management. Much use will be made of existing capacity in the trust – deploying proven in-house senior leaders in areas where they will have most impact in both schools. This is already in place with Rob Harding, Annette Moses and Austin Sheppard all in place currently in UAE and the UTC.

- Permanent VP position 0.8FTE, Rob Harding. To lead on key Ofsted area for development around 16-19 study programmes; to include intervention, SEND and safeguarding.
- Consultant SLT 0.6FTE, Austin Sheppard. To lead at the UTC on improvement in maths and science to include coaching and mentoring of middle leaders; development of Beginner Teachers

#### Teaching

- Engineering teacher +1 to accommodate student number growth. Product Design specialist

#### Non-teaching support

- Cover supervisor +1, to reduce internal cover and generate additional teaching capacity to enhance QTLA
- Engineering technician +1
- 6<sup>th</sup> form study support assistant, to supervise 6<sup>th</sup> form personal study

#### Restructure

- Reduce pastoral management structure from two to one, with responsibility for Key Stage 4.
- Pastoral Support Officer to increase from 0.6FTE to full time

Total estimated cost for 2019-20: c.£113,000

## UAE South Bank

- The current Year 11 has 98 students. Next year's Y7 will have 150 students. This means that there will be an increase in the number of lessons that need to be taught in KS3/4 next year.
- We are increasing the size of our sixth form as our current Y11 move into it and offering an increased range of A levels.
- As part of the DfE tailored support programme, funded by £15k from the DfE, we are reducing the number of lessons taught by recently qualified teachers and their mentors.

As a result of these developments the number of lessons that need to be supervised by teachers and support staff has increased by 176 since last year.

Courses in italics are new for 2019-20

Subject	Hours per Week	A levels or equivalent
<i>English Literature</i>	5	1
Mathematics	5	1
Further Maths	5	1
Physics	5	1
Chemistry	5	1
Biology	5	1
BTEC Engineering	12	3
<i>History</i>	5	1
<i>Geography</i>	5	1
<i>Sociology</i>	5	1
<i>Media</i>	5	1
<i>Psychology</i>	5	1

### Leadership changes

- Rob Harding -0.2FTE, to reflect increased time at UTC
- Austin Sheppard 0.4 to add capacity to implement new assessment model and to oversee SEND

**Teaching increases** all related to increased curriculum time requirement:

- Maths +1
- English +1
- Science (chemistry) +1
- PE (female) +1

**Non-teaching increases**, all related to increased need in relation to increased student numbers:

- Assistant Head of House +2, to supervise engagement room, currently undertaken by teachers
- Learning assistant +1: increased number of SEND students

- Lunchtime supervisors +4: currently provided by learning assistants which frees up LAs to do more SEND support; funded by increase in SEND
- Business support officer +1: in reflection of new staffing structure

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# South Bank Engineering UTC

56 Brixton Hill, London SW2 1QS

## Inspection dates

22–23 January 2019

Overall effectiveness	Requires improvement
Effectiveness of leadership and management	<b>Good</b>
Quality of teaching, learning and assessment	<b>Requires improvement</b>
Personal development, behaviour and welfare	<b>Good</b>
Outcomes for pupils	<b>Requires improvement</b>
16 to 19 study programmes	<b>Requires improvement</b>
Overall effectiveness at previous inspection	Not previously inspected

## Summary of key findings for parents and pupils

### This is a school that requires improvement

- Teaching, learning and assessment across a range of subjects require improvement.
- Teachers do not routinely check what pupils and students in the sixth form know and can do. They do not always plan activities that challenge or support gaps in pupils' and students' knowledge or understanding. Consequently, pupils and students do not make enough progress.
- Teachers do not enable pupils to write and present their ideas effectively, for a range of audiences and purposes.
- Until very recently, leaders have not had the capacity to check the quality of teaching and learning to ensure that it is of the highest quality. By necessity, their roles have been operational rather than leading improvements.
- Attendance at key stage 4 and post-16, while improving slightly, is still too low.
- Some pupils and students in the sixth form do not access the full range of opportunities available to them, for instance work experience.

### The school has the following strengths

- The sponsors, governors and leaders have created a unique and nurturing learning environment, which is aspirational for its pupils.
- Leaders are astute in their understanding of their successes to date, and those areas requiring further attention.
- Sponsors provide a range of high-quality work-related experiences that foster pupils' interest in and passion for engineering. There is some strong teaching in this area.
- Leaders ensured that all students leaving the sixth form in 2018 secured appropriate destinations, irrespective of their outcomes.
- Staff, pupils and students are very proud of their school. Pupils are motivated and keen to do well. They enjoy practical learning in the recently opened engineering workshops.
- Staff and students routinely show good respect towards each other. Students feel well cared for and said that they feel safe.
- Leaders ensure that safeguarding arrangements are effective.

## Full report

### What does the school need to do to improve further?

- Leaders must ensure that they:
  - have the capacity to check the quality of teaching and learning to ensure that it is of a consistently good quality
  - provide timely support and professional development for staff
  - ensure opportunities for strong teachers to develop their leadership skills to increase their capacity still further
  - make sure that their focus on improving attendance gathers momentum so that pupils are punctual and regular attenders
  - ensure that all pupils make at least good progress from their starting points, particularly the most able
  - check which pupils and students access the range of opportunities available to them.
- Improve teaching and learning across key stage 4 and in the sixth form, by ensuring that:
  - teachers routinely check pupils' and students' understanding of key concepts and ideas, adapting their teaching accordingly to meet individual needs
  - pupils are able to recall prior learning so that their knowledge is secure, and they can progress confidently
  - teachers give clear advice about how pupils can improve their work
  - teachers use the extensive resources available to them so that pupils can be active and curious learners
  - all teachers support pupils to write accurately and effectively for a range of different audiences and purposes.

## Inspection judgements

### Effectiveness of leadership and management

**Good**

- Sponsors, governors and leaders have established a unique learning environment which has high aspirations for its young people. There were significant challenges in the early stages of inception, around temporary accommodation, a lack of resources, specialist teachers and leadership capacity. However, leaders have maintained their determination to create a high-quality, specialist, community school.
- Leaders are clear about the strengths of the school and the need to focus on improving the quality of teaching and learning. They have very recently increased senior leadership capacity and are beginning to develop leadership skills among the staff. In this way, leaders are vigilant about offering timely and effective support to teachers, when required.
- Leaders know the urgency of ensuring that Year 11 pupils and Year 13 students achieve their academic targets. They have refined school improvement plans and are looking to work closely with other providers and schools. This is to ensure that the accuracy of their pupil assessments is validated outside of the school.
- Leaders were disappointed by the 2018 academic A-level results. However, they acted swiftly and secured appropriate destinations for all students in employment, on apprenticeships or on suitable courses at university. Leaders have since reviewed the entrance criteria for A-level courses. This ensures that students have good-quality information, advice and guidance and the ability to achieve appropriate outcomes on their chosen courses.
- Leaders have given careful thought to pupils' social, spiritual, moral, and cultural development. There are regular opportunities for pupils to discuss current affairs, celebrate the diversity of their school and uphold British values. Weekly 'expert talks' aim to raise pupils' aspirations, present information on the range of employment opportunities available and promote key employability skills.
- Leaders are proud of their specialist curriculum. At points during the year, pupils undertake project-based learning to hone skills such as research, self-organisation, teamwork, time management and effective communication. Pupils are presented with problems in the form of 'big ideas', designed by the school's employer partners and the university, for instance designing the 'hospital ward of the future'. Pupils and students value these opportunities to work with industry professionals and demonstrate their practical skills.
- Leaders carefully track the progress of pupils, including those with special educational needs and/or disabilities (SEND). The special educational needs coordinator (SENCo) understands the needs of individual pupils on the SEND register, and plans are in place to share this systematically with staff. These pupils benefit from small class sizes, a nurturing environment and positive relationships with staff.
- Leaders have identified some barriers to learning for disadvantaged pupils. They have used pupil premium funding to make class sizes smaller and provide access to technology to aid pupils' learning. These initiatives are in the early stages and, therefore, the impact on pupils' progress is not yet clear.

- Few parents responded to the Ofsted online questionnaire, Parent View. However, those that did were positive about their child’s experience since joining the school. Parents are pleased with the professional and caring ethos of the school and the efforts that have been made to enable their child to settle quickly into a new environment.

### **Governance of the school**

- The interim chief executive officer (CEO) and the school advisory board (SAB) offer appropriate support and challenge to school leaders. Working together, sponsors and governors have successfully built a school designed to raise aspirations and produce skilled young people. They are proud of their successes to date but share senior leaders’ acknowledgement that more needs to be done to improve the quality of teaching and learning.
- The local advisory board has recently revised its structure so that it can work more closely with school staff. Consequently, governors have a good understanding of the work of the school and what needs to be improved. They bring their extensive experience and industry connections to the role, providing the school and its pupils with many external opportunities and resources.

### **Safeguarding**

- The arrangements for safeguarding are effective.
- Leaders have established a culture of safeguarding at the school. They have introduced a systematic way to record staff concerns and ensure that they track subsequent actions. Leaders work closely with external agencies to ensure that pupils get early help, where appropriate.
- Staff are well trained and know their responsibilities around being vigilant to any signs of concern. They were clear about their responsibility to prevent extremism and radicalisation. They are aware of the pertinent risks to pupils in the wider community, including child sexual exploitation, gang affiliation and knife crime. Checks on the suitability of staff to work at the school are in line with statutory guidance.
- The school site is secure and well maintained, with appropriate risk assessments in place.

### **Quality of teaching, learning and assessment**

### **Requires improvement**

- Teachers do not routinely check whether pupils understand what they are learning. Consequently, teachers are not able to adapt their planning to address misconceptions or fill any gaps in pupils’ knowledge and comprehension. Equally, pupils are not always clear about how they can improve their work, and this limits the progress they can make.
- Teachers do not ensure that all pupils understand key knowledge, concepts, ideas or subject-specific language. Some pupils find it difficult to recall prior learning, and this inhibits their ability to attempt new learning confidently. For instance, they struggle sometimes to name and describe the function of particular tools or remember factual knowledge in biology.



- Teachers do not explicitly support pupils to write effectively for different audiences and purposes within their subject area. Written work in some areas is of poor quality and does not enable pupils to demonstrate what they know. Errors in spelling, punctuation and grammar exacerbate this, and are not routinely picked up by teachers.
- The new school building benefits from specialist equipment, laboratories and workshops, some of which have yet to be commissioned for pupils' use. Consequently, teachers are not able to use these resources regularly enough. Pupils say that they are keen to be active in their learning. They value the project-based learning they undertake with sponsors as it is engaging, hands-on and practical. Pupils would welcome more opportunities to be inquisitive and active learners across all of their subjects.
- Some teachers know their pupils well and plan accordingly. They know that some pupils need an equal measure of reassurance and challenge. These teachers are clear about what they want pupils to learn in the short term, in order to achieve their long-term targets. For instance, in some Year 12 mathematics classes, students are resitting their GCSE examinations to improve their grades. Students make good progress in these areas.
- There is some strong teaching in engineering, and this was reflected in the 2018 outcomes. Pupils are highly motivated and keen to rise to the challenge.
- Leaders have instigated additional weekly sessions where teachers share best practice and learn new skills. Staff were complimentary about the support they receive and the benefit of these sessions on their teaching.

## Personal development, behaviour and welfare

**Good**

### Personal development and welfare

- The school's work to promote pupils' personal development and welfare is good.
- Leaders know that some pupils have had challenges in their previous school or have been erratic attenders. Many need reassurance, care and guidance so that they can settle quickly and focus on their learning. The school runs an effective mentoring programme to ensure that all pupils receive bespoke support. As a result, the school community is harmonious and supportive. Pupils mix across year groups and support each other, irrespective of their backgrounds, ability or aspirations.
- The 'safer schools' officer and other external agencies provide briefings for pupils on how they might keep themselves safe in different situations. Pupils and students in the sixth form said that they feel safe in school and know whom they would turn to if they were concerned. They reported that bullying is rare.
- Girls are a minority group at the school. Leaders have started to offer bespoke support and guidance. A school nurse is on site once a week. A local group, which aims to increase girls' self-esteem, makes visits to the school, and sponsors have arranged similar presentations by women in industry. The girls said that they are well looked after, although would still welcome further opportunities as a distinct group.
- Leaders provide a range of work-related learning, work placements, visits and trips. A careers officer visits the school once a week and gives impartial advice and guidance.

Leaders promote university 'open days' and information about apprenticeship opportunities. However, leaders do not track carefully enough which pupils access these opportunities. Consequently, they are not able to ensure that all pupils, irrespective of their backgrounds, are being given comprehensive information, advice and guidance to ensure equality.

## Behaviour

- The behaviour of pupils is good.
- Pupils are very proud of their school and their experiences. They take pride over their appearance and are well prepared for their lessons. They show respect and tolerance towards each other and to the adults around them. Pupils welcome the opportunities they receive through the sponsors and were quick to explain the many positive aspects of their school.
- Pupils conduct themselves in a mature and polite way around the site. At break and lunchtimes, they socialise with their friends or enjoy playing football or table tennis, often highly competitively.
- During lessons, the majority of pupils are motivated and want to do well. Where teaching is less strong, sometimes, pupils' attention wanes, and time is lost. A minority of pupils require further support to manage their own behaviour. Teachers are quick to intercede, and do so calmly and appropriately, quickly de-escalating any potential tensions.
- Attendance, while improving slightly, is still too low throughout the school. Leaders are working to address this, although more needs to be done. Punctuality to lessons is erratic. This is exacerbated by the building being on five levels, making movement between lessons too slow sometimes.

### Outcomes for pupils

### Requires improvement

- Leaders undertake baseline assessments of pupils' ability on entry and track their progress from this point. Leaders use this information to set examination targets. However, evidence in pupils' books indicates that progress varies, depending on the teacher. In some subjects, there is demonstrable evidence of pupils acquiring knowledge and deepening their understanding. These pupils are set 'challenge tasks' that stretch their problem-solving and reasoning skills.
- There is evidence of teachers giving advice on how pupils can improve their work, and subsequent progress is evident. However, this is not the case across all subjects. In some subjects, work in books and assessment papers indicates large gaps in pupils' understanding and knowledge. This is exacerbated by some pupils' inability to express themselves effectively in writing. Leaders' own records of their analysis of pupils' work confirm variation in pupils' progress across the school.
- In English lessons, pupils focus predominantly on reading the set literary texts in preparation for their GCSE English examinations. There are few opportunities for pupils to read other texts, including non-fiction, as models for their own writing.
- In 2018, across a number of subjects, including English and mathematics, pupils overall

made progress in line with pupils nationally. However, disadvantaged pupils made less progress across a range of subjects than their peers did, and pupils nationally.

- At the end of Year 11 in 2018, pupils' attainment was in line with the national average across a range of subjects. The attainment of pupils studying BTEC engineering level 2 was higher than the national average. Equally, the proportion of pupils achieving grade 5 or above in both English and mathematics was just above the national average. These pupils had middle or high attainment when they left primary school at the end of key stage 2. However, fewer disadvantaged pupils achieved grade 5 or above in English and mathematics. Leaders have rightly identified some groups of current pupils who need to make stronger progress from their starting points. These include the most able and disadvantaged pupils.

## 16 to 19 study programmes

## Requires improvement

- Teaching, learning and assessment on 16 to 19 study programmes, as in key stage 4, require improvement. The quality of teaching in different departments is not good. Consequently, students make variable progress, depending on the subject and their teacher.
- Outcomes on academic A-level courses in 2018 were poor. Many students failed to achieve A-level qualifications. This was due to a range of issues, including inappropriate entrance criteria for specific subjects, poor advice, teaching that required improvement and personal issues. However, leaders ensured that all students went on to find appropriate employment, suitable apprenticeships or university courses.
- Leaders responded quickly to ensure that students now have the academic ability to succeed on their chosen courses, and that teachers have the subject knowledge and skills to ensure that students make better progress. However, the quality of teaching remains inconsistent.
- Retention and attendance in the sixth form continue to require improvement. Too many students do not attend regularly enough, with some leaving school before the end of their course.
- Outcomes in vocational qualifications are stronger, particularly engineering. Students who completed BTEC Level 3 courses in 2018 achieved very highly. Current students look set to do the same.
- Guidance for students resitting GCSE qualifications in English and/or mathematics, and for those taking core mathematics to support their engineering skills, is strong. Consequently, these pupils make appropriate progress.
- University and employer-led projects are a successful feature of the curriculum, benefiting all learners. Some students are successful in acquiring meaningful work experience placements. This supplements their studies in school and prepares them well for the next stage of their education and training. However, while leaders provide information about opportunities, they do not ensure that all students participate in a work experience programme, particularly those on vocational courses.
- Students are mature, hard-working and aspirational for their future success. Many have a clear idea about their future work plans. Leaders and the sponsors have effectively supported those applying for apprenticeships and university placements. Students

support each other well and have very positive relationships with the adults who work with them. Students are proud of their school, are pleased that they chose to study there and have enjoyed the experience.

- Safeguarding arrangements, as in the rest of the school, are effective.

## School details

Unique reference number	142905
Local authority	Lambeth
Inspection number	10058831

This inspection of the school was carried out under section 5 of the Education Act 2005.

Type of school	Technical
School category	University technical college
Age range of pupils	14 to 19
Gender of pupils	Mixed
Gender of pupils in 16 to 19 study programmes	Mixed
Number of pupils on the school roll	221
Of which, number on roll in 16 to 19 study programmes	125
Appropriate authority	Board of trustees
Chair	Nicole Louis
Headteacher	Dan Cundy
Telephone number	020 7738 6115
Website	<a href="http://www.southbank-utc.co.uk">www.southbank-utc.co.uk</a>
Email address	<a href="mailto:info@southbank-utc.co.uk">info@southbank-utc.co.uk</a>
Date of previous inspection	Not previously inspected

## Information about this school

- South Bank Engineering is a university technical college that opened in September 2016 in temporary accommodation. Last year, it moved into its new building. It educates 14- to 19-year-old pupils and students.
- The UTC's main sponsor is London South Bank University. Other sponsors include Skanska, King's College Hospital NHS trust, Guy's and St Thomas' Hospital NHS trust, and Essentia.
- The school is part of the South Bank Academies multi-academy trust.
- Girls represent approximately one fifth of the pupil body.

- Over half of the pupils are known to be eligible for the pupil premium, which is above average.
- The majority of pupils are from minority ethnic backgrounds, which is higher than the national average. The largest groups are those who are Black or Black British – African, and Black or Black British – Caribbean.
- The proportion of pupils who speak English as an additional language is above average.
- A quarter of pupils receive special educational needs support, which is above the national average.
- The proportion of pupils who have an education, health and care (EHC) plan is below the national average.
- The majority of pupils joined their previous school in Year 7 as middle- or high-ability pupils.

## Information about this inspection

- Inspectors observed teaching, learning and assessment across the full range of year groups and subjects.
- Inspectors held discussions with representatives from the local advisory board, who represent the sponsors, the principal and vice-principal, and teachers with lead responsibilities. They spoke to a range of staff, pupils and students in the sixth form.
- Inspectors took account of the two responses to Parent View, 18 responses to the staff survey and 13 responses from pupils.
- The inspection team scrutinised a wide range of documentation, including: records relating to student behaviour and attendance, minutes of meetings, information on the progress made by current students, the school's self-evaluation documentation and the school development plan.
- Inspectors reviewed safeguarding records, policies and procedures. They checked the school's procedures for ensuring the safer recruitment of staff.

## Inspection team

Helen Matthews, lead inspector

Her Majesty's Inspector

Steve Lambert

Her Majesty's Inspector

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In the report, 'disadvantaged pupils' refers to those pupils who attract government pupil premium funding: pupils claiming free school meals at any point in the last six years and pupils in care or who left care through adoption or another formal route. [www.gov.uk/pupil-premium-information-for-schools-and-alternative-provision-settings](http://www.gov.uk/pupil-premium-information-for-schools-and-alternative-provision-settings).

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# Agenda Item 7

	CONFIDENTIAL
Paper title:	Health and Safety report
Board/Committee:	South Bank Academies Board Meeting
Date of meeting:	28 March 2019
Author(s):	Clym Cunnington, Trust Business Manager
Sponsor(s):	Nicole Louis, SBA CEO
Purpose:	To note
Recommendation:	The Board is requested to note the health and safety report

The Board is requested to note the management risk assessment plan 2019 for Judicium. The Business Manager will update further at the meeting.

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## **MANAGEMENT RISK ASSESSMENT ACTION PLAN 2019**

### **South Bank Engineering UTC**

Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE  
Phone: 020 7336 8403 Fax: 020 7336 6989 E-mail: [Enquires@judicium.com](mailto:Enquires@judicium.com) web:  
[www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

## Management Risk Assessments Action Plan

The plan collates all of the recommendations derived from management risk assessments. The school can use this plan to ensure all recommended actions are noted, dated when completed and highlighted if they are not acted upon. The action plan includes the date, which the consultant has concluded should be attributed to a recommendation relating to the action priority level. All risk assessments should be reviewed annually or sooner if there is a significant change.

MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
1.	MA SA MRA7 MRA8	Management Stress Management Manual Handling Work at Height	<b>HIGH</b>	It is recommended that all staff are required to complete the following e-learning courses: H&S Basics training, Fire Safety, Working at Height, Manual Handling and Stress management. The training can be completed using the Judicium Education E-learning system on <a href="http://www.judiciumeducation.co.uk">www.judiciumeducation.co.uk</a> .	<b>June 2019</b>		
2.	MA	Management	<b>HIGH</b>	It is recommended that the Head of Department for practical subjects complete the Judicium e-learning 'Head of Department – Health and Safety Management' and the 'Risk Assessment' module relevant to their subject.	<b>June 2019</b>		
3.	MA MRA14	Management Science	<b>HIGH</b>	<p>Ensure risk assessments are in place for all higher risk activities and practical departments within the college. This should include specialist areas requiring separate assessments such as:</p> <ul style="list-style-type: none"> <li>• Young Persons</li> <li>• P.E activities not carried out by external contracted coaches</li> <li>• Practical departments' activities that are not covered by CLEAPSS or DATA risk assessments, e.g. Science Technician duties.</li> </ul> <p>Ensure that all risk assessments are suitable and sufficient i.e. follow the HSE-5 steps to risk assessment (refer to the Judicium Education site</p>	<b>June 2019</b>		

MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
				for guidance and further details).			
4.	MA MRA3	Management Security	<b>HIGH</b>	Ensure suitable Lone Working provisions are in place which includes Lone Working risk assessments, emergency contact arrangements and welfare checks for lone working staff.	<b>June 2019</b>		
5.	MA MRA12	Management Playground/Outdoor	<b>HIGH</b>	Ensure a playground risk assessment is in place for external areas and associated activities/uses.	<b>June 2019</b>		
6.	MA MRA4	Management Emergency	<b>HIGH</b>	Ensure the nominated members of staff who will potentially assist with evacuation chair operation during evacuation are provided with suitable training by a competent trainer.	<b>June 2019</b>		
7.	MA MRA4	Management Emergency	<b>HIGH</b>	Ensure a sufficient number of non-teaching staff have been nominated and trained as fire wardens with allocated zones to sweep the college site during evacuations to prevent the need to re-enter the site.	<b>June 2019</b>		
8.	MA	Management	<b>HIGH</b>	Ensure the recommended actions within the 2018 Fire Risk Assessment are implemented.	<b>June 2019</b>		
9.	MA	Management	<b>HIGH</b>	Ensure monthly Emergency light 'flick tests' are carried out and recorded in the fire log book.	<b>June 2019</b>		
10.	MA	Management	<b>HIGH</b>	Ensure the Emergency Lighting system is subject to an annual 3 hour run down with suitable maintenance records retained on file.	<b>June 2019</b>		
11.	MA	Management	<b>HIGH</b>	Ensure the damaged dry riser access cupboard panels adjacent to each floor level stairwell are temporarily boarded to prevent damage or injury whilst full panel replacements are sourced for installation.	<b>June 2019</b>		
12.	FA	First Aid	<b>HIGH</b>	Ensure a First Aid and Medicines Policy is implemented, a template policy has been provided	<b>June 2019</b>		

MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
				by Judicium for consideration.			
13.	FA MRA4 MRA13	First Aid Emergency P.E.	<b>HIGH</b>	Ensure that college staff who coordinate P.E. activities are first aid trained.	<b>June 2019</b>		
14.	MRA2	Work Environment	<b>HIGH</b>	The management should review the water management procedures provided in the O&M manuals. If these are specific to the building, all requirements for maintenance and testing must be adhered to. Typically, this will include periodic temperature checks, flushing through standing water in little used outlets, fountain system management and at least annual bacteria testing. It appears that some of the above is now overdue and needs to be addressed. If the water management survey and procedures in the O&M manual are not site specific, a Water management survey for the site should be commissioned to create a Water Management Plan to detail maintenance requirements.	<b>June 2019</b>		
15.	MRA4	Emergency	<b>HIGH</b>	Ensure procedures are in place to assist visitors who are unfamiliar with the building and cannot self-evacuate to leave the building safely.	<b>June 2019</b>		
16.	MRA5 MRA6 MRA14 MRA15	Hazardous Substances Work Equipment Science Engineering	<b>HIGH</b>	Ensure the Local Extraction Ventilation systems (LEV) within the kitchen, Science and Engineering Departments are subject to mechanical service and inspection every 14 months.	<b>June 2019</b>		
17.	MRA6 MRA15	Work Equipment Engineering	<b>HIGH</b>	Refer to the O&M manuals, ensure required maintenance inspections and servicing are completed for all work equipment (portable and fixed). It should be noted that all work equipment will require at least annual recorded inspections by competent people.	<b>June 2019</b>		
18.	MRA6	Work Equipment	<b>HIGH</b>	Ensure a maintenance and testing programme is in place for the passenger lift. This must in	<b>June 2019</b>		

MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
				accordance with LOLER regulations.			
19.	MRA6	Work Equipment	<b>HIGH</b>	Ensure all pressure systems are maintained and serviced in accordance with a written scheme of examination.	<b>June 2019</b>		
20.	MRA6	Work Equipment	<b>HIGH</b>	Ensure the evacuation chairs on each floor are subject to an annual service by a competent contractor	<b>June 2019</b>		
21.	MRA6	Work Equipment	<b>HIGH</b>	It is recommended that all employees who are required to carry out screen work as part of their duties for an hour or more each working day complete a DSE self-assessment on an annual basis to monitor for issues or requested reasonable adjustments. An online self-assessment system has been provided by Judicium.	<b>June 2019</b>		
22.	MRA6	Work Equipment	<b>HIGH</b>	Ensure the roof level lanyard and line system is subject to annual inspection and service by a competent contractor with suitable certification retained on file.	<b>June 2019</b>		
23.	MRA6 MRA14 MRA15	Work Equipment Science Engineering	<b>HIGH</b>	Ensure gas services including site boilers, science supply/emergency shut off system, engineering supply/emergency shut off system and kitchen services are subject to annual service and inspection by a competent contractor with appropriate certification retained on file.	<b>June 2019</b>		
24.	MRA6 MRA14	Work Equipment Science	<b>HIGH</b>	Ensure the science department fume cupboards are subject to annual service and inspection by a competent contractor with appropriate records retained for audit purposes.	<b>June 2019</b>		
25.	MRA6	Work Equipment	<b>HIGH</b>	Ensure the lightning protection system is subject to annual service and inspection by a competent contractor with suitable certification retained on	<b>June 2019</b>		

MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
				file for audit purposes.			
26.	MRA7	Manual Handling	<b>HIGH</b>	<p>The college must ensure that all significant manual handling tasks are covered by a suitable and sufficient risk assessment. Such a risk assessment MUST cover the HSE T.I.L.E process/hazards to assess e.g. the assessment should assess Task, Individual capability. Load being moved and Environment. The current general risk assessment that includes manual handling is not suitable and sufficient.</p> <p>The college management should require all departments of the school that include significant manual handling tasks to complete a risk assessment using the Judicium Education format that adopts the T.I.L.E procedure. Templates and guidance have been provided via the Judicium website (client log in) <a href="http://www.judiciumeducation.co.uk">www.judiciumeducation.co.uk</a>.</p>	<b>June 2019</b>		
27.	MRA8	Work at Height	<b>HIGH</b>	<p>Ensure that a Working at Height risk assessment is completed. It is recommended that an overall working at height risk assessment is compiled for all general working at height e.g. fixing displays etc. Templates and guidance have been provided via the Judicium website (client log in) <a href="http://www.judiciumeducation.co.uk">www.judiciumeducation.co.uk</a>. If premises officers are employed, working at height procedures and risk assessment will need to be reviewed.</p>	<b>June 2019</b>		
28.	MRA8	Work at Height	<b>HIGH</b>	<p>Ensure the roof level lanyard and line system is subject to annual inspection and service by a competent contractor with suitable certification retained on file.</p>	<b>June 2019</b>		
29.	MRA9	Managing Contractors	<b>HIGH</b>	<p>It is recommended that the template Managing Contractors policy provided by Judicium for</p>	<b>June 2019</b>		



MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
				consideration is implemented to ensure clear contractor procurement, competency assessment and hot works management procedures are in place. Ensure contractors provide risk assessments, relevant qualifications/competency and details of insurance documents prior to any works being carried out. A record of documents should be kept.			
30.	MRA10 MRA14 MRA15 MRA16	Electrical Science Engineering ICT	<b>HIGH</b>	Ensure the academy has a suitable PAT testing schedule in place to avoid bulk annual testing to: <ul style="list-style-type: none"> <li>Put all electrical equipment in an asset register</li> <li>Assign a suitable PAT testing frequency schedule for each piece of equipment (See HSE guidance document HSG107)</li> <li>Assign a date for visual inspections at a greater frequency than the Physical PAT test</li> <li>Ensure that staff are prevented from bringing in electrical equipment from home.</li> </ul>	<b>June 2019</b>		
31.	MRA13	P.E.	<b>HIGH</b>	Ensure suitable risk assessments and insurance has been provided by the appointed Sports Coach and appropriate records are kept for review.	<b>June 2019</b>		
32.	MRA14	Science	<b>HIGH</b>	Ensure Alkaline metals and Oxidizing products are suitably stored separately in locked flame-retardant units	<b>June 2019</b>		
33.	MRA14	Science	<b>HIGH</b>	Ensure procedures are in place to deal with spillages appropriately according to the substance involve and safe disposal arrangements are known by relevant staff.	<b>June 2019</b>		
34.	MRA15	Engineering	<b>HIGH</b>	Ensure the existing risk assessments relating to Grinders within the Engineering Department are reviewed and clearly state only staff are to use	<b>June 2019</b>		

MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
				such machinery.			
35.	MA	Management	<b>MEDIUM</b>	To enhance the overall health and safety competence of the senior management team, it is recommended that the Principal completes a management level course such as Judicium's Leading Health and Safety in Schools in order to support the Business Support Officer with overall Health and Safety responsibilities.	<b>September 2019</b>		
36.	MA	Management	<b>MEDIUM</b>	Classroom risk assessments should be completed for each classroom area and reviewed on an annual basis (refer to the Judicium Education site for guidance and further details).	<b>September 2019</b>		
37.	MA MRA1 MRA12	Management Slips, Trips and Falls Playground/Outdoor	<b>MEDIUM</b>	The college should implement formal periodic recorded premises inspections. Suitable reports reflecting the premises condition should be completed for the Trustees meetings to highlight any areas of concern. A Premises Inspection pro-forma is available on the Judicium Education site which would assist in further developing and formalising the inspection regime.	<b>September 2019</b>		
38.	MA MRA13 MRA14 MRA15	Management P.E Science Engineering	<b>MEDIUM</b>	Ensure the draft health and safety policy documents provided to the College are amended and implemented.	<b>September 2019</b>		
39.	FA	First Aid	<b>MEDIUM</b>	It is recommended that a sanitary bin is placed in the medical room to ensure waste provisions are in place for clinical waste/first aid related waste.	<b>September 2019</b>		
40.	FA	First Aid	<b>MEDIUM</b>	It is recommended that the medical room door vision panel is fitted with a blind to allow suitable privacy to be provided during assessment or treatment.	<b>September 2019</b>		
41.	SA	Stress Management	<b>MEDIUM</b>	Ensure a Wellbeing policy is put in place, a	<b>September 2019</b>		

MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
				template policy has been provided by Judicium for consideration.			
42.	MRA5	Hazardous Substances	<b>MEDIUM</b>	The management should ask the cleaning contractor for COSHH assessments of each substance/product used on site.	<b>September 2019</b>		
43.	MRA5	Hazardous Substances	<b>MEDIUM</b>	It is recommended that a copy of the chemical safety data sheets are held in the medical room. This will provide reference if required in an emergency.	<b>September 2019</b>		
44.	MRA6 MRA15	Work Equipment Engineering	<b>MEDIUM</b>	It is recommended that provisions are put in place for periodic workshop equipment checks by engineering and technology departmental staff to monitor for wear or damage between formal contractor inspections as part of the ongoing equipment maintenance programme.	<b>September 2019</b>		
45.	MRA8	Work at Height	<b>MEDIUM</b>	It is recommended that step ladders used by college staff are recorded on a ladder inventory and are subject to 6 monthly recorded inspections for damage or fault.	<b>September 2019</b>		
46.	MRA9	Managing Contractors	<b>MEDIUM</b>	A permit to work system should be established and followed to ensure only College approved contractors are permitted on site. All contractor work should be reviewed and inspected by the premises and College management.	<b>September 2019</b>		
47.	MRA10	Electrical	<b>MEDIUM</b>	Ensure RCDs are tested every quarter using the test buttons. Tests should be recorded.	<b>September 2019</b>		
48.	MRA14	Science	<b>MEDIUM</b>	Clarify with CLEAPPSS the recommended disposal method for microbes and associated equipment where an Autoclave is not available and formalise disposal procedure.	<b>September 2019</b>		
49.	MRA15	Engineering	<b>MEDIUM</b>	Ensure clear demarcation between observation	<b>September 2019</b>		

MRA Reference				Recommendation	Target Date For Completion	For Client Use	
No.	MRA	Area	Action Priority			Person Responsible	Date Completed
				areas and practical work areas to confirm where students are permitted to stand safely.			
50.	MRA6	Work Equipment	<b>MEDIUM</b>	Ensure the certificate relating to the March 2019 TR19 deep clean to the kitchen extraction system is retained on file for audit purposes.	<b>September 2019</b>		
51.	FA	First Aid	<b>LOW</b>	It is recommended that the College purchase a defibrillator.	<b>March 2020</b>		

# Agenda Item 9

	CONFIDENTIAL
Paper title:	Safeguarding update
Board/Committee:	South Bank Academies Board Meeting
Date of meeting:	28 March 2019
Author(s):	Dan Cundy, Trust Executive Principal
Sponsor(s):	Nicole Louis, SBA CEO
Purpose:	For Information
Recommendation:	The Board is requested to note the safeguarding reports.

The Board is requested to note the safeguarding reports from the South Bank Engineering UTC and University Academy of Engineering.

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## Safeguarding update March 2019

### South Bank Engineering UTC

No. of cases at level 1: <b>Universal</b>	12
Change since previous report (October 2018)	0
Commentary	

No. of cases at level 2: Child in need of <b>early help</b>	0
Change since previous report (October 2018)	0
Commentary	

No. of cases at level 3: <b>Child in need</b> of targeted or specialist support	1
Change since previous report (October 2018)	0
Commentary No further meetings have taken place with agencies.	

Number of cases at level 4: <b>Child at risk</b> of significant harm	2
Change since previous report (October 2018)	0
Core group meeting for one pupil held No further updates on the other pupil.	

Work with external agencies:
Continued work with Schools Police Service. The school ran a knife arch on 14 <sup>th</sup> March 2019. One pupil had pepper spray, which is being investigated by police.
No referrals have been made by the school this month to Lambeth.
The weekly drop in session with School Police Service runs on Tuesday lunchtimes
The school nurse has presented assemblies to year groups

Significant safeguarding issues in school since last report:
None reported.

Education and Health Care Plans. Update since last report: none
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**University Academy of Engineering South Bank**

No. of cases at level 1: <b>Universal</b>	
Change since previous report (October 2018)	
Commentary	

No. of cases at level 2: Child in need of <b>early help</b>	
Change since previous report (October 2018)	
Commentary	

No. of cases at level 3: <b>Child in need</b> of targeted or specialist support	
Change since previous report (October 2018)	
Commentary	

Number of cases at level 4: <b>Child at risk</b> of significant harm	
Change since previous report (October 2018)	
Commentary	

Work with external agencies:

Significant safeguarding issues in school since last report:

Education and Health Care Plans. Update since last report:



Paper title:	Re-appointment of Kingston Smith as external auditors
Board/Committee	South Bank Academies Audit committee
Date of meeting:	28 <sup>th</sup> March 2019
Author:	Natalie Ferer, University Financial Controller
Purpose:	To note the reappointment of Auditors for the audit of the financial statements for the year ending 31 <sup>st</sup> August 2019
Recommendation:	The Board is requested to note the update

Kingston Smith audited the accounts of South Bank Academies for the previous financial year. They have acted as auditors for the organisation since incorporation and this will be their 6<sup>th</sup> year.

The Board discussed and approved the appointment of Kingston Smith at its meeting of 11 December 2018, subject to a review by the Audit committee.

The audit committee is discussing a recommendation to re-appoint Kingston Smith at its meeting of 28 March 2019. An update will be provided at the Board meeting.

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	CONFIDENTIAL
Paper title:	Governance Agreement and Scheme of Delegation
Board/Committee:	South Bank Academies Board
Date of meeting:	28 March 2019
Author(s):	Michael Broadway, Company Secretary
Sponsor(s):	Michael Broadway, Company Secretary
Purpose:	For approval
Recommendation:	The Board is requested to approve: - the Governance Agreement between SBA and LSBU; and - the Scheme of Delegation

## Executive Summary

At its meeting of 19 July 2018, “the Board supported the option to remain part of the LSBU Group within a more clearly defined governance agreement between LSBU and SBA, setting out the level of control of LSBU as member, and scheme of delegation, and with a clear management structure. The Board noted that governance proposals would require support from DfE” (minute 6).

### *Governance Agreement*

The Governance Agreement has now been drafted and shared with the Department for Education – included in appendix 2.

The Agreement sets out the obligations of SBA and LSBU and restricts SBA carrying out certain actions unless approved by LSBU. Under the Agreement LSBU intends to supply goods and services to SBA including:

- Support and guidance on educational quality;
- Advice and guidance in relation to professional services;
- Governance and company secretarial services.

LSBU also intends to support curriculum enhancement and provide access to its specialist facilities.

Restrictions on certain actions include:

- appointing a Principal of the Academies;
- setting the annual budget of SBA;
- making any material change to the curriculum of the Academies;
- borrowing;
- giving security;
- spending over £100k;
- admit any further Academies or transfer any Academies out of SBA;
- disposal of assets (outside the usual course of business);
- dismissal of the Executive Principal;
- set up partnerships, joint ventures or subsidiaries.

Under the Agreement there is an Accounting Officer (as required under the Academies Financial Handbook), currently the CEO, and a Principal Accounting Officer, the Group CEO. Their remits are set out in Appendices A and B of the Agreement.

### *Scheme of Delegation*

At its meeting of 11 October 2018, the Board approved changes to the remit of the Local Governing Bodies (now renamed School Advisory Boards) to focus on supporting the school Principals with school development planning, monitoring of academic delivery and student progress, overseeing the health, well-being and safeguarding of students, liaising with parents and the local community, and providing key oversight through Link Governor roles.

Attached at appendix 2 is a revised Scheme of Delegation (SoD) to reflect these changes.

### **Recommendation**

The Board is requested to approve:

- the Governance Agreement between SBA and LSBU; and
- the Scheme of Delegation

**Dated**

**2018**

**Governance Agreement**

between

**London South Bank University**

and

**South Bank Academies**

## Parties

- (1) **London South Bank University**, an exempt charitable company limited by guarantee whose registered office is at 103 Borough Road London SE1 0AA and registered company number 00986761 (**LSBU**); and
  - (2) **South Bank Academies, an exempt charitable** company limited by guarantee whose registered office is at 103 Borough Road London SE1 0AA and registered company number 08589525 (**SBA**);
- (each a **Party** and together the **Parties**).

## Background

- (A) SBA is an academy trust, established under the Academies Act 2010. SBA operates the University Academy of Engineering South Bank and the South Bank University Technical College (together, the **Academies**).
- (B) LSBU is the University Sponsor of SBA (as defined in SBA's articles of association) and a member of SBA and wishes to provide support and assistance to SBA as set out in this Agreement.
- (C) The parties have agreed that LSBU and SBA can each best achieve their educational objectives by cooperating with each other in order to:
  - (a) provide the best possible education outcomes and student experience for their respective students in particular by:
    - (i) supporting the co-development of an educational framework;
    - (ii) ensuring that there are clear learning pathways between SBA, SBC, LSBU and other educational institutions to allow students to progress their education;
    - (iii) working to support student development across institutions by use of extracurricular support, advice and guidance
  - (b) make the best use of their respective resources for the benefit of staff students and local communities.
- (D) This Agreement is not intended to be legally binding except as specifically set out below.

## It is agreed as follows:

### 1 Definitions

- 1.1 In this Agreement unless the context otherwise requires the following expressions shall have the following meanings:

**Accounting Officer:** the accounting officer appointed by SBA from time to time in accordance with the Academies Financial Handbook (See Appendix A);

**Principal Accounting Officer:** Appointed by the LSBU group to oversee the effective running of the group, for ensuring value for money and appropriate use of public funds. In discussion with relevant Board they are responsible for the appointment and line management of the accounting officers in line with Appendix B.

**Articles:** means SBA's articles of association;

**Created IPR:** has the meaning given in clause 11.4;

**DfE:** means the Department for Education;

**Business Day:** means a day (other than a Saturday or Sunday) on which clearing banks are open for business in the City of London;

**ESFA:** means the Education and Skills Funding Agency (and any successor body);

**Framework and Strategy:** has the meaning given in clause 5.1;

**Funding Documents:** has the meaning given in clause 3.2;

**Intellectual Property Rights:** means patents, utility models, rights to inventions, copyright and neighbouring and related rights, trademarks and service marks, business names and domain names, rights in get-up and trade dress, goodwill and the right to sue for passing off or unfair competition, rights in designs, database rights, rights to use, and protect the confidentiality of, confidential information (including know-how and trade secrets), and all other intellectual property rights, in each case whether registered or unregistered and including all applications and rights to apply for and be granted, renewals or extensions of, and rights to claim priority from, such rights and all similar or equivalent rights or forms of protection which subsist or will subsist now or in the future in any part of the world;

**LSBU Brand:** means the names "London South Bank University", "LSBU", other names used by LSBU and its group, and all associated crests, images and graphics;

**Sponsor:** means LSBU acting its capacity as sponsor of SBA in accordance with the Articles;

**SBC:** means South Bank Colleges, a company limited by guarantee, registered in England & Wales with company number 11495376.

**SLA:** has the meaning given in clause 8.2:

**Supply:** has the meaning given in clause 8.2; and

**Trustees:** means the company directors and charity trustees of SBA from time to time.

## **2 Interpretation**

- 2.1 Clause, Schedule and paragraph headings shall not affect the interpretation of this Agreement.
- 2.2 References to clauses are to the clauses of this Agreement.
- 2.3 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality) and that person's personal representatives, successors and permitted assigns.
- 2.4 A reference to a **company** shall include any company, corporation or other body corporate, wherever and however incorporated or established.
- 2.5 A reference to a **holding company** or a **subsidiary** means a holding company or a subsidiary (as the case may be) as defined in section 1159 of the Companies Act 2006.
- 2.6 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 2.7 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.

- 2.8 A reference to any **Party** shall include that party's personal representatives, successors and permitted assigns.
- 2.9 A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 2.10 A reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision.
- 2.11 A reference to **writing** or **written** includes fax but not e-mail.
- 2.12 Any obligation on a party not to do something includes an obligation not to allow that thing to be done.
- 2.13 A reference to **this Agreement** or to **any other agreement or document referred to in this Agreement** is a reference to this agreement or such other agreement or document as varied or novated (in each case, other than in breach of the provisions of this Agreement) from time to time.
- 2.14 Any words following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 2.15 Any reference to this Agreement terminating shall, where the context requires, include a reference to this Agreement terminating by expiry.

### **3 The relationship between LSBU and SBA**

- 3.1 The Parties acknowledge that SBA is an exempt charity which is regulated by the DfE (and its executive agency, the ESFA) and is required to advance the charitable object set out in the Articles.
- 3.2 The Parties also acknowledge that SBA is funded pursuant to and bound by the terms of its funding agreement with the Secretary of State for Education and by the terms of the Academies Financial Handbook published by the ESFA (together, the **Funding Documents**), as amended from time to time. SBA confirms that it will operate at all times in accordance with the Funding Documents, including ensuring that it only utilises funds received under the Funding Documents in a way that is consistent with the purposes for which the funds were given and in compliance with any conditions attached to them.
- 3.3 In the case of a material breach of any term of the Funding Documents (or any of them), SBA will:
- 3.3.1 immediately notify LSBU; and
  - 3.3.2 notify any other party and take any action required by the Funding Documents (or any of them).

### **4 Non-consolidation of accounts**

- 4.1 The Parties agree that they consider that the accounts of SBA are not required to be consolidated with the accounts of LSBU either under the provisions in section 405 of the Companies Act 2006 or the relevant Charities SORP (or on any other basis) because LSBU's rights over the assets and management of SBA as a Member of SBA are subject to severe long-term restrictions which substantially hinder the exercise of those rights.



## **5 Collaboration through adoption of joint policies and strategies**

- 5.1 The Parties acknowledge that LSBU intends to adopt a "common education framework" and a "mission and overarching corporate strategy" (together the **Framework and Strategy**) in connection with its operation of a University and a Further Education College (which together with the Academies are known as "**LSBU Group**").
- 5.2 The Parties acknowledge that once the framework and strategy are agreed then in furtherance of their shared purpose to best achieve their educational objectives, SBA will adopt the group framework and strategy.
- 5.3 SBA, through its accounting officer (see Appendix B), will develop with SBA Board, staff and stakeholders a local vision and academic strategy that aligns with and delivers on the group framework and group strategy.

## **6 Role and obligations of LSBU as Sponsor**

- 6.1 As Sponsor, LSBU will collaborate with SBA with a view to supporting SBA to improve educational outcomes for pupils at the Academies. The Parties agree that all such support shall be provided in accordance with and on the applicable terms and conditions of this Agreement.
- 6.2 LSBU will act in good faith to seek to support the improvement of the educational provision at the Academies by:
- 6.2.1 exercising its rights to seek to appoint Trustees to provide effective and appropriate governance for SBA;
  - 6.2.2 collaborating with SBA and the Academies, including as set out in this Agreement and as otherwise agreed between the Parties; and
  - 6.2.3 supporting the management of SBA, including by providing guidance and advice, positive challenge and opportunities for collaboration with LSBU.
- 6.3 The Parties acknowledge that LSBU has no legal obligation to provide funding or any other financial support (whether in kind or otherwise) to SBA but that it may at its sole discretion provide such financial support (whether in kind or otherwise) to SBA in order to support the improvement of educational provision at the Academies and in accordance with and on the applicable terms of this Agreement.
- 6.4 The Parties acknowledge that LSBU intends, but is not required, to provide the following non-financial support to SBA:
- curriculum enhancement
  - support for students and staff
  - access to specialist facilities

## **7 Obligations of SBA**

- 7.1 SBA shall keep proper accounting records and shall prepare financial statements in respect of each accounting period which will be subject to independent external audit. The financial statements shall be maintained and filed in accordance with relevant Companies Act and other legal requirements, including the requirements of the Funding Documents.
- 7.2 SBA shall provide LSBU with copies of its audited financial statements each year at the same time as these are submitted to the ESFA in accordance with the Funding Documents.

- 7.3 SBA will be responsible for effective risk management, control, governance, value for money and data quality processes and will ensure that appropriate internal audit arrangements are established to provide assurance in this regard to the trustees.
- 7.4 SBA undertakes to LSBU that it will not without prior written consent of LSBU (such consent not to be unreasonably withheld or delayed):
- 7.4.1 appoint a Principal of the Academies;
  - 7.4.2 set the annual budget of SBA;
  - 7.4.3 make any material change to the curriculum of the Academies;
  - 7.4.4 borrow any money;
  - 7.4.5 enter into or grant any security or other Encumbrance over any property owned by SBA;
  - 7.4.6 enter into any contract or otherwise incur any liability in excess of £100,000;
  - 7.4.7 communicate with the DfE or ESFA in relation to any material matter (where material matters include matters which may pose a risk to the reputation or financial position of SBA or to the reputation of LSBU);
  - 7.4.8 admit any further academy or academies to SBA;
  - 7.4.9 transfer any Academies out of SBA;
  - 7.4.10 amend its Articles;
  - 7.4.11 enter into any arrangement, contract or transaction outside the normal course of its business or otherwise than on arm's length terms and in particular (but without limitation) entering into any long-term, onerous or unprofitable arrangement, contract or transaction;
  - 7.4.12 engage in, commence, defend or respond to any litigation or pre-action correspondence or enter into any settlement negotiations with a value in excess of £10,000
  - 7.4.13 dispose of any assets outside the ordinary course of business;
  - 7.4.14 use the LSBU Brand;
  - 7.4.15 purport to dismiss or terminate the employment of the Executive Principal;
  - 7.4.16 take any action or step in relation to the dissolution of SBA;
  - 7.4.17 set up any subsidiaries;
  - 7.4.18 enter into any partnerships or joint ventures;
  - 7.4.19 support, administer or set up any charities;
  - 7.4.20 affiliate or merge with any charity or other entity;
  - 7.4.21 change its investment policy;
  - 7.4.22 enter into any licence or sponsorship agreement;
  - 7.4.23 adopt any policy or procedure which is incompatible with or contrary to law or the policies and procedures of LSBU;
  - 7.4.24 change external auditors;

- 7.4.25 approve (or make any material variation to) any agreement between SBA and any trade union;
  - 7.4.26 approve (or make any material variation to) the level, amount and terms of any insurance; and
  - 7.4.27 change the form of employment contracts used to hire staff;
- and as necessary, shall confirm to LSBU whether ESFA consent in accordance with the Funding Documentation is required to take such proposed action.
- 7.5 SBA shall seek to consult LSBU in relation to any proposal to take any of the decisions referred to in clause 7.4 and its Trustees shall seek to take into account any views expressed by LSBU in relation to them, provided that none of the provisions of clause 7.4 (or any other provisions of this Agreement) are intended by the Parties to confer any rights on LSBU over the management and assets of SBA which would require the consolidation of accounts of SBA with the accounts of LSBU either under the provisions in section 405 of the Companies Act 2006 or the relevant Charities SORP.
  - 7.6 LSBU may at any time require such written confirmation and supporting documents from SBA (and may, if so required by LSBU, provide such confirmation and documents to LSBU's internal auditors):
    - 7.6.1 as LSBU considers necessary to enable it to act as an effective Sponsor;
    - 7.6.2 as LSBU requires in order for it to fulfil its own statutory and other requirements;
    - 7.6.3 as LSBU considers necessary to satisfy itself as Sponsor that SBA:
      - (a) has in place and is observing appropriate rules, policies, procedures and other documents to allow it to comply with its legal, educational and operational requirements;
      - (b) has in place appropriate arrangements for financial control, management and accounting; and
      - (c) is operating in accordance with the Funding Documents.
  - 7.7 When making a request for information, LSBU shall consider and shall consult with SBA at its discretion, as to:
    - 7.7.1 the cost of providing such information; and
    - 7.7.2 the confidential nature of any personal or other data supplied.
  - 7.8 Following a request for information from LSBU pursuant to this clause 7, SBA shall provide the relevant information to LSBU in hard or electronic copy as required within 15 Business Days.
- 8 Provision of goods and services**
- 8.1 The Parties agree that LSBU may (but is not obliged) to provide goods and/or services to SBA in order to support SBA's development and in particular the improvement of education outcomes for students at the Academies. Such goods and services may include:
    - 8.1.1 support and guidance on educational quality;
    - 8.1.2 advice and guidance in relation to compliance with health and safety legislation and best practice;
    - 8.1.3 advice and guidance in relation to employment law and HR best practice;

- 8.1.4 advice and guidance in relation to specific projects, including construction projects;
  - 8.1.5 the procurement of goods and services for both LSBU and SBA which secure cost savings or other efficiencies;
  - 8.1.6 governance and company secretarial services;
  - 8.1.7 advice and support on marketing and brand;
  - 8.1.8 office facilities; and
  - 8.1.9 financial and internal control services.
- 8.2 Any supply of goods and/or services (each a **Supply**) between the Parties will be made pursuant to a written service level agreement (an **SLA**) which shall include provisions in relation to:
- 8.2.1 the goods and/or services to be supplied;
  - 8.2.2 arrangements for the Supply, including arrangements and timescales for delivery of the goods and/or services;
  - 8.2.3 the period for which the Supply shall continue;
  - 8.2.4 the circumstances in which the SLA may be terminated either by LSBU or by SBA;
  - 8.2.5 the consideration payable for the Supply, which, in the case of a supply from LSBU to SBA, may be either nil or nominal or at cost price for LSBU or, to the extent that this is allowed by the Academies Financial Handbook, at or above market rate;
  - 8.2.6 the VAT status and/or treatment of the Supply;
  - 8.2.7 the extent to which LSBU's liability in relation to the Supply is excluded; and
  - 8.2.8 any other provisions agreed between LSBU and SBA.
- 8.3 In relation to any Supply by LSBU to SBA, LSBU and SBA must comply with the terms of the Academies Financial Handbook, including the requirements in related to the supply of goods and/or services to the Academy Trust by connected parties.
- 8.4 Any decision to enter into an SLA for a Supply shall be subject to the Parties taking into account whether the Supply will or may constitute a breach of the terms of;
- 8.4.1 the Academies Financial Handbook;
  - 8.4.2 the constitution of LSBU and/or the Articles of SBA, including in particular provisions in relation to providing benefits to members, trustees or persons connected to members or trustees and conflicts of interest; and
  - 8.4.3 the law and relevant guidance in relation to member and trustee benefits and conflicts of interest.
- 8.5 Any SLA which breaches the provisions set out in 8.4.1 to 8.4.3 shall be deemed void to the extent that it breaches these provisions.
- 9 Future collaboration**
- 9.1 The Parties acknowledge that they may enter into further arrangements relating to:
- 9.1.1 the provision of shared services or facilities;
  - 9.1.2 the sharing of learners' data subject to all applicable laws;

- 9.1.3 the development of joint policies;
- 9.1.4 the secondment of staff;
- 9.1.5 subject to clause 11, the transfer of Intellectual Property Rights; and
- 9.1.6 such other arrangements as they consider necessary in order to further their respective educational objectives.

## **10 Data protection**

- 10.1 Each Party shall ensure that it complies with the requirements of all legislation and regulatory requirements in force from time to time relating to the use of personal data, including, without limitation, the Data Protection Act 2018 and the General Data Protection Regulation (**DPA**) and any legislation which supersedes them.
- 10.2 Without prejudice to Clause 10.1 neither Party shall provide any Personal Data (as that term is defined in the DPA or any legislation which supersedes it) to the other until after they have entered into a data sharing and processing agreement setting out each Party's rights and obligations in relation to processing Personal Data.

## **11 Intellectual property**

- 11.1 This Agreement does not transfer any interest in or grant any rights in respect of, LSBU's Intellectual Property Rights to SBA. Subject to clause 11.5 below, SBA shall have no rights to use LSBU's Intellectual Property Rights.
- 11.2 This Agreement does not transfer any interest in SBA's Intellectual Property Rights to LSBU.
- 11.3 The Parties shall, prior to any use of LSBU's brand or trade mark by SBA, enter into a brand licence agreement.
- 11.4 All Intellectual Property Rights developed or created by a Party pursuant to this Agreement shall be owned by that Party (**Created IPR**).
- 11.5 Each Party grants to the other Party a non-exclusive, personal, royalty-free licence during the term of this Agreement to use its Created IPR in the UK in relation to and to the extent strictly necessary for the other Party to carry out its obligations in relation to this Agreement.
- 11.6 SBA shall not do, or omit to do, any act that will or may damage any aspect of the LSBU Brand or the goodwill associated with the LSBU Brand, or which may otherwise damage the reputation of LSBU.

## **12 Amendment**

- 12.1 Subject to the provisions of clause 15.1, LSBU may from time to time amend, revoke or otherwise vary any of the provisions of this Agreement after consultation with SBA.
- 12.2 SBA may make proposals to LSBU for amendments, revocations or variations to this Agreement and LSBU shall give such proposals due consideration.

## **13 Termination**

- 13.1 LSBU may terminate this Agreement on six months' notice in writing to SBA, notwithstanding that LSBU remains the Sponsor.
- 13.2 This Agreement shall terminate automatically if LSBU ceases to be the Sponsor of SBA.

**14 Severance**

- 14.1 If any provision of this Agreement (or part of a provision) which is expressed to be legally binding by clause 16.1 is found by any court or administrative body of competent jurisdiction to be invalid, unenforceable or illegal, the other provisions shall remain in force.
- 14.2 If any invalid, unenforceable or illegal provision of this Agreement which is expressed to be legally binding by clause 16.1 would be valid, enforceable or legal if some part of it were deleted, the provision shall apply with whatever modification is necessary to give effect to the intention of the Parties.

**15 Variation**

- 15.1 No variation of this Agreement shall be effective unless it is in writing and signed by the Parties (or their authorised representatives).

**16 Governing law and legal effect**

- 16.1 Clauses 2, 3, 7, 8, 10, 11, 12, 13, 14, 15 and 16 of this Agreement are legally binding on the Parties. The other clauses of this Agreement are not legally binding on the Parties.
- 16.2 This Agreement and any non-contractual obligations arising out of or in connection with it will be governed by and construed in accordance with English Law.

Signed for and on behalf of the Parties on the date which first appears in this Agreement.

Signed for and on behalf of **London South Bank University** .....  
Signature of director

Signed for and on behalf of **South Bank Academies** .....  
Signature of director

## **Appendix A**

### **SBA Accounting Officer (based on Academies Financial Handbook, section 1.5)**

1. South Bank Academies' board of trustees must appoint, in writing, a senior executive leader (SEL) who may be appointed as a trustee. In trusts comprising a single academy this should be the principal. In MATs it should be the chief executive or equivalent.
2. The board must also appoint in writing a named individual as its Accounting Officer. This should be the SEL. The individual must be a fit and suitable person for the role. The roles of SEL and Accounting Officer must not rotate.
3. The appointment of an Accounting Officer does not remove the responsibility of trustees for the proper conduct and financial operation of the trust.
4. The role of Accounting Officer includes specific responsibilities for financial matters. It includes a personal responsibility to the Principal Accounting Officer of the LSBU Group, for the financial resources under the trust's control. Accounting Officers must be able to assure Parliament, the regulators, and the public, of high standards of probity in the management of public funds and earned income, particularly regularity, propriety and value for money. Accounting Officers must also adhere to the 'seven principles of public life'. The Accounting Officer will ensure all correspondence from and with the ESFA is appropriately actioned.
5. The Accounting Officer must have appropriate oversight of financial transactions, by:
  - ensuring that SBA's property and assets are under the control of
  - the trustees, and measures exist to prevent losses or misuse
  - ensuring that bank accounts, financial systems and financial records are operated by more than one person
  - keeping full and accurate accounting records to support their annual accounts.
6. The Accounting Officer must complete and sign a statement on regularity, propriety and compliance each year and submit this to the PAO with the audited accounts. The Accounting Officer must also demonstrate how the trust has secured value for money via the governance statement in the audited accounts.
7. The Accounting Officer must take personal responsibility (which must not be delegated) for assuring the PAO and board that there is compliance with the funding agreement, financial handbook and governance agreement. The Accounting Officer must advise the Board and PAO in writing if any action being considered is incompatible with the articles, funding agreement, financial handbook, or governance agreement. Similarly, the Accounting Officer must advise the board and the PAO in writing if the board fails to act where required by the funding agreement, financial handbook, or governance agreement. Where the board or PAO is minded to proceed, despite the Accounting Officer's advice, the Accounting Officer must consider the reasons and if the Accounting Officer still considers the action proposed by the board is in breach of the articles, the funding agreement, financial handbook, or governance agreement, the Accounting Officer must notify the ESFA's Accounting Officer immediately in writing.

## **Appendix B**

### **LSBU Group - Principal Accounting Officer (PAO)**

Through the LSBU Group, LSBU is convening and orchestrating a group of like-minded specialist education providers, along with employers and civic partners, to create a Family of Educational Providers for south central London. The LSBU Group includes the University, South Bank Colleges (Lambeth College), South Bank Academies, and South Bank Enterprises. The PAO is the Accounting Officer for the LSBU Group, whose role is as follows.

1. The Board of LSBU will appoint a senior executive leader to be the PAO of the LSBU Group. This will normally be the CEO / Vice-Chancellor of LSBU (or, extraordinarily, another senior executive leader of LSBU).

The PAO has specific responsibilities for financial matters. It includes a personal responsibility to Parliament, and to the respective regulatory bodies of the companies in the Group (DfE, OfS, ESFA), for the financial resources under the control of the companies in the Group. The PAO must be able to assure Parliament, regulators, and the public, of high standards of probity in the management of public funds, particularly regularity, propriety and value for money. The PAO must also adhere to the 'seven principles of public life'. [These responsibilities will be defined in a separate memorandum.]

2. The PAO is responsible for appointing all Accounting Officers within the LSBU Group: these are generally the CEOs of each group company. Their appointment sets out in writing the accountabilities and responsibilities of the PAO and informs them of their own accountabilities and responsibilities, including that they are responsible for the use of resources in carrying out the companies' functions as set out in the governance agreement.
3. The PAO is personally responsible for safeguarding both the public funds given to the Group companies, and that which is earned as income. However, the Accounting Officer of each company has direct responsibility to the relevant regulator of the safeguarding of public funds. The appointment letters and training provided to the Accounting Officers formalises this responsibility and provides clarity around the expectations of all parties.
4. The group companies are governed by their own separate boards and each has separate internal assurance structures.
5. The LSBU Group's relationship with each company is negotiated and set out in a bespoke, published document, termed the governance agreement. This document includes sections on resource support, jointly agreed priorities, performance measures, engagement, financial controls and the governance framework. This formalises the relationship between the LSBU Group and its companies and establishes accountability, responsibilities and monitoring activities. The content of the governance agreements are monitored regularly.



	CONFIDENTIAL
Paper title:	Risk Registers
Board/Committee:	South Bank Academies Board Meeting
Date of meeting:	28 March 2019
Author(s):	Clym Cunnington, Trust Business Manager
Sponsor(s):	Nicole Louis, SBA Chief Executive Officer
Purpose:	To note
Recommendation:	The Board is requested to note

## **Executive Summary**

The Risk Registers identify the areas of risk within the Schools and the Trust. These are separated out into School and further into category of risk: Financial, Operational, Compliance, Strategic and Reputation.

These have been completed for the UTC, the UAE and the MAT, and are presented as separate documents, in accordance with the agreed updated format from the last Audit Committee Meeting.

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**South Bank Academies UAE**  
Strategic and Reputational Risks

Risk No.	Risk Description	Risk Consequences	Likelihood	Probability	Overall Risk Rating	Existing Internal Controls and Evidence	Residual Risk Level	Assessment of Control Quality/Action Needed (Strong, Moderate, Weak)	Person Responsible	Direction of Travel	Next Review Date
1	Failure of the School to recruit sufficient learners especially in Y7 and Y12 to make it viable	Significant financial risk Risk that the confidence of stakeholders is diminished Cash flow problems Long term financial problems	1	3	3	Admissions Policy Parent/Carer Communication Marketing Strategy Integrated Financial Curriculum Planning Effective Networking	2	Stong	Executive Principal Principals Marketing Team	→	2019-09-30
2	Failure to ensure that the objectives for the School are met	Risk that the School fails to operate within the strategic objectives agreed by the Local Advisory Body Risk that the School's strategic objectives become out of date or no longer appropriate Risk that the School receives an unfavourable Ofsted Report Risk that the objectives of the School are seen as controversial	2	2	4	Experienced Senior Leadership Team Principals' performance management with internal and external assessors Active and experiences Trustees and Local Advisory Body Stakeholders who take an active role in the operation of the School Regular HT and Operations Meetings External Advisors Ofsted Action Plan T&L focus of the Governors Principals' Report	2	Strong	Executive Principal Principals Marketing Team	↓	
3	Poor Student outcomes	Poor examination results could cause a reputational and financial risk. Detrimental to student futures/careers. Academy's reputation at risk.	2	3	6	Teaching and Learning constantly monitored and reported. Termly attainment reporting sent to management and pupils Incoming students assessed for suitable attainment levels Executive Principal educational oversight School Improvement Partnership External consultants to improve Teaching and Learning Regular staff appraisals Trust HR Manager to advise on Staffing and issues. Principal reports to Local Advisory Body	3	Moderate	Executve Principal Principial SLT Trust HR Manager	→	
4	Failure to monitor and react according to the requirement of our stakeholders	Risk that stakeholders and beneficiaries do not consider the School service to be valuable and high quality	2	2	4	Reports to Trustees Reports to School Local Advisory Body Parent/Carer Communication School Council Open Day Questionnaires Parent, Student, Staff surveys	3	Moderate	Executive Principal Principals SLT	→	
5	Failure to monitor and react according to the requirement of our stakeholders	Risk that competitors make more attractive offer to stakeholders Risk that stakeholders fail to differentiate between the School and its competitors Risk of competition or the same share of the market	2	1	2	Marketing Strategy Effective Networking Post 16 Investments and Improvements Post 16 SDP Strong Family Links to the School	1	Stong	Executive Principal Principals SLT Local Advisory Board	↓	
6	Failure to assess and review alliances and partnership with other organisations	Risk that an alliance or partnership is no longer appropriate Risk to the integrity of the School	1	1	1	Networking Visits to other schools Principal Meetings Schools' Forum	0	Stong	Chief Executive Officer Executive Principal Principals SLT	→	
7	Failure to ensure Information Technology in the School is maintained to the highest standard	IT security risk Risk to the corruption or loss of data Risk that IT equipment and services are outdated and no longer fit for purpose Financial risk Risk of Litigation	2	1	2	Outsourced IT service Regular back up of information on outsourced servers	1	Stong	Executive Principal Principal Vice Principal Outsourced IT Services Provider SLT Trust Business Manager	→	
8	Failure to monitor the effect of risks over which the School has little or no control such as economic or natural disaster	Financial Risk Risk of Litigation Reputational risk	1	1	1	Part of School Insurance Review process organised by Trust Business Manager Fixtures, Fittings, Employer, Public Liability held by the School Disaster Recovery Plan ICT Disaster Recovery Plan Temporary building replacement scheme with insurers PREVENT strategy used in School Medical Reviews PHSE program in School	0	Stong	Executive Principal Principals SLT Trust Business Manager	→	
9	Failure of the School to recruit Governors who have the appropriate profile	Risk that a Governor could attract negative publicity Risk that stakeholders view Governors merely as extension of SLT Risk that stakeholders lose confidence in the Local Advisory Body School receives a set of Unqualified Accounts from its annual audit. Fines from the ESFA Potential Financial Notice to Improve issues from the ESFA Financial Risk, Risk of Litigation, Reputational Risk, Risk to the future of the School, Risk of poor moral affecting staff and stakeholders Risk that committees fail to operate effectively Risk that committee delegation is poor Risk that Local Advisory Body does not delegate enough or delegates too much to the Principal or SLT. Risk that the Terms of Reference are inadequate and/or unfit for purpose Risk to the day-to-day operation of the school	2	2	4	Governor training and induction and recruitment process, formal application process Regular Governors' skills audit Monthly management accounts, budget monitoring Reports to SLT and Local Advisory Body Awareness of Financial Regulations Effective Internal and External Audit Monthly management accounts, internal; controls, daily reconciliations for real time data. Read only banking to all finance staff. Review of monthly accounts by Chair of FGP, robust financial policies and procedures, disseminated to staff Robust organisational monthly HT/AD month-end review Risk Assessment process, Health and Safety policy, guidance on Data Protection, annual Governors' review and Terms of Reference, clear guidance on senior staff roles and clear cover arrangements Active Local Advisory Body membership, access to SLT for guidance and support External Advisors: Judicium	2	Stong	SBA Board Local Advisory Boards LSB Governance Team Chief Operating Officer Executive Principal Principals	↓	

10	Failure to comply with legislative requirements.	Financial Risk Reputational Risk risk of Litigation Risk of poor morale affecting staff and stakeholders Risk to the future of the School and Trust	2	1	2	Clear policies disseminated to all staff Risk Assessment Process Health and Safety Policy Guidance on Data Protection External consultants and experts used Regular external and internal review of legislative areas in School	1	Stong	Executive Principal Principal SLT Trust Business Manager	→	
11	Failure of The Academy and the Local Advisory Board to have procedures in place to cover the absence of the Principal or other members of the Senior Leadership Team	Financial Risk Reputational Risk Risk of poor morale affecting staff and stakeholders Risk to the day to day operations of the School Risk that Terms of Reference are inadequate or not fit for purpose	2	2	4	Clear guidance on Senior Staff roles clear cover arrangements Regular Local Advisory Board meetings CEO and Executive Principal meetings Access to SLT for guidance and support External Advisors Judicium, Local Authorities, LSBU Sponsor Regular meetings with the Executive Principal	2	Stong	Executive Principal Principal Local Advisory Board	↓	
12	High profile event in the school affects Trust overall and its reputation.	Risk to reputation nationally and locally to the school and the trust. Risk to the Sponsor's reputation.	1	3	3	Academy has a Critical Incident plan which is regularly assessed listing a delegation of duties in the event of an emergency situation. Advice abnd Expertises of the sponsor LSBU to advise in difficult circumstances Access to LSBU Sponsor legal expertise and advise	2	Stong	Executive Principal Principals SLT	→	
13	Safeguarding incident at one of the schools.	Risk to reputation locally and nationally DfE and HSE intervention depending on scale of the event. Risk of drop in numbers of enrollments	2	3	6	Experienced SENDCO employed at School All staff and governors are given safeguarding and prevent training annually All students and staff complete e-safety training and firewalls are in place to secure all ICT networks.	4	Moderate	Executive Principal Principal SLT	↓	

**South Bank Academies**  
Operational Risks

Risk No.	Risk Description	Risk Consequences	Likelihood	Probability	Overall Risk Rating	Existing Internal Controls and Evidence	Residual Risk Level	Assessment of Control Quality/Action Needed	Person Responsible	Direction of Travel	Next Review Date
1	Failure to ensure that the quality of Management information produced by the School is of a high quality, timely and aids decision-making.	Risk that the financial and non-financial performance of the School cannot be managed or reviews by SLT Risk that the financial and non-financial performance of the School cannot be challenged or reviewed by the Trust or SBA Board Risk to the School of receiving poor audits and inspections	2	2	4	Regular reporting and review of performance against targets for recruitment SIP and Self Evaluation Trustee and Local Advisory Body reports and Minutes Support from the School's administration team Outsourced Data platforms	2	Strong	Executive Principal Principals SLT	→	
2	Failure to ensure that the quantity of Management Information produced by the School is good enough to aid decision making	Risk that the SLT cannot take informed decisions Risk that the Local Advisory Body cannot make informed strategic decisions Risk that the Local Advisory Body has no financial expertise Risk that the individual Governors' play a 'passive' role on the Local Advisory Body Risk that leadership does not have the capability or experience within the sector, risk that the SLT do not have the integrity required. Risk that succession planning is ignored, risk that too much emphasis is placed on entrepreneurial work and strategic objectives of the School are ignored. Risk to staff and stakeholders of low morale, risk of poor recruitment of learners to School, risk of poor retention and success rates. Risk of recruiting unsuitable staff, risk of poor appraisal, CPD processes and the need to instigate costly disciplinary procedures, tribunals etc. Financial Risk, Risk of Litigation, Risk to the achievement of the School's Strategic objectives	2	1	2	Regular reporting and review of performance against target for recruitment SLT review process Trustee and SBA Board and Local Advisory Board reports and minutes School Recruitment and Selection policy and procedures, continuing professional development, appraisal, Staff Development strategy ESFA Handbook Active Senior Team Membership Continuing Professional Development Active Local Advisory Body membership	1	Strong	Executive Principal Principals SLT TBM	→	
3	Failure to implement a Risk Management Strategy	Failure to optimise educational opportunities Non-compliance with ESFA requirements Exposure of the School to unnecessary risk Increased cost, eg. insurance	1	1	1	Risk Strategy Risk Register and Action Plans Risk Management Group Executive Principal Oversight Local Advisory Board reporting mechanisms Oversight of content and timescales by the Trust Business Manager and CEO	0	Strong	Executive Principal Principals SLT Local Advisory Board TBM	↓	
4	Failure to ensure the managers of the school possess the skills and experience required to manage the School	Risk that the leadership does not have the capability or experience within the sector Risk of poor recruitment of learners to the school Risk of poor retention and success rates Risk of recruiting unsuitable staff Risk of poor appraisal, CPD processes and the need to instigate costly disciplinary procedures	2	1	2	School Recruitment and selection policy and procedures Active Senior Leadership Membership Continual professional development Staff development strategy INSET Training Days Trust Finance Manager	1	Strong	Executive Principal Principals SLT Trust HR Manager Trust Finance Manager Trust Business Manager Chief Executive Officer	↓	
5	Staff Recruited to the Schools have the required skills and expertise to meet the strategic objectives of the School.	Risk to staff and stakeholders of low morale risk of poor recruitment of learners to the school risk of poor retention and success rates Risk of recruiting unsuitable staff Risk of poor appraisal CPD processes and need to instigate costly disciplinary tribunals.	2	3	6	School recruitment and selection policy and procedures Active Senior Team involvement in Recruitment Advice and support from the Trust Business Manager Continuing professional development	3	Moderate	Executive Principal Principals SLT Trust HR Manager	↓	

6	Failure to recruit key teaching and support staff posts. Inadequate competency of staff within the School.	Staff not able to carry out their duties Poor management and decision making Poor quality of teaching and learning leading to poor student outcomes Inadequate Ofsted grading leading to reputational risk.	2	3	6	Thorough recruitment programme with all relevant staff trained Comprehensive professional development Strong Appraisal system Competitive remuneration and career development.	4	Moderate	Executive Principal Principals Trust HR Manager	→	
7	Inadequate number of teaching and support staff within the Academy.	Inadequate teaching and learning and student support leading to poor student outcomes. Unsatisfactory Ofsted grading leading to poor outcomes	1	3	3	Integrated Financial Curriculum Planning Monthly monitoring of staffing Exit interviews Timely recruitment processes Experienced Trust HR Manager in place	2	Strong	Executive Principal Principals SLT	↓	

**South Bank Academies  
Compliance Risks**

Risk No.	Risk Description	Risk Consequences	Likelihood	Probability	Overall Risk Rating	Existing Internal Controls and Evidence	Residual Risk Level	Assessment of Control Quality/Action Needed	Person Responsible	Direction of Travel	Next Review Date
1	Failure to ensure the School complies with employee legislation	Risk that legislative requirements are not known or complied with Risk that Equal Opportunities legislation may not be complied with or discrimination in the work place may occur Risk that Data Protection legislation may not be complied with Risk that Human Rights legislation will not be complied with Risk that employee contract legislation may not be complied with Risk that employee Pension legislative requirements are not known or complied with Risk that Health and Safety legislative requirements are not known or complied with Fines for not ensuring right to work in the UK	2	2	4	Support of HR Advice and the associated policies and procedure Support of school Data Protection Officer and supporting policy and procedure Health and Safety Policy First Aid Policy Fire Safety Policy Support from the School's external Health and Safety Officer External Advisors – Judicium Safeguarding policy	2	Strong	Executive Principal Principals Trust HR Manager	↓	
2	Failure to ensure the School complies with environmental legislation	Risk that UK legislative requirements are not known or complied with	1	1	1	Reporting to SLT and Local Advisory Body Utilisation of School Sustainability Policies [as Landlord of building] Support of the School Site Manager Monthly Management Accounts Reports to Audit Committees Committee and the Local Advisory Body Budget monitoring Awareness of Financial Regulations and AFH Effective External Audit 3 year financial forecasts Support from the Responsible Officer Recycling program both teachers and students IT disposal policy Members of JBH carbon monitoring program	0	Strong	Executive Principal Principals Trust Business Manager SLT	→	
3	Failure to ensure the Financial reporting requirements of the School are met	Risk that the legislative requirements relating to the production and reporting of the Statutory Accounts are not known or complied with Risk that the legislative requirements relating to Accounting Standards are not known or complied with Risk that the Charities Statement of Recommended Practice [SORP] legislative requirements are not known or complied with	3	2	6	Monthly Management Accounts Reports to Audit Committees Committee and the Local Advisory Body Budget monitoring Awareness of Financial Regulations and AFH Effective External Audit 5 year financial forecasts Support from the UHY internal Audit Governors Annual Audit against financial handbook. Governors Control document	4	Moderate	Executive Principal Principals Local Advisory Board Chief Executive Officer Trust Business Manager	→	
4	Failure to ensure that the School ensures that Data Protection systems, procedures and processes are adequate	Risk that the legislative requirements relating to the protection of data are known and complied with Financial risk Litigation risk	2	2	4	Support of outsourced School Data Protection Officer and supporting policy and procedure Data Audit by external consultant Trust has an updated GDPR Policy All Trust and School staff have received GDPR training	2	Strong	Executive Principal Principal SLT	→	
5	Failure to ensure that the School is compliant in respect of Welfare issues	Risk that the legislative requirements relating to disability are not known or complied with Risk that the legislative requirements of the Child Protection Act are not known or complied with	2	1	2	Support of HR Manager and the associated policies and procedures Parent/Carer Communication DBS Policy Citizenship Policy Personal, Social, Health Education Policy Reporting mechanisms to the Local Advisory Body Safeguarding Officer and ongoing training RESPECT procedures EpiPen Training	1	Strong	Executive Principal Principal SLT	→	
6	Failure to ensure that the school is compliant in respect of the requirements of the school sector	Risk that the legislative requirements relating to the National Curriculum are not known or complied with Risk that the legislative requirements relating to mental health are not known or complied with	1	1	1	Reporting mechanisms to the Local Advisory Body Government Website and advice External website subscriptions – The Key Exam entries Subscriptions to professional bodies Curriculum leaders meeting and regular review	0	Strong	Executive Principal Principals SLT	↓	
7	Failure to ensure that the School is compliant in respect of the requirements of the Government and other relevant Authorities	Risk that the terms and conditions relating to the payment of any grant is not known or complied with Risk that the legislative requirements relating to licensing are not known or complied with	1	1	1	Reports to SLT and the Local Advisory Body Ofsted Inspections Internal and External Audit Networking Visits to other schools Principals' Meetings External subscriptions – The Key (Schools and Governors)	0	Strong	Executive Principal Principals SLT	→	
8	Inadequate level of expertise and challenge on Local Governing Body leading to ineffective local governance.	Failure to achieve mission and objectives of the School/Trust. Poor decision making and information flow.	1	3	3	Appropriate recruitment process for governors. Representation of the Trust on local governing bodies Annual review of local governing bodies including skills audit.	2	Strong	Executive Principal Principal Local Advisory Board	→	

9	Serious breach of health & safety regulation or disability legislation occurs	Risk of litigation and Reputational risk.	1	3	3	Policies and procedures consistent with relevant legislation. Independent audit on Health and Safety and Policies Regular reports to the board Oversight of Trust Business Manager Adequate insurance cover through Govt recommended RPA Scheme	2	Strong	Executive Principal Principal	→
10	Land and Buildings are fit for purpose	Damage to property due to poor maintenance could cause disruption to business continuity and cause damage to pupils learning and School reputation	1	3	3	Maintenance programme in place assessed and monitored by Principal and forwarded to Trust Adequate budgets for building maintenance are provided Regular site checks by facilities team and external audits Appointment of skilled, qualified Premises Manager and team Funding by the Trust for Capital Expenditure on Buildings Access to CIF bid expertise and consultants.	2	Strong	Executive Principal Principal Trust Business Manager Vice Principal	→
11	Failure to safeguard Trust or Academy Assets from thefor or damage by a third party.	Damage to building and assets Health and safety risk to students and staff Reputational damage and poor learning outcomes.	1	2	2	Academy has adequate security systems Budgetary allowance for upkeep and maintenance Asset registers at each establishment are monitored and auditted regularly Adequate insurance is provided.	1	Strong	Principal Vice Principal Premises Manager	→

Risk Calculation	Probability		
	1 low	2 medium	3 high
1 low	1	2	3
2 medium	2	4	6
3 high	3	6	9

	CONFIDENTIAL
Paper title:	Summary of the Audit committee and SAB meetings
Board/Committee:	South Bank Academies Board Meeting
Date of meeting:	28 March 2019
Author(s):	Alexander Enibe, Clerk to the South Bank Academies
Sponsor(s):	Michael Broadway, Company Secretary
Purpose:	To note
Recommendation:	The Board is requested to note.

## **Executive Summary**

The Board is requested to note the summary of the SBA Audit committee, UTC SAB and UAE SAB meetings.

## **Summary of SBA Audit committee and SAB meetings**

### **SBA Audit Committee – 28 March 2019**

The committee will discuss:

- External Audit findings action plan.
- PWC internal audit report and action plan. The report covered key financial controls ('high risk'); budgeting and financial monitoring ('medium risk'); and safeguarding ('low risk'). The report was classified as 'high risk' overall.
- Financial controls policy update
- Asbestos report update

The committee will note:

- Safeguarding report
- Risk registers
- Anti-fraud, bribery and corruption report
- Speak up

### **South Bank Engineering UTC SAB – 27 March 2019**

The SAB will discuss:

- Progress against Ofsted areas of development.
- Quality of teaching, learning and assessment
- Outcomes and current performance data
- Safeguarding
- Student recruitment, marketing and branding
- Employer engagement
- Pastoral data including exclusions and attendance

### **University Academy of Engineering SAB – 21 March 2019**

The SAB discussed:

- Curriculum and staffing plan for 2019/20
- Safeguarding software overview and attendance targets
- Sixth form curriculum offer, progress update and recruitment update
- Year 6 admissions update
- Year 7 to 10 assessment and reporting model
- Pupil premium spending 2018/19
- Link governor roles' update