

**A BOARD MEETING HAS BEEN ARRANGED FOR THE TRUSTEES OF
ST PAUL'S COMMUNITY DEVELOPMENT TRUST
ON WEDNESDAY NOVEMBER 4TH AT 5 PM,
REMOTELY FROM HOME VIA MICROSOFT TEAMS**

Present: Patrick Wing, Mark Riley, Clare Reardon, Paul Chew, Miles Parker, Nicholas Shepard

Staff: David Cusack, Kerenza Palmer, Paula Paton (Part), Anita Moore (Part)

Note; Recording of this meeting failed so accurate minutes are not available.

1. Elections for Year 2020/21

PW (Chair stood down and was replaced by DC). Nominations were received, seconded and unanimously agreed as follows;

- Chairperson – Pat Wing
- Vice Chairperson – Mark Riley
- Treasurer – Paul Chew
- Safeguarding Lead- Miles Parker

PW took the chair.

2 Minutes of previous meeting

- Accuracy- Agreed
- Matters Arising – None

3. Safeguarding Policy – Approval

AM was welcomed to the meeting and introduced the changes to the current policy;

- Point 6 Contextualised Safeguarding
- Point 7 Mental Health
- Point 8.1 Children who need a social worker
- Point 15 Honour based abuse
- Point 18.1 County Lines
- Point 19 Domestic Abuse
- Appendix 6 Covid 19

Trustees were advised that policy was now Ofsted compliant and were asked to approve the revised policy. AM stressed staff training was in place and Trustees were asked to complete a safeguarding quiz aimed at ensuring their awareness of safeguarding.

Trustees agreed policy changes and thanked AM for her work on this. (AM left the meeting)

4. Management Accounts – September 2020 – Approval

PP introduced the management accounts for Sept 2020 Surplus of £222,919 showing, however;

Actual surplus is more than the budgeted amount but the budget is split evenly over 12 months and in reality, we receive a lot more income in the Summer term up to third week of July.

- Primary pupil numbers are inflated
- Secondary numbers are lower but have unused 1-1 funding for pupils (possible claw back)
- School staff savings
- Nursery surplus due to protected EEE funded places (to be removed Jan 2021)
- Children Centre surplus of £134,000 but ring fenced

PP stated that the end of year forecast shows a deficit of £717 due to;

- No contract in place for school (Budget was from Sept 2020)
- School staff salary increase higher than budgeted
- EEE funding not guaranteed from Jan 2021
- Numbers in out of school contract lower than previous years

DC stressed that the financial position was not as bad as he anticipated however the risks with the school, nursery and out of school numbers remain and managers will take early action to avoid deterioration in reserves if Trustees support.

PC was keen to look at the mid-year (October) position and asked for a comprehensive review of the school budget which Trustees agreed.

Trustees approved the management accounts September 2020.

5. Chief Executives Business Report - Information

Annual General Meeting 2019/20

Trustees were advised that we held no annual general meeting this year due to the pandemic and instead consulted all members and sought approval virtually.

- Approval of annual accounts 2019/20
- Appointment of Trustees
 - Clare Reardon
 - Miles Parker
 - Paul Chew
- Suspension of rule to ask current Trustees to stand down and seek re-election.

DC reported that of the 25 members, only 4 members responded approving all recommendations.

Rule 18 of The Articles of association state that a quorum of at least 4 members entitled to vote. This requirement has been met and there all approvals have been made and the annual accounts submitted to the regulatory body.

Governance Review

DC introduced the item saying that following an on line seminar attended he felt that a governance review was now essential to ensure regulatory compliance. Trustees were asked the following questions

- **Do you consider it essential to undertake a review of Governance and the company structures?**

Trustees agreed that a full review was necessary and requested DC to seek prices from organisations to conduct a phased review of governance and company structure.

- **If yes when do you consider we should plan to undertake this?**

Trustees agreed a two-year programme with £5,000 to be budgeted for 2021/22.

- **If yes ask the Chief Executive to explore funding options and identify organisations/individuals who could undertake the work and for what cost.**

A funding application for £10,000 has been submitted to the Charities Aid Foundation.

DC presented the rest of the business report with Trustees deferring discussion on the school pending communication from the Local Authority. PW recommended that a special Trustee/Governing Body meeting to discuss the Board future strategy in relation to the school. DC to arrange.

Board approved the report with PC requesting an update on the nursery financial position in Jan 2021.

6. Data Protection Policy – Approval

DC introduced the report and summarised the changes to the existing policy.

Changes:

- Policy has been restructured and expanded to provide clarity on areas of ambiguity. Policy now has 4 parts covering:
 - General Data Protection
 - Rights of the Data Subject
 - Security, Retention and Data Sharing
 - Data Protection Techniques and Practices
- **Part One:**

- **Data Protection Officer:**
 At the time of the drafting of previous DP policy (Jan 2018) there was some ambiguity as to whether the Trust needed to appoint a Data Protection Officer to oversee the Trust's DP strategy and its implementation to ensure compliance with DP legislation. The matter was settled when it was established that the Trust was required to appoint a mandatory DPO as it was registered with the Information Commissioner's Office as a Public Authority under the Freedom of Information Act 2000.
 The new policy states the tasks and responsibilities of a DPO as per Article 39, GDPR.
- **Scope of Processing & Business Purposes:** This has largely remained unchanged.
- **Data Protection Principles & Lawful basis for processing**
 These are as stated in GDPR and DPA 2018 and have been included in the policy to provide clarity about the standards by which personal data should be processed. The lawful basis for processing personal data are also included.
- **Special Category Data & Additional conditions for processing**
 This replaces and expands the **Sensitive Personal Data** in the previous policy. The conditions for processing special category data have been tightened in GDPR and the DPA 2018 and therefore the Trust must ensure that the following:
 - Staff can identify the scope and sensitivity of special category data.
 - Identify the additional lawful basis for processing the data
 - Acknowledge that if the Trust is not relying on "**explicit consent**" for processing, an additional condition for processing must be identified and recorded in an separate "**Appropriate Policy Document**" as per Schedule 1 DPA 2018.
 - A specific provision is included for the sharing of special category data for safeguarding purposes. This area is specifically covered under Schedule 8(4) and Sec 35 of the DPA. It also mirrors the statutory advice in KCSIE 2020 (paras 82-88).
- **Use of CCTV**
 Use of CCTV systems has always been within the scope of data protection legislation. Therefore, a summary of how the Trust utilises CCTV is included in this policy. However, this will be developed into a full policy.
- **Part Two – Rights of the Data Subject**
 - **Subject Access Requests:**
 This is an expanded section which addresses specific issues relating to way in which the Trust handles the rights of the data subject. Since the previous policy was drafted the Trust has received a number rights requests and this section addresses general as well as specific matters relating to SARs. These include:

- Responding to requests for educational records being aligned with the statutory requirements for maintained schools as directed by The Education (Pupil Information) (England) Regulations 2005. Whilst the School is technically exempt from these regulations alignment with them provides clarity as to our position.
- The timeframe for responding to SARs has been redefined in accordance with the ICO website to ‘one month from the date the request was submitted’ instead of 30 days.
- The process for submitting a SAR is very loosely defined within the legislation. Although we recommend particular formats and routes for a SAR to be submitted the Trust must recognise that a SARs can be submitted in whatever form the subject wishes and staff need to be able to recognise when an SAR is being made.

○ **Subject Access Request by children or on their behalf**

This section has been included to address specific questions about the circumstances where we can and cannot provide data requested via a SAR. For the most part this will be a judgement made by the professionals concerned, however, the important thing is to recognise that children have the same rights under Data Protection as do adults. Therefore, the question of whether to release data requested by or on behalf of the child must be balanced with the overall interests of the child.

This does not affect the sharing of data for safeguarding needs which is recognised as specific ‘**substantial public interest**’ condition under the DPA.

- Other ‘subject rights’ requests are also addressed

● **Part Three – Security, Retention and Data Sharing**

○ **Information Security:**

The Trust addresses its security responsibilities through its Information Security Policy and procedures. For the sake of brevity readers are directed to these documents.

○ **Data Retention:**

As with Information Security, there is a draft policy addressing Archiving, retention, and destruction of data along with a schedule aligned with Information Rights Management Society Schools Toolkit.

○ **Data Sharing**

Data sharing is a cornerstone of data protection legislation and its has become essential to maintain adequate records in order to meet the Accountability Principle. The Trust shares data in a number of different ways and reasons and in order to simplify the tracking of data sharing, 3 major categories have been identified.

- **Category One** – Where the Trust is a Joint Data controller with another organisation. (e.g. sharing related to the Children’s Centre EYFS contract)

- **Category Two** – Passing of personal data to a third party for its **own** purpose – (e.g where there is a legal obligation to share payroll data with HMRC)
 - **Category Three** – where the Trust uses a third party to process and handle personal data on behalf of the Trust (Controller to Processor). A good example of this type of relationship is the use of an internet based ‘cloud’ platform such as the Office 365
- **Part Four – Data Protection techniques and practices**
 - This section covers a number of key data protection techniques used to mitigate risks around processing data.
 - **Data Protection Impact Assessments**
The have now become a requirement when undertaking any new processing in order to reduce any high-risk processing.
 - **DP by Design:**
 - These sections cover the principle of incorporating data and privacy protection from the ground up in any new system or project.
 - **Data pseudonymisation & anonymisation:**
 - Distinguishes between the methods and defines how they can be used.
 - **Processing of children’s data**
 - Summarises the need for staff to be aware of the special status afforded to children’s data and the precautions that need to be taken to ensure that this upheld.
 - **Privacy and Electronics Communications Regulations (PECR)**
 - These are due to be updated in the near future but cover the requirement to adhere to regulations around use of electronic communications for the purpose of direct marketing
 - **Reporting Data Breaches**
 - Staff should consult with the DPO and follow the Trusts data breach procedures for containing and reporting a data breach to the ICO and relevant authorities.
 - **Data Audit and Security Planning**
 - Ensures the Trust will implement regular DP audits and maintain a Trust data protection register that outlines all the processing activities undertaken by the Trust.
 - **Staff Training**
 - All staff, volunteers, trustees and governors will receive training in data protection on an annual basis
- Trustees thanked the report author for a comprehensive report and update and approved the policy.

7. Absence Statistics 2019/20 – Information

Trustees received a presentation of staff absence 2018/19 which showed no significant change to the previous year (Trust wide), however

- School staff attendance improved
- Children Centre attendance poorer

Trend in Children Centre and Trust wide on regular short-term attendance raised by PW/NS

PW suggested a comprehensive review of the managing attendance policy with options on changes to be presented to Trustees in March 2021. Agreed

8. Any Other Business – None

Date of Next Meeting – 21st December 2020