

Name	Type of Governor	Present	Apologies
Nick Jefferson (Chair)	Co-Opted	No	Yes
Madeleine Southern	Headteacher	Yes	
Lisa Marshall (Co-Vice Chair)	Co-Opted	Yes	
Louise Wilkinson (Co-Vice Chair)	Co-Opted	Yes	
Lorna Cummings	Staff	Yes	
Marcel Amour	Co-Opted	Yes	
Emer Gardener	Co-Opted	Yes	
David Karp	Co-Opted	Yes	
Anne Marie Williamson	Parent	Yes	
Sarra Lee	Parent	Yes	
Abby Hedger-Jones	Associate	Yes	
Sam Ledger	Deputy Head	Yes <i>(Item 2 onwards)</i>	
Niamh O'Shea	Deputy Head	Yes <i>(Items 1-3)</i>	
Rachel Jeffers	Deputy Head	No	Yes
Sarah Shaw	School Business Manager	Yes	
Tom Way	Clerk	Yes	

Quorum: 9 out of 10 governors were present. The meeting was quorate (at least 50% attending).

Questions from the governors are highlighted in **bold**.

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1. Introduction

Welcome

LW welcomed all to the meeting and thanked them for attending and expressed huge thanks to everybody for all their work in the run up to the Christmas holidays, and particularly to LM who has worked over Christmas too.

LW gave an overview of the process for this meeting.

Apologies

Apologies were noted from NJ and RJ.

MS confirmed that SLd would be arriving shortly.

Notification of any urgent business

N/A

Declarations of Interest

Governors confirmed that there were no declarations of interest.

2. Consultation Update

LW confirmed that the agenda and documents for this meeting had been circulated to governors in advance.

DfE FAQ

LW provided an overview of this and advised that it is the response from the DfE to the campaign group's questions. DfE wrote to parent stakeholders in response to questions asked of them directly. The DfE confirmed the process for academy conversions and consultations. It confirmed their satisfaction with Aurora's management structure, educational standards and finances, as well as the department's position on voluntary applications to convert, which is part of the governments vision for schools.

MS advised that this was shared and explained to staff yesterday, and it has also been shared with all stakeholders.

Q: Were there any questions from staff?

MS advised that there was not. It is a very clear document, and we went through it thoroughly with staff. We also went through the LA offer with them too.

Legal Guidance

LM provided a summary of the legal work that has been conducted within the last few weeks and advised that we have appointed solicitors.

SLd arrived.

LM provided an overview of the complaint that has been published on the campaign group WordPress site which has been used as the basis for multiple complaints. Legal advice is that this complaint has been developed to challenge the consultation process and form the basis of a Judicial Review application. There was a broader discussion around this. LM summarised the following: Our lawyers have advised that they consider the consultation to be lawful (subject to the governors giving the responses proper consideration). They recognise that the actions of the campaign group would suggest that they are likely to pursue an application for a Judicial Review regardless. They further advised that extending or re-opening the consultation process would reduce any risk of a successful Judicial Review application. Our lawyers advised that a Judicial Review is unlikely to be successful and that if it were successful, it could only result in governors having to redo the consultation, However, any judicial review challenge would take at least 3 months to get to the permission stage. If a Judicial Review were awarded, this would take 12-18 months This would tie HLF up in a lengthy and costly legal dispute. MS advised that this is our lawyers' position, which concurred with both DfE and Aurora's advice, which is also to extend the consultation to reduce the risk of a successful Judicial Review application.

Q: Suppose this were to go to a judicial review, with all progress towards academisation paused, but if we said that we intend to progress with academisation, would Aurora sit with us through this?

LM advised that Aurora have said that they would, though this has moved very fast, and with the recent Christmas break we need more time to clarify all of this legally. The solicitors have said that we can still proceed with academisation, but that we can't do anything that is irreversible. LW advised that the DfE director's office could still approve or refuse, and this would continue in the meantime. DK suggested that there is a low risk that Aurora would pull out because of this, as it is a reputational risk to them too. SrL commented that there is perhaps still some risk involved though.

Q: Will Aurora help with our legal costs?

LM advised that they have they own legal costs and that any legal costs incurred by HLF would be ours, but they can provide guidance and support.

LM advised that if it went to a judicial review and if the outcome were that the complaint is upheld, this would not stop the academy proposal in itself, there are a range of outcomes, but most probably we would be required to re-open or redo the consultation and then the governing board would meet again to vote. SrL commented that this is why the recommendation to extend the consultation is there, as it could help mitigate this now to prevent time and money being spent. SrL commented further that there would also be a large time and work requirement for extending the consultation. There was a broader discussion around this.

LM advised that a Judicial Review application would also have significant workload implications for SLT and governors, whereby we would probably be required to gather and present all papers relating to academisation, this includes 7,000+ emails, all documents, papers, presentation, budgets, minutes, etc. LM further advised that, the solicitors have said that if the judicial review applicants didn't win, they would have

to pay for our costs. However, we would be concerned about our ability to recoup these from the applicants. There was a broader discussion around the technicalities of this.

LW provided an overview of the process and decision matrix for this meeting.

[EFGB Governor Decision Making Matrix](#)

Draft Consultation Report

LW advised that we have received this from Rama Venchard, and she thanked DK and AHJ for their additional work and qualitative analysis. LW provided an overview of the document.

Q: The responses are confidential; do we need to check that there is nothing identifiable in there?

LM advised that any possible identifying information will be removed, and there was a broader discussion around this.

[HLF Consultation Survey Responses](#)

Q: If we decide to extend the consultation, will this document have the new responses added in?

LM advised that it is up to us if we want to add to it or edit it, and we can also conduct new meetings, surveys etc. AHJ commented that it might be interesting to see if the responses change i.e., if those supportive of academisation respond in higher numbers. SLd advised that some responded very early in this process, and they might have changed their views over time. There was a broader discussion around this.

Q: The report has some of our documents pasted in which include our wording, this has the potential to make the report look less impartial. Perhaps the wording could be edited to signpost the information we have received.

Yes, consideration will be given to clarifying this distinction. There was a broader discussion around this.

Q: Is the consultation report the core document on which we will base our decision?

MS advised that it forms part of it, as well as the decision matrix and risk assessments.

Q: If we are making a decision today, is the report complete enough, or are we still waiting on things?

MS advised that this consideration is part of the decision matrix discussions and considerations.

AMW suggested that if re-opening it would be helpful to ensure we have a diverse range of religions represented and not just the local churches.

3. Academisation Proposal

Risk Assessment Update

The risk assessment had been revised by all governors following the consultation feedback. MS displayed the risk assessment for governors and confirmed that it had been circulated in advance.

Governors ran through the risk assessment together and discussed, reviewed and amended risks.

There was a discussion around the LA's capacity for providing expertise in certain areas and how this works with the offer that they have made. SrL suggested that there is a capacity issue with some levels of support would be provided by the LA, and whether we would be able to identify specific support in key areas.

DK advised that two-thirds of HJS staff voted yes to the proposal, and over half of WHIS staff voted yes to the proposal. The response rate for staff was very high. DK suggested that there is a risk regarding polarisation of staff. MS advised that staff have taken it very seriously and they have been as involved as they can be, and she provided a further overview of this. All staff have been invited to union, LA and staff and governor meetings as well as additional one to one meetings. MS commented that there is a bigger picture in terms of staff morale, and it is important to acknowledge with staff that this has affected their morale. DK commented that there is an issue in that people feel that they have not been listened to, and it is worth considering this when making a decision next.

[HLF Academisation Risk Assessment](#)

LW advised that there is a significant risk around the SLT and governors continuing at this pace whilst running the schools and maintaining the running and safeguarding of all three sites. The impact on wellbeing and mental health has already been significant. There was a broader discussion around this. DK commented that there are issues regarding both short-term and long-term capacity too of SLT and the governing body.

MS advised that we have found ourselves carefully ensuring all risks form part of the decision matrix and these are carefully mapped out in the risk assessments. DK suggested that it is less about what is the right or wrong decision, and more about what is the best decision given the circumstances using the decision matrix to inform the governing body.

SLd suggested that in terms of our community relations, if we joined with Aurora then this could be catastrophic for community relations and there was a broader discussion around this and the difference between the short and the long-term impact. LW advised that there is a legal risk in terms of costs. LW further advised that a risk had previously been identified with falling pupil numbers in the area and how the LA might deal with this, but now there is also a risk of parents taking their children out of the school if we chose to go with Aurora, and this is possibly quite a significant risk. SrL suggested that the likelihood of this is

low, but it now feels like a bigger risk after the consultation, particularly more so at the Holland Road site. There was a discussion around this and that it would be worth getting a sense of what the actual admission numbers are of those saying that they will do this. MS advised that the admissions deadline is next Wednesday 15th January, and SrL commented that we may not be able to affect parents' decisions on this either way by then anyway. There was a broader discussion around the long-term effects of this. MS suggested that the negative feedback may have been more specifically about Aurora, rather than academisation in general, and there has been some reputational damage to the school by campaign. SrL suggested that the potential judicial review would affect the second year of the school's intake too. There was a broader discussion around pupil spaces and family groups in the area. MS advised that there is generally a bigger risk of pupil withdrawal than originally anticipated, and there was a broader discussion around this, also regarding prospective parents. DK reflected that Aurora thought the need for a PAN reduction at Holland Road would be unlikely, but that even if this were to occur, they had strategic and financial capacity to make changes to the building/estate to keep the site viable as a 30 PAN or a 45 PAN entry. The LA lacks the resource for this and would be more likely to want governors to close the site if the PAN were to drop in the future. He gave a specific example of this, where the LA had closed a school despite a passionate parent campaign. MS advised that we were looking at this before, and our conclusion was that it may not be financially viable for us to have a one-form entry school at the Holland Road site.

LW highlighted the safeguarding risks around pupils' mental health and wellbeing regarding the campaigning. LM said that our lawyers have also advised that in theory LA could apply for a judicial review on the basis that we are hindering their efforts to manage pupil numbers in the city.

Q: Is the LA's offer attractive and/or realistic?

MS provided an overview of this.

[HLF Council Offer](#)

[Additional Questions sent to the LA](#)

Q: Are there potential new working relationships within the LA that could be productive?

MS advised that it isn't possible to say at this stage, though there is a cultural shift ongoing at the council with a new CEO. There was a broader discussion around this. LM commented that regardless of our outcome, the LA have had to reflect on this and improve.

Governors highlighted that the LA's suggestion of regular public meetings would be unhelpful, as we would be unable to discuss the details of the Financial Recovery Plan, staffing restructures and budget cuts. There was a discussion around the technicalities of the LA's offer and planning the strategic timeline of the offer and what we would need in particular as a school on 3 sites. LC commented that for the LA's offer to be considered as an actual plan, it would need a lot more detail, and it would need to be much clearer on how it would work. AHJ suggested that there is a concern over who will be doing the work to implement their offer, and that from experience it is likely that they will direct this work onto MS and governors, and we

should consider if there is any way to clarify what exactly will happen in advance. There was a discussion around whether the LA would follow through on their commitment to support us if we decided not to convert.

Decision Matrix

LM provided an overview of the decision matrix, and MS and LM led the meeting through the matrix [see *decision matrix above*].

SrL suggested that the LA's offer puts us in a better position than where we were before we went into consultation. There was a broader discussion around this.

There was a discussion around the wording of the questions and how the voting process would work.

Q: Is there a risk of staff strikes?

LC advised that there are strong feelings from the staff who are against this, and they are supported by their unions. LM commented that there was a similar situation in another school who had a judicial review, and then a staff strike took place, and the governing body withdrew from academisation because of this. MS advised that we have confirmed this as a potential risk, but it has not been articulated to us yet by union representation from staff. LW suggested that this could still take place. DK advised that the union has to have a high enough turnout for a vote on a strike, and then over 50% have to vote yes for a strike to take place.

LM highlighted that we have received a communication from the LA regarding the potential loss of their H&S support.

[Risk of Loss of HS Support from the LA](#)

There was a discussion around the sequence of decision-making, and MS displayed the decision tree. Governors discussed this further and clarified the options, and DK advised that it is best to stick to the legal advice and the decision tree that they have provided. There was a broader discussion around the sequence of decision-making.

Governors had a discussion on each stage of the decision-making matrix and risk assessments before making a formal decision.

NO'S left the meeting.

Summary of votes

Decision Matrix Section 7 – Was the consultation lawful?

Governors unanimously voted that the consultation was lawful

Decision Matrix Section A2 - Governors considered whether to re-open the consultation, and a vote was held.

Yes: one vote
No: eight votes

Governors voted by majority decision not to re-open the consultation.

Decision Matrix Section A3. Consideration of the proposal. A vote on a final decision was held for each school.

WHIS Vote: Having reviewed the outcomes of the Consultation Report on the proposal to convert West Hove Infant School to academy status and join Aurora Academies Trust, the Board was satisfied that sufficient opportunities were offered for the appropriate stakeholders to be consulted and their views heard and carefully considered. The Hove Learning Federation Governing Board therefore resolved by majority **NOT** to proceed with the academisation process on the grounds of stakeholder opposition, costs and length of threatened legal challenge and budget implications for potential impact on school admissions.

No: seven votes
Abstain: two votes

HJS Vote: Having reviewed the outcomes of the Consultation Report on the proposal to convert Hove Junior School to academy status and join Aurora Academies Trust, the Board was satisfied that sufficient opportunities were offered for the appropriate stakeholders to be consulted and their views heard and carefully considered. The Hove Learning Federation Governing Board therefore resolved by majority **NOT** to proceed with the academisation process on the grounds of stakeholder opposition, costs and length of threatened legal challenge and budget implications for potential impact on school admissions.

No: seven votes
Abstain: two votes

Risk assessments and decision-making matrix to be shared.

4. AOB

N/A

Date of next meeting:	FGB 28 th January 2025 6pm Portland Road
Time closed:	8.15pm
















***** Please see Action Points from this meeting on the following page**

Action points from EFGB meeting held on 7th January 2025

Item/Action	By	Person responsible
N/A		

Appendix

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Type	↑↓	Title
<input type="checkbox"/> 		Aurora docs
<input type="checkbox"/> 		Consultation meetings and FAQs
<input type="checkbox"/> 		Consultation survey
<input type="checkbox"/> 		DfE
<input type="checkbox"/> 		TU docs
<input type="checkbox"/> 		Academisation - Equality Impact Assessment - Ongoing - Copy
<input type="checkbox"/> 		Academisation Risk Assessment - WORKING COPY 191224
<input type="checkbox"/> 		Academisation Risk Assessment Addendum 040125
<input type="checkbox"/> 		Consultation Decision Flowchart
<input type="checkbox"/> 		Decision matrix (draft v2 06.01.2025 - clean)
<input type="checkbox"/> 		EFGB Agenda 7.1.25
<input type="checkbox"/> 		EFGB Briefing Paper 7th January 2025
<input type="checkbox"/> 		FINAL - Survey breakdown - DK
<input type="checkbox"/> 		Legal Letter to Governors 17th December 12.06
<input type="checkbox"/> 		Legal Letter to Governors Schedule A

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