

Barton Church of England Voluntary Aided Primary School

Minutes of the Extraordinary Full Governing Body meeting held remotely on 26th June 2023 at 7.15 a.m.

Present

Mrs Julie Martin – Headteacher	JM	p	Mrs Caroline Parsons – Chair	CP	p
Mrs Louise Bowes	LB	p	Mrs Sarah Penrose	SP	p
Mr Laurence Evans	LE	p	Dr Ross Stewart	RS	aa
Mr Andy Higgins	AHi	p	Mrs Anne Ugur	AU	p
Mrs Catherine Martin – Vice Chair	CM	p	Mrs Alice Hedges – Staff Governor	AHe	aa
Vacancies:					
Foundation Governor x 4					

p – present, aa – apologies accepted, na – apologies not received/accepted

In attendance: Mrs W Guest – Clerk.	WG
Mrs S Adderley – School Business Manager	SA

Abbreviations used.

FGB: Full Governing Body, **LA:** Local Authority,

Documents issued for the EFGB meeting.

Two emails from the Chair of Governors dated 19.06.23 and 24.06.23, **Barton Dolce Contract, Letter from Dolce** dated 15.06.23

Item	The meeting began at 7.17am	
1	<p>APOLOGIES FOR ABSENCE</p> <p>1.1. Apologies for absence Apologies were received from RS and AHe. Consent for absence was granted.</p> <p>1.2. Quorum. The quorum for the meeting on 26.06.23 was 5. The meeting was quorate throughout.</p>	
2	<p>CATERING CONTRACT</p> <p>The extraordinary FGB had been convened to discuss the catering contract provided by Dolce and their decision to impose a subsidy of £16k from September 2023.</p> <p>Resources Governors had been made aware of the issue at their meeting on 21.06.23. The Chair subsequently sent a further email to all governors providing an update on 24.06.23.</p> <p>The situation was summarised as follows:</p> <ul style="list-style-type: none"> • A letter was received from Dolce on 15.06.23 advising that they would be imposing a subsidy of £16k from September 2023. • The contract with Dolce does not make provision for a subsidy to be imposed. The Chair has received some pro bono legal advice to support this. • Discussions have taken place with Dolce, but there has been no movement on the issue of the subsidy as it is clear it is no longer profitable for Dolce to operate at Barton. 	

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- Discussions have also taken place with the School Business Manager and cook at Dry Drayton Primary School. Dry Drayton previously used Dolce as their catering provider, but now provide their school dinners in-house. They and the school community are very happy with their set up. They order food from different sources, included discounted ordering from Brakes through their Essex School Meals Service contract, from some local suppliers/farmers, through a discounted Cambridge butcher and from supermarkets. The in-house provision costs the school around £5,000 per annum but they see this as equivalent to a third-party catering contract, whilst retaining full control for themselves over menus.
- There is not sufficient time to re-tender for a new catering contract between now and September, and it is unlikely that many companies would be interested in Barton - a small school with a low uptake of meals.

The Chair asked governors for questions on the steps and investigations that have taken place to date and their thoughts on the position and way forward.

Q: The timescale to bring catering in-house seems challenging, but does appear to be the only logical way forward. Yes, we are conscious of the work involved but Essex School Meal Service (who support Dry Drayton) believe that it is achievable and they will hopefully be supporting us through the transition. We will have more information on their service and charges after the school meets with them on 30 June.

Q: A lot of information appears to have been gathered in a short space of time. If Dry Drayton (who are a smaller school than Barton), can make it work, it seems a positive move for Barton too? Yes, we believe that we could improve the quality of meals by consulting with pupils/parents and hopefully increase uptake too.

Q: There could be a significant additional workload for school not only in setting up the in-house provision, but also in the day-to-day operation. The parents at Dry Drayton use an app "School Comms" (which is linked to ParentPay) to order meals and make payments, so monies are not collected by the office. The office will be responsible for collating numbers and liaising with the cook, but this is not significantly different from now. There will however, be an additional task of setting menus half-termly and uploading them to the system. We could opt to change the menu once a term instead if this proved to be too much work, as is the case with Dolce at the moment. We are waiting to hear back from School Comms about their system and how much it will cost.

Q: It would be good to encourage uptake to ensure that the in-house provision does not result in a financial loss to school. Would it be possible to provide a taster lunch, for example? It may not be possible to arrange this before the new provision comes into effect, but we are hopeful that with a different menu and more input from children, that this will encourage a greater uptake. At Dry Drayton, 90% of children have school dinners.

Q: What can we learn from Dry Drayton's experience of designing menus? It is important to involve pupils to find out what they would like to eat, and design a menu that is not overly complicated. It would also be useful to canvas parents' views, particularly those whose children do not currently have school dinners, to find out what might encourage them to switch. Any menu will need to take into account nutritional standards, where to source food and when it will be delivered.

Q: Does the 12 weeks' notice include school holidays? Yes. If we decided to terminate the Dolce contract, we would give them a simple 12 weeks' notice, but even if given straight away, this would still expire in mid-September. However it would not be to either party's benefit to allow/require Dolce to recommence their meal service in September, only to switch to a new system a few weeks later. We would therefore seek to negotiate an earlier exit.

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Q: Will there be a penalty if we seek to terminate the contract before our 12 weeks' notice has expired? Possibly. Dry Drayton had to pay a small penalty when they wanted to terminate their contract. It is unclear how any charge would be calculated in our case, however, as there would be no loss of profit to Dolce, who have made it clear we are unprofitable. We would therefore seek to resist imposition of any penalty. We will have to wait and see how Dolce will react if we give notice.

Q: What will be involved for office staff to set up the in-house provision? This will become clearer after the meeting with Essex School Meals Service later this week. There will be work that will need to be carried out over the summer holidays, but this may be easier than trying to juggle the project alongside the usual term-time workload. In terms of sourcing suppliers, Essex may have contacts and are also able to secure discounts for regular orders. Dry Drayton use Brakes, but also have a weekly delivery with Sainsbury's and use a local butcher for meat. There will need to be careful monitoring of the costs to ensure that the catering provision is breaking even.

Q: Would it be possible for governors to visit Dry Drayton to see how their catering works? The School Business Manager and Chair of Governors have had a detailed conversation as part of their visit to Dry Drayton last week, but it may be possible for other governors and/or the cook to spend some time at the school.

Q: Would it be possible to use local contacts such as Burwash as an interim measure? We would be happy to consider local contacts, but need to ensure best value given the budget pressures for next year.

Q: Is the cook on board with the latest developments? Yes, she is fully aware of the situation and wants to continue to work at Barton. We would also like her to continue as we have a good working relationship. We would need to manage the transfer smoothly and in line with TUPE regulations.

Q: If the catering is brought in-house and the cook is unwell, how would catering be covered? We will need one, if not two additional members of staff who are trained to at least Level 2 in food hygiene so that they could prepare meals in her absence. This could be sandwiches or jacket potatoes, for example. David Thompson has experience in the catering industry and would be prepared to cover. The other member of staff could be a TA or from the office.

Q: Presumably preparing the lunches takes all morning – could a member of staff be spared to cover? What would happen if the absence was longer-term? We would have to cover the lunches as it is a statutory requirement to provide a meal for certain pupils. Essex have access to agency staff if the absence was going to be long-term.

Q: Are there any parents who might have the requisite skillset to be able to cover in the cook's absence? There is a parent who is also an ex-governor, who is a trained caterer, and might be able to cover on an ad-hoc basis.

Q: At the parent consultation on the 3-year strategic plan, parents were very keen to point out that many have skills which school are not aware of. Could we explain the situation to parents for September and ask them to get in contact if they are able to help? This could be a possibility.

Governors all agreed on the following points:

- That it was **no longer possible to continue the contract with Dolce** as Barton are unable to pay their requested subsidy and without this, they will not want to continue our provision. We should therefore serve notice to terminate

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	<p>the contract, giving twelve weeks' notice, but requesting that Dolce's service in fact finishes at the end of this term.</p> <ul style="list-style-type: none">• That a small number of governors will need to be willing to be available over the summer holidays to follow up the transition to bring catering in-house.• That the workload involved in setting up the new provision will be significant for office staff and the Headteacher, and will need to be carried out over the summer holidays.• That it will be necessary to assume a similar uptake for meals at the start of next term, but hopefully if pupils and parents see an improvement, this will increase the numbers of pupils choosing to have school dinners.• That children and parents should be consulted on what they would like to see on the menu, and why they do not choose to have school dinners currently.• That there will need to be careful management of finances to ensure that the provision does not operate at a loss greater than budgeted. (Governors were advised that the SFA is currently on leave so is not yet aware of the situation). <p>Governors were asked whether notice should be served immediately so that the contract with Dolce is terminated as quickly as possible, with less risk of arguing over a penalty as the notice period bleeds into September, or whether it would be better to be more cautious and wait until further information was available about all of the processes involved in bringing catering in-house.</p> <p>Governors agreed that it was difficult to predict how Dolce would react when notice is served. The following points were made:</p> <ul style="list-style-type: none">• Serving notice as soon as possible means that there will be less overlap in September and Dolce may decide that it is not worthwhile coming back in the new academic year/seeking to impose an early termination penalty or claim.• When notice is served, Dolce could decide to reduce the level of subsidy, which might make it necessary to consider whether it is better to stay with the current provision.• Information may become available from meetings with Essex, School Comms and EPM which could alter governors' views. <p>Q: Is it possible to have a rough estimate of how much the new provision will cost in comparison to what we are paying Dolce now? This is very difficult until we have met with Essex. We know that we will need to keep food costs down to £1 per head, and that we will need to continue to charge £2.45 per meal (for KS2) to cover the cook's salary. We believe that Dry Drayton pay around £500 per term for their contract with Essex. However, we still need to obtain a quote from School Comms for using their system, we need to find out how much the cook and catering assistant are paid, and we need advice from Essex about which suppliers to approach for quotes for food. Essex are very positive and have assured us that they can help with the transition, but we will not have any of this information until we have met with them later this week.</p> <p>Q: In the worst-case scenario where we are unable to set everything up for September, do we just have to provide meals for FSM pupils? We need to provide a meal for FSM <u>and</u> UIFSM children. We would need to have someone with a food qualification to prepare the meals, but they do not have to be a hot dinner.</p> <p>Q: Are there any pieces of equipment that need to go back to Dolce? No, all the equipment is owned by us, but there has been a suggestion that we should invest in a dishwasher rather than use a steriliser. At the moment, the catering assistant helps with the washing up, but in time, it may be possible to reduce this cost. It would also be very useful to have tables which come with chairs attached as this would greatly reduce the amount of time needed to set up the Hall and clear away afterwards. It may be possible to buy these items from a capital grant, and the Diocese could be contacted in this regard.</p>	SA
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	<p>Q: Who is responsible for carrying out the work related to TUPE? We have spoken to our contact at EPM, and they have advised that they will carry out the work required.</p> <p>Q: Will we have to pay for this work? We are hopeful that it will be covered under our existing contract with EPM.</p> <p>Governors voted on whether to issue notice to Dolce today or whether to leave the situation until further information is available, notably from Essex School Meals Service.</p> <p>One governor expressed concerns about the workload involved, and the feasibility of getting everything in place for September. After further discussion, and clarification that Dolce would be trying to charge 1/12th of the annual subsidy for each month that they continue to provide catering to Barton, it was agreed to issue notice immediately. Governors felt that as much information as possible had been gathered in a short space of time, and that bringing catering in-house was the only option. It was therefore felt that there was no point in delaying the process unnecessarily.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Governors agreed that the Chair, Headteacher and School Business Manager should work together to draft a letter issuing notice to Dolce with immediate effect.</p> <p>The following governors volunteered to help support the implementation of the new catering provision over the summer holidays: LB, CP, SP, AHi, CM.</p> </div> <p>It was noted that food inflation and cost of living increases have made Dolce's contract with Barton untenable after 5 years of providing catering services. Governors were asked to be scrupulous in reviewing the details of new contracts to ensure that best value is obtained, and that where possible, reassurances are provided to give certainty on future prices to protect Barton from food inflation.</p> <p>Governors expressed their thanks to the Chair and School Business Manager for the work they had undertaken so far, and for providing as much detail as possible within a short period of time.</p>	<p>CP/JM/SA</p>
<p>3</p>	<p>DATE OF THE NEXT MEETING – THURSDAY 13th JULY 2023 at 7.00 pm</p> <p>The meeting ended at 7.53am.</p>	