



THE GRYPHON TRUST – Getting into Shape

CONFIDENTIAL MINUTES PROTOCOL

1.0 Scope

- 1.1 All bodies of governance and committees shall adopt this protocol.
- 1.2 This protocol runs in parallel with the policies of the Academy Trust and of its Academies.
- 1.3 In this protocol:
 - “Meeting” shall mean any meeting or part thereof of the Members, Directors, Committees (including Local Governing Bodies) and any sub-committees (statutory or non-statutory)
 - “Minutes” shall mean minutes of any meeting as aforesaid
 - “Attendee” shall mean any Member, Director, Co-opted Director, Local Governor (including Parent Local Governor, Staff Local Governor and Co-opted Local Governor), CEO, CFO and any other person requested/invited to attend a meeting
 - “Chairman” means the person carrying out the duties of chairman at a particular meeting
 - Words importing the singular shall include the plural and vice versa
 - Words importing the masculine gender shall include feminine gender and vice versa
- 1.4 As well as acting as a corporate organisation, all level of governance must act with integrity, objectivity and honesty, and in the best interests of the Academy Trust, its Academies and all stakeholders. They must therefore be open about, and prepared to explain, their decisions and actions, with few exceptions.

2.0 Meetings

- 2.1 Meetings are not open to the public by right. A person not entitled to be at a meeting or not otherwise invited to attend may be excluded at the Chairman’s discretion.
- 2.2 Persons who might not be aware of this protocol shall be given a copy before the meeting commences.
- 2.3 Much of the detail of what is said at a meeting is not recorded in the minutes, so attendees must not pass on anything that is not recorded. Attendees must not disclose information or comments that could embarrass or harm those who made them or to whom they relate. Attendees must not disclose what a particular person has said or how they voted at a meeting as this could restrict a person’s readiness to speak freely and, as such, work against the future effectiveness of the meetings.
- 2.4 The Chairman of a meeting may decide whether to exclude from a meeting or part thereof a person not entitled to attend a meeting but otherwise invited, and such persons may be asked by the Chairman to leave the meeting or a part thereof.
- 2.5 As far as practicable, items likely to be deemed as confidential should be placed at the end of the agenda to allow excluded persons to leave. However, if an item occurs during the meeting and is deemed confidential excluded persons shall retire from the meeting for the duration of the item and the item be recorded separately.

3.0 Agenda and Minutes

- 3.1 Every meeting shall have an agenda which clearly indicates that the whole meeting is confidential or otherwise which matters within the meeting are deemed to be confidential.
- 3.2 As soon as reasonably practicable, a copy of the agenda, the draft minutes (if approved by the Chairman) and the signed minutes must be made available at every Academy to persons wishing to inspect them. Consequently, minutes of confidential items, determined as such by the chairman, must be recorded separately, filed separately and not be part of the record available for inspection at an Academy.

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3.3 Advance copies of the Agenda and supporting papers for a meeting which is to be wholly confidential must only be sent to the attendees and statutory advisor. Advance copies of the supporting papers for matters deemed confidential must only be sent to proposed attendees of the confidential session.

3.3 Copies of confidential minutes and associated papers must not be sent to attendees of a subsequent meeting. The Chairman shall receive the confidential minutes after the meeting and at the next meeting the Clerk will read them out to only those present at the respective confidential session. Alternatively, where the Chairman deems it appropriate, a copy of the confidential minutes may be handed to each of those present at the respective confidential session and these copies shall be immediately returned to the Clerk after review so the Clerk may arrange their destruction. Any attendee of a meeting who was not present at the respective confidential session shall temporarily leave the meeting. Only attendees who were present during the respective confidential session and now present can vote on their acceptance.

3.4 The minutes of confidential items shall be printed on coloured paper and watermarked “confidential” for ease of identification. Supporting papers shall be watermarked or stamped “confidential”.

4.0 Confidentiality

4.1 Confidential matters include:

- staff appointments and resignations
- staff pay and conditions of service (eg the annual review of staff salaries in accordance with the school’s pay policy)
- staff discipline, capability and grievances
- pupil discipline
- pupils with social or special educational needs
- some financial procedures (eg tenders/contracts)
- parental and other complaints

4.2 Confidential matters included on an agenda must not be discussed outside of the meeting, even between the attendees of a confidential session. This is particularly important when dealing with staffing appointments and other formal personnel procedures where the whole of the proceedings are confidential.

4.3 The Headteacher’s Report, other than items deemed reserved, is not a confidential document, and headteachers should be mindful of this when preparing reports.

4.4 All persons entitled to vote at a meeting are responsible as a whole for decisions reached or resolutions made, whether attending the meeting or not. An attendee who is entitled to vote and is present at a meeting may, however, require his dissent or abstention to be formally recorded in the minutes.

4.5 Attendees are not delegates for their nominating bodies e.g. parents or staff. The nominating bodies have no automatic right to receive a report from their individual representative.

4.6 Individuals named in confidential minutes normally have a right to see the information, attendees should be mindful to ensure any information relating to other individuals is not included.

4.7 Attendees will be asked to account for any breaches in confidentiality. Repeated breaches in confidentiality could lead to the suspension of the ‘offending’ person or their permanent removal from office.

5.0 Effective Date, Amendment and Review

5.1 This Protocol shall be effective from 2019.

5.2 Any amendment to this protocol shall be resolved by the Board of Directors.

5.3 This protocol shall be reviewed annually.