



SAPIENTIA EDUCATION TRUST

Company Number: 7466353

Framingham Earl High School

Local Governing Body Meeting

Wednesday 5 February 2020 at 4.00pm in School

NON - CONFIDENTIAL MINUTES

Present

Becky Arnold (BA) – Headteacher
John Gordon (JG)
Roger Margand (RM)
Jamie Mather (JM)
Jamie Parslow-Williams (JPW) – Vice Chair
Peter Porter (PP)
Alison Randall (AR)
Di Swanepoel (DS)

In attendance:

Zoe Fisher (ZF) – SET Director of Secondary Standards & DSL
Phillip Norton (PN) – SET Trustee
Peter Rout (PR) – Chair of SET Trust Board
Jonathan Taylor (JT) – SET CEO
James Edwards (JE) – Acting Deputy Headteacher
Anna Harvey (AH) – Assistant Headteacher
David Ayres – Clerk

The meeting was quorate, with 8 governors present out of 9 serving.

[Clerk's note: governor challenge is shown in red, action points in blue, **decisions in bold and underlined**]

3.1. APOLOGIES AND WELCOME

JPW opened the meeting and welcomed everyone. Because there were a number of new attendees, he asked everyone present to introduce themselves.

Apologies were received and accepted from RS. Governors consented to the absence.

3.2. DECLARATION OF INTERESTS & REGISTER OF BUSINESS INTERESTS



No pecuniary interest or possible conflict of interest had been declared prior to the meeting in relation to items on the agenda.

3.3 ELECTION OF CHAIR OF GOVERNORS (2019-20)

JPW confirmed that TM had resigned as Chair of Governors and as a governor. He explained that he was simply not in a position to take on the position of Chair but would continue as Vice-Chair. Therefore, it would be necessary to appoint a new Chair and he asked whether any governors would be prepared to step up. PP indicated that he would be willing to serve. There were no other candidates forthcoming.

The election of the Chair for 2019-20 was put to the vote (Proposed - AR, Seconded – RM) with governors voting unanimously for PP to become the Chair. However, it was noted that this appointment would be subject to formal approval by the Trust. It was agreed that PP would send a letter of thanks on behalf of the governors and BA would send a card on behalf of the staff for her contribution as a governor and Chair of Governors to the life of the school.

ACTION 8: To thank TM for her contribution as a governor and Chair of Governors to the life of the school.

PP in the Chair.

3.4. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the LGB on 11 December 2019 were agreed unanimously by all present and signed as a true record by the Chair subject to one minor amendment. The signed copy of the minutes to be retained in the LGB folder held at school.

- Section 2.1.6. Noted that JM attended the event as well as PP.

3.5 ACTIONS & MATTERS ARISING

Actions and Matters Arising from the previous meeting were discussed, with updates shown in *italics/bold* in the table below. Outstanding items to be carried forwards have been re-numbered and are listed as such in the actions table at the end of these minutes.

Matters Arising

Responsibility	Action	Agenda Item	To Be Actioned	Date
ZF	1	1.5a c/f	To post the Key Curriculum Audit Tool on GovernorHub. ZF to double-check on completion of action.	ASAP
RM	2	1.5a c/f	To visit the School to investigate the induction of new directors of subjects. Outstanding	ASAP
JPW	3	1.5c c/f	To consider the implications of the new Ofsted Framework for governors. Confirmed by JPW as agenda item at informal meeting. All governors to watch video on new Ofsted Framework.	Informal – 25.03.20



TM & BA	4	1.8 c/f	To consider the SIP 2019-20 at the next meeting of the LGB. To raise at the next informal meeting, as it will be helpful for the HT.	Informal – 25.03.20
NF	5	1.10i c/f	To arrange a training session for TM on Safeguarding. Completed.	Early 2020
AR	6	1.15 c/f	AR to attend the next Parents' forum at 18:00 on 28 January in The Den. To discuss the cost of uniform and the feasibility of setting up a swap shop. Completed.	Parents Forum – 28.01.20
JT	7	2.6	CEO offered to speak to the local authority about the issues of overcrowding, particularly at lunchtime, and the lack of covered spaces where children can go safely at lunchtime. JT updated re. discussions with NCC on sufficiency and suitability. Sources of capital funding being identified. Initial work to be completed by Easter and School Condition Action Plan drawn up by February half term	Formal – 05.02.20
JE	8	2.6	TM asked if governors could be provided with the number of days of FT exclusions. Report provided (Item 3.6). JE to check on format. Completed.	Formal – 05.02.20
JT	9	2.6	The number of FT exclusions due to racist language. CEO will have a look at the data reported on this at the other Trust schools. Position across Trust audited and not out of line with schools nationally. Completed.	Formal – 05.02.20
TM	10	2.9	Collective Worship & RE Action 10. Agenda item for LGB3 (on SoD). Report provided (Item 3.11). Completed.	Formal – 05.02.20
JT	11	2.9	Collective Worship & RE CEO – piece of work is being carried out for 27 January so he will update at next LGB meeting. Action plan drawn up based on NCC Agreed Syllabus. Focus on KS3 and PSHE too. Completed.	Formal – 05.02.20
WM	12	2.9	To check whether the school H&S policy must be displayed on school website. Confirmed "may" rather than "must" publish. Completed.	January 2020
GY & BA	13	2.11	Curriculum review including statutory requirements, impact and value for money	Formal – 05.02.20



			GY and BA have started work on this, to bring to the February meeting. Report provided (Item 3.8). Completed.	
BA	14	2.12	January – will need to update the homepage (HT) and the governor page to add DS once her position of staff governor is ratified. Completed apart from the addition of DS as staff governor.	January 2020
WM	15	2.12	WM to arrange for DS to be ratified by Trustees. Completed	January 2020
WM	16	2.12	WM to put word version on Governor Hub of the front sheet showing attendance. Completed.	January 2020
All Governors	17	2.13	Governors - please contact WM with any training requirements. Immediate and On-Going. Note governor video exploring new Ofsted requirements now available on GovernorHub.	Immediate and On-Going
All Governors	18	2.13	TM reminded governors to update their training records on GovHub. Some updated – others not.	End January 2020
TM	19	2.13	Results on Skills Audit to look at the next informal meeting. Confirmed by JPW as agenda item at informal meeting.	Informal – 25.03.20
AB	20	2.16	Ask Anna Boyle to add governors to the Parent email group, so that they have sight of all future invitations. Work in Progress – shortly to be completed.	Early January 2020

DECISIONS

	Agenda
All governors agreed and adopted the Trust Code of Conduct	Matters arising
All Governors agreed to adopt the ToRs for the Compliance and Audit Committee.	Matters arising
All Governors endorsed the Admissions Policy All Governors approved the list of publications that people could ask for under the Fol Act.	2.8

3.6 HEADTEACHER'S REPORT (as per Trust's standardised HT reporting format)

3.6.1 Section 1 – Curriculum Impact

GCSE Y11



(This section to be read in conjunction with Appendix 2). Governors noted areas to be aware of along with actions to address the concern including insufficiently strong progress in Maths, low progress in Chemistry and Combined Science, insufficient progress in F&N and Product Design, lower progress at this point than for last year's Y11 cohort. Governors also noted value-added scores on a subject by subject basis.

JT commented, in relation to the Y11 mock exam data that overall the position appeared to be encouraging with Progress better than for the previous year's cohort and Achievement equal to or even better than the previous year's cohort. He asked BA about the quality of intervention planned and whether there was any way in which the Trust could assist. BA outlined some of the elements of the support programme envisaged – topic lists, study skills days, revision timetables, student pairing etc. BA confirmed that discussions had already occurred with departments where the overall strategy had been agreed – working smarter not harder – to do with co-ordination and joint planning of interventions as well as delivering the more detailed and subject-specific aspects of the programme.

AR asked about the type of advice offered to parents, say, at the parents' forum about supporting their child's preparation for GCSEs. BA replied that a large majority of students came from families who are supportive and for those where such support was less forthcoming, additional strategies would be used. There is, for example, a study room available where students can work after school under supervision. There are also revision programmes planned for Easter and May for students. JT asked whether staff were on board with these proposals. BA felt that generally they were.

GCSE Y10 – Data Point December 2019

Governors noted that the year has settled well with few requests to change options. Behaviour for learning and attitudes to work are generally excellent with a high proportion of students taking on additional responsibilities. Areas to be aware of (along with actions taken to address the concern) included calculation of progress data (awaiting guidance from DfE), a gap in performance (approx. 0.5 of a grade) between genders, progress marginally lower at this point than for last year's Y10 cohort.

KS3

Governors noted the analysis for Y7, Y8 and Y9 broken down by student group and set out in terms of progress score and behaviour score.

Overall, in Y7, all groups of student are meeting expectations in terms of behaviour and progress but early indications are that girls are out-performing boys, SEN students are making the lowest progress which appears to be linked to behaviour and, progress for disadvantaged students (for whom PPG is received) is below average.

In Y8, progress is still at least as expected for all groups but with SEND and PP students faring less well. There are some challenges which are reflected in the lower than average behaviour score.



For Y9, SEND and PP are making the least progress and there is also a widening gender gap. The year group, however, poses little by way of behavioural difficulties.

PP asked about the relative progress of PP and SEND students in Y7 and Y8 and whether any initial conclusions could be reached, and actions planned. AH felt that for Y7, it was still early days but there was already evidence emerging that students in Core Nurture were not able to access the full range of the curriculum. For Y8, AH advised that the cohort had a high proportion of students with SENs.

JG asked whether, given the HT's and senior colleagues experience, the data so far feels right and consistent. BA replied that for Y11 and Y10, the data was robust. For KS3 the data is not yet as good as it should be. She advised that that an assessment meeting had been planned for the near future where the data so far will be carefully looked at and moderated. She felt that the Curriculum is good, but the quality of assessment data is less good. BA also advised that for Y7, the CAT data would be looked at and shared with parents. JT advised that the secondary heads across the Trust had recently discussed the management and interpretation of KS3 data in particular and had concluded that this was something that schools ought, in the first instance, manage themselves.

JM commented that one concern emerging from his recent work with student focus groups was that Y7 to Y10 students felt under enormous pressure because of the high expectations placed upon them to succeed. Many were uncomfortable with this. BA and JE felt that it could be difficult to gauge how the younger year groups might feel. Certainly, for Y11 where students, increasingly, experience pressure both from school and from home, it is much easier to assess the impact of such pressure on individuals.

JT asked whether work in supporting Wellbeing was undertaken with Y11. JE confirmed that this was covered through, for example, discussion of options and life choices, healthy lifestyles etc. BA added that school nurses work with the school and there is a health chatline available to students.

JG asked about the frequency of formal assessment and the number of data collection points through the year. ZF advised that the frequency of data collection had been reduced from this year. This had also been discussed recently at a Trust learning day where other less formal means to check what students are learning had been explored. BA added that the use of low stress/more frequent/cumulative testing had been looked at too.

3.6.2 Section 2 – Careers and Destinations

BA reported that the departure of the Line Lead (JW) has left the school without a trained "Careers Leader". This impacts on the scores against the "Gatsby Benchmarks". The new SLT Lead for Careers is AH who is currently working closely with DG, Independent Careers Adviser. Whereas a wide range of work is being undertaken in this area, there is a need for more hands on and day to day co-ordination which will have to be resolved. Initial discussions between headteachers across the Trust have raised the possibility of some sort of shared arrangements. Considerable experience and



training are required for the Line Lead and where that post might sit in the overall management structure of the school will have to be resolved too.

The analysis of destinations for Cohort 2019 leavers was noted.

PP asked whether the benchmarks are self-generated (i.e by the school itself). AH replied that they provided by the local authority. The scores against the benchmarks will be reviewed as the year progresses.

PP expressed some surprise that in the table of destinations the percentage of NEETs was recorded as 0.01%.

3.6.3 Section 3 - Attendance and in-year mobility

Governors noted attendance year to date (YTD) varied between year cohorts from 93% to 96%. There were also 5 students who are no longer on roll and are being home schooled. JE confirmed liaison between school and NCC has been undertaken and that transfer of paperwork including safeguarding files has occurred.

JE also advised that an audit of in-year mobility was planned for the next week which will cover such things as exclusions, safeguarding and home education. JT commented that Ofsted now has an expectation that governors will be monitoring in-year mobility. The Trust is auditing across its secondary schools to ensure that there are clear policies, procedures and processes which meet good practice criteria. PP felt that there would have to be robust monitoring at a number of levels in order to protect students. He noted that in the statistics provided, there were 4 PP and 2 SEND students and he asked whether this was a higher proportion than would be expected. PR also asked about the rise in numbers of students who are being home-educated. In responding, JE felt that further auditing could give more reliable indications of underlying causes for the in-year mobility but there is an evidence trail to demonstrate that off-rolling does not take place.

3.6.4 Section 4 – Safeguarding

Governors noted this section of the HT's Report. Details of the staff responsible for Safeguarding along with the dates of their multi-agency training and other training were provided. There was also a detailed analysis of Referrals and Multi-Agency working. JT asked whether the use of the new system - MyConcern – was embedded with all relevant staff using it. JE confirmed that the system appeared to have bedded in well and staff had responded well. DS confirmed that staff generally were happy to use the system and it appeared to be working well.

RM asked whether the level of reporting was as would be expected for the size of school or were staff over-reporting. JE felt that some of the less experienced staff had tended to play very safe at the start of the year. However, there had been few, if any, incidents recorded that clearly were not of a "safeguarding" nature. BA added that often more than one member of staff would record an incident. JE advised that within the overall tally of recorded concerns, there was one male student for whom over 100 concerns had been logged.



JT advised that work was planned across the Trust to look at the levels and the nature of reporting. He commented that it would probably be a helpful exercise to look at how the two secondaries about to join the Trust managed their recording of safeguarding concerns.

ACTION 9: To review the use of reporting systems in relation to safeguarding concerns across the Trust and to report conclusions and recommendations as to good and effective practice.

3.6.5 Section 5 – Curriculum and Co-curricular

Governors noted this section of the HT's Report.

3.6.6 Section 6 – Self Evaluation

Governors noted this section of the HT's Report.

3.6.7 Section 8 – Identified Areas of Risk

Governors noted this section of the HT's Report.

3.6.8 External Quality Assurance

ZF gave a brief update on the recent visit of Barbara O' Brian who looked in particular at Maths, History and SEND. She was impressed with the teaching especially that of an NQT in History. The Maths Curriculum was reported as being well constructed and, generally, the review of SEND was helpful.

3.7 HEADTEACHER'S UPDATE

BA highlighted the following:

- The Y9 Parents Evening had been successful with all but 5 families attending. The Ebacc was explained to parents as was the Government's target that by 2022, 75% of the cohort should be following that route.
- Communication since BA's coming into post has been progressed at a number of levels and through a number of channels – Headteachers Council (with students), weekly staff briefings and governors' updates, Headteacher's awards, staff nominations (show my work), subject leaders meetings, whole staff meeting, half termly newsletter to parents, involvement on TAC/ECHP/attendance meetings etc.
- The staff wellbeing committee had met twice since the start of term
- FEHS is no longer part of a financial cluster but continues to be involved with cluster schools professionally and in terms of securing shared specialist support.
- There continue to be discussion in relation to use of the Sports Hall with a number of unresolved legal issues with SNDC.
- All areas of the School have been assessed (on a scale of 1 to 4) in terms of condition and maintenance issues in order to prioritise and manager works. Student feedback indicates that the school/site is generally seen as "grim". There is a need to redecorate, provide social spaces etc.



- There are staff vacancies currently. There have been good responses to the advertisements for art and Science Technicians. The Cover Supervisor and MSA's are also being advertised.
- There will be a general tightening up on uniform and some changes in terms of badging and suppliers will be introduced to make things easier (and cheaper) for families. These will be published at Easter with full engagement from families/students in September. The positive responses to AR at the Parents Forum were welcomed and a uniform swap arrangement is in the process of being set up.

3.8 CURRICULUM REVIEW

BA introduced the report from CJ Learning giving an overview – very much from a VFM perspective – on the Curriculum. There had been a one-day visit by the consultant which had proved to be a very useful and interesting one which had confirmed many of BA's and the SLT's views. The next step in the work with CJ Learning will be to plan a curricular timetable and to create a model upon which to move forwards.

(RM left the meeting at 17.00 hrs)

3.9 GOVERNOR MONITORING VISITS AND SIP MONITORING

PP checked that every governor was aware of and content with their area of responsibility and their link to the relevant member of staff. It was noted that BA had produced a spreadsheet version of the monitoring programme and it was agreed that governors would move forwards on that basis.

JG asked about the relationships between Curriculum Plans and Quality of Teaching and asked that curriculum plans (when completed) should be made available to governors to support them in their monitoring. He also noted the link to performance management and asked whether the outcomes of that process were available. JT advised that NF was currently the data onto the Trust Database. PP commented that in the past, governors had not been informed other than in a very general way, of the outcomes of the performance management processes. AR asked whether staff were aware of their targets. ZF agreed to follow this matter up and to get a summary of the data being put onto the system.

ACTION 10: To provide a summary (suitably anonymised) of the outcomes from the most recent round of performance management.

PP asked whether there were any members of staff on support plans (there had been 3 last year). BA advised that there were no members of staff on such plans this year.

JM reported that he had recently met with BA and had asked her who had taken on parts of JW's role and how this impacted his monitoring of the SIP Information has been shared and monitoring visits are in place for post-Easter

Governors noted the monitoring reports on SEND (RM). The reports on Safeguarding (Interim Safeguarding Report, the Safeguarding Action Plan Monitoring Report and the Safeguarding Training



Update) (JM) were also noted. JM drew governors' attention to the points in all three of the reports where he had seen and checked evidence. JM also reported that he had met with a student focus group to discuss safeguarding and whether students had particular concerns. JM advised that, in his view, governors should reflect further on how best they can support the continued development of a positive safeguarding culture across the School.

3.10 POLICY COMMITTEE REPORT

PP reported that the Committee had not met since the last LGB. He asked, however, why the Red Book (Critical Incident Book) had been put onto the agenda. BA replied that it was necessary to update the information relating to key contacts on the LGB. It was agreed that PP and JPW would be the named individuals.

ACTION 11: To ensure that the Red Book (Critical Incident Book) is updated with governors' details.

In subsequent discussion of critical incident procedures, it was clarified that the responsibility for the emergency closure of the school rests with the Headteacher/Principal (after consultation, if necessary/if possible, with the Chair of Governors and the Trust CEO).

3.11 COLLECTIVE WORSHIP & RE – *Compliance with Statutory Requirements*

Governors noted the report on Developing the RE Curriculum. BA reported that she has met with Robert Parsonage, Rector of Poringland, to discuss the further development of links with the community, for example, the Carol Service, Easter Celebrations, involvement with Norwich Youth for Christ, possible development of links to other faith groups etc.

3.12 SAFEGUARDING

See Item 3.9 above.

3.13 GOVERNOR TRAINING AND DEVELOPMENT

JM noted that governor training and development would be considered at the informal meeting of the LGB towards the end of March. He reminded governors that the Skills Audit would have to be updated and that, because of changes in personnel, workloads and areas of responsibility would have to be reviewed. An agenda for that meeting supported by the commissioning of relevant reports would be required.

ACTION 12: To plan the format/agenda for the informal meeting of the LGB.

ZF advised that a whole-LGB training event could contribute to the effectiveness of governors' work. She suggested, for example, that looking carefully at how the Headteacher reports to governors could assist them to focus on key/priority areas. PP suggested too that Data could be a useful focus for a training session.

ACTION 13: To identify the possible focus of a future whole-LGB training session.

3.14 EVALUATION OF GOVERNORS' IMPACT ON STUDENT QUALITY OF EDUCATION – REFLECTIONS

In exercising their strategic oversight of the school and in putting themselves in a position to monitor the various aspects of the life of the school, governors came to the view that:



- The programme of governor visits enabled them to better understand the work and life of the school and, sometimes, gave opportunities to offer support and advice in relation to certain issues.
- Governors meetings with students and parents had increased mutual understanding and could form a foundation on which to build improved communication and a basis for contribution across the range of interested parties.
- Within the framework set by the Trust, the governors have taken the opportunity to commission reports from the Headteacher and Senior Leaders through which they are able to question, challenge and hold them to account.

3.15 GOVERNORS' ENGAGEMENT IN SCHOOL COMMUNITY – REFLECTIONS & INVITATIONS

Five governors – JG, JM, JPW, PP and AR reported that they had already visited the school this term, for various reasons; to meet with student groups, to undertake monitoring visits, to meet with their link member of staff etc. Overall, the impression gained was of a well-ordered, purposeful atmosphere in school with students being welcoming, used to visitors and willing to discuss their experiences academically, socially/pastorally and more widely. Staff too were positive in their responses to governors and good, constructive relationships were beginning to be built between linked staff and governors. Governors aspired to their profile becoming higher with staff, students and parents.

3.16 REFLECTION ON PROGRESS TOWARDS THE KEY OBJECTIVES OF THE LGB

PP reminded governors that this matter had already been discussed at the previous meeting of the LGB. For governors' information, a report listing the LGB's Key Objectives for 2018/19 was included in the background papers for this meeting. PP advised that governors should review the Key Objectives in the not too distant future.

[ACTION 14: To review the Key Objectives of the LGB for 2019/20 and possibly beyond.](#)

3.17 AOB

There were no matters raised under this item.

3.18 CONFIDENTIAL ITEMS

BA raised two confidential matters which are recorded in a separate confidential minute.

3.19 ITEMS FOR THE NEXT MEETING

Wednesday 25 March at 16.00hrs (Informal)

- To understand the implications of the New Ofsted Framework
- To review the SIP in the light of the views/advice of the (incoming) Headteacher
- To review the Key Objectives of the LGB for 2019/20 and possibly beyond.
- To review/discuss the Governors' Skills Audit and to identify implications with respect to future recruitment to the LGB (workloads and specific responsibilities)
- To identify the possible focus of a future whole-LGB training session
- To identify governors' individual future training requirements



3.20 DATES & TIMES OF NEXT MEETING (All governors to note)

Wednesday 25 March at 16.00hrs (Informal)

Wednesday 6 May at 16.00hrs (LGB4)

Wednesday 24 June 2020 at 16.00hrs (Informal)

There being no further business the Chair closed the meeting at 17.50 hours.

SIGNED BY CHAIR.....

DATE.....

MATTERS ARISING

Responsibility	Action	Agenda Item	To Be Actioned	Date
RM	1	1.5a c/f	To visit the School to investigate the induction of new directors of subjects. Outstanding	ASAP
JPW	2	1.5c c/f	To consider the implications of the new Ofsted Framework for governors. Confirmed by JPW as agenda item at informal meeting. All governors to watch video on new Ofsted Framework.	Informal – 25.03.20
PP, JPW & BA	3	1.8 c/f	To consider the SIP 2019-20 at the next meeting of the LGB. To discuss/review at the next informal meeting in order to have the opportunity to discuss with the (incoming) headteacher and to seek her views/advice. Ensure confirmed as agenda item.	Informal – 25.03.20
JT	4	2.6 c/f	CEO offered to speak to the local authority about the issues of overcrowding, particularly at lunchtime, and the lack of covered spaces where children can go safely at lunchtime. JT updated re. discussions with NCC on sufficiency and suitability. Sources of capital funding being identified. School Condition Action Plan drawn up. Initial work completed	Formal – 05.02.20
PP & JPW	5	2.13 c/f	Results of Skills Audit to look at the next informal meeting. Confirmed by JPW as agenda item at informal meeting.	Informal – 25.03.20
All Governors	6	2.13 c/f	Governors - please contact WM with any training requirements. Immediate and On-Going. Note governor video exploring new	Immediate and On-Going



			Ofsted requirements now available on GovernorHub. (See also action 2 above)	
All Governors (JM to check)	7	2.13 c/f	TM reminded governors to update their training records on GovernorHub. Some updated – others not. JM to check.	February 2020
PP & BA	8	3.3	To thank TM for her contribution as a governor and Chair of Governors to the life of the school.	ASAP
JT/Trust	9	3.6.4	To review the use of reporting systems in relation to safeguarding concerns across the Trust and to report conclusions and recommendations as to good and effective practice.	Formal – 06.05.20
ZF & BA	10	3.9	To provide a summary (suitably anonymised) of the outcomes from the most recent round of performance management.	Formal – 06.05.20
BA	11	3.10	To ensure that the Red Book (Critical Incident Book) is updated with governors' details.	ASAP
PP, JPW, JM	12	3.13	To plan the format/agenda for the informal meeting of the LGB.	Before 25.03.20
All Governors	13	3.13	To identify the possible focus of a future whole-LGB training session.	Informal – 25.03.20
All Governors	14	3.16	To review the Key Objectives of the LGB for 2019/20 and possibly beyond.	Informal – 25.03.20

DECISIONS

	Agenda
To elect PP as Chair of Governors for 2019-20 subject to formal approval by the Trust	3.3