

Learning Academy Partnership (South West)

External review of governance report

Judith Rutherford BSc ACA





National Governance Association

The National Governance Association (NGA) is an independent charity representing and supporting governors, trustees and clerks in maintained schools and academies in England. The NGA's goal is to improve the wellbeing of children and young people by increasing the effectiveness of governing boards and promoting high standards. It does this by providing information, guidance, research, advice and training. It also works closely with, and lobbies, UK government and educational bodies, and is the leading campaigning national membership organisation for school governors and trustees.

T: 0121 237 3780 | E: governorhq@nga.org.uk | www.nga.org.uk



Consultant	Judith Rutherford
Trust	Learning Academy Partnership (South West)
Key contact and email	Karen Barnett kbarnett@lapsw.org / Lynn Atkinson latkinson@lapsw.org
Chair of trustees	Richard Vaughton
Chair's email	richard@rentivo.com
Chief executive	Lynn Atkinson
Membership details	
Reason for commissioning the review	
<p>The Learning Academy Partnership trust has been subject to an Education and Skills Funding Agency (ESFA) investigation which reported in June 2020. A consequence of this process was advice from the ESFA that the trust should review its governance arrangements and the trust commissioned the National Governance Association (NGA) to conduct this review.</p>	
Background information	
<p>The Learning Academy Partnership trust was incorporated in 2011. It manages eight Devon primary schools, is a managed partnership with another, and has a free school due to open in 2021. All schools have been rated as 'good' by OFSTED and the trust has a particularly strong record of successfully educating pupils who are eligible for pupil premium. They have a growth ambition to become an all-through MAT, providing high quality education for limitless numbers of children aged 0-19 across the south west and nationally.</p> <p>The ESFA investigation was carried out in June 2019 and, following their disagreement with several of the findings and, in September 2019, the trust commissioned their own external auditors to conduct an independent review of allegations made. The final ESFA report was published in June 2020 and, having addressed the issues raised, the trust is now keen to move forwards with its strategic growth plan. The trust has welcomed this external review of governance and any information requested has been provided in a complete and timely manner.</p> <p>The CEO and accounting officer, Lynn Atkinson, has been in post since the formation of the trust and has been instrumental in its growth strategy. She is a National Leader of Education and has over thirty years teaching and leadership experience in a range of schools; she plans to retire from her post in the near future and the trust has made a formal offer to appoint an internal candidate to take over the role. The trust has a detailed succession planning process, and this decision was made as part of that. The ESFA preference would have been that the trust went out to external advertisement although there are potential legal consequences of doing so after an offer has been made. The board's conclusion is that the internal appointment was the right decision for the trust and, based on the research they have done, represents best value for money. There has been ongoing dialogue between the trust and the ESFA regarding this and we understand that the ESFA are now satisfied that the appointment does represent value for money.</p> <p>Performance management of the CEO is conducted by a panel of trustees supported by an experienced external advisor who is familiar with the trust and its governance arrangements. The trust also uses the</p>	



external advisor to support performance management for other members of the trust’s senior leadership team.

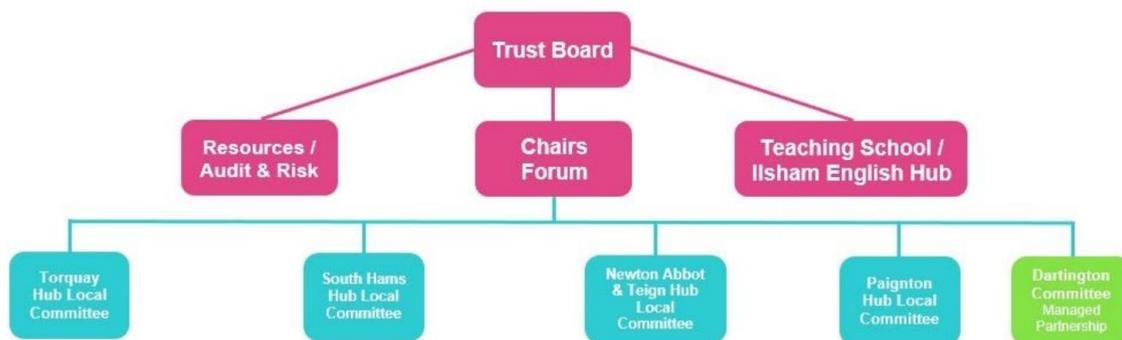
The trust reports a strong financial position with the draft 2020 statutory accounts showing an in year operating surplus of £797k. The balance sheet shows significant reserves of £2.6m. These are down from £3.8 in 2019 because of a significant decrease in the actuarial valuation of the pension fund. Cash in the bank stands at £1.7m and the trust plans to utilise this strong financial position as required to support its growth plans.

The governance framework

The trust adopts the Church of England model articles for academy trusts where the church is in a majority (ie VA model) and the current articles were adopted by special resolution on 3 April 2020. The articles refer to directors but these individuals are referred to as trustees within the organisation and we also use this terminology throughout our report.

The trust governance structure is set out as follows:

GOVERNANCE STRUCTURE



Members sit above the trust board; there is also a Human Resources Committee and an Admissions Committee.

The trust has noted recommendations from the July 2019 ESFA review and is actively looking to increase the number of members from three to five. During this review interviews were in progress and a fourth member was appointed on 12 November 2020. The previous chair of trustees, who had to step down due to other time commitments, has also offered to become a member but the diocese has made the decision that there should be a one year gap between someone moving from the trust board to become a member. There is complete separation between members and trustees.

There are currently seven trustees, one of whom is the CEO and there are two open positions. Recent appointments have been made following the completion of a trustee skills audit and effective use of Academy Ambassadors to identify and recruit suitable candidates. The board is aware of the need to fill the further two vacancies and is continuing with their recruitment efforts. There are no parent trustees; parent representation is designed to be at the local academy committee level.

Local academy committees (LACs) are arranged as geographic hubs, each supporting a group of schools based on their location. Each committee has a chair, and an executive headteacher from a different hub within the trust is also a member of a local committee.



The trust governance structure document allows for a 'Project Development/Management Committee' which may be set up when a school joins the trust. This committee would be made up of the chief executive, trust executive team, executive head/head plus two trustees from the trust and two governors from the new school. This model has been effectively used to bring new schools into the trust and to help secure rapid improvement where required.

The trust website includes a comprehensive section on governance including an overview of the trust governance structure, local hub committee arrangements and the background and skills of the board of trustees. In line with statutory requirements, the scheme of delegation, articles of association, annual accounts, funding agreements, records of trustee attendance and pecuniary interests are also published. These details are up to date and consistent with information recorded at Companies House and Get Information About Schools (GIAS).

The local academy websites have corresponding details about how the hub governance arrangements work and profiles of the individual academy committee members. However, it is not clear from this information who the chair of the local academy committee hub is or how each member was appointed. Details of local academy committee member attendance and pecuniary interests are not published on the website as required by the Academies Financial Handbook (AFH 2.5) and details of local academy committee members are not included on the DfE GIAS register as also required (AFH 2.57).

Although local academy committees are considered by the trust as advisory committees, they are a full and formal part of the governance structure with a level of delegated authority in the scheme of delegation and their details should be published accordingly. Information required includes the name and date of appointment and, importantly, who they were appointed by. This would help show parent representation at the local level more clearly and allow the trust to ensure they comply with the requirement to have two parent members on each local academy committee.

The current chair of trustees took over the role in September 2020 after the previous chair stepped down from the board and is undertaking a range of training and development activities to support him in the role.

Clerking support is provided to the trust board by a governance and compliance lead who is also the chief finance officer. Local committees have their own individual clerks but are also able to draw on expertise from trust level.

The external review process

A detailed scope was agreed for this review and the trust is keen that it:

- Assesses how the trust has responded to the findings of the ESFA investigation
- Considers if there is sufficient oversight, scrutiny and challenge by the board and if it has the capacity to grow
- Adds to the knowledge and skills of the trustees, many of whom are new to the board

All NGA reviews are designed to be positive with a developmental aspect. We have sought to assess the strength of the governance structure and practice throughout the trust with some sampling of local governance and how this interweaves with the trust board and executive team. We have had a particular focus on the work of the finance and audit committee and how it works with the board and senior executives.

Alongside this governance review, the trust's external financial audit has been taking place. It is recognised that there may be overlaps in the reviews, but care has been taken to ensure each review is focused and so to keep these to a minimum.

The external review process has used the following methodology:



1. Desktop research and documentation review to build an understanding of the trust's governance structure and compliance with key requirements including:
 - All the key governance documents - articles of association, scheme of delegation, terms of reference etc.
 - Other governance documents and guidance eg recruitment policies and processes, role descriptions, code of conduct, induction and ongoing training for trustees, meeting schedules etc.
 - Board and committee meeting agendas, accompanying papers and reports from external parties, and meeting minutes
 - Strategy documents, operational plans, risk registers
 - Finance specific documents such as internal and external auditors' letters of engagement, management letters and audit reports, monthly management accounts
 - The trust and its schools' websites
2. Understanding of the trust's governance practice, specifically the extent to which trustees and other key players understand the governance role, what is delegated and to whom, the importance of relationships, and the quality of any analysis of information received from the trust and other sources and associated scrutiny and challenge:
 - Examination of the role of the clerk/governance and a video interview to assess the extent of the role in guiding the work of the board
 - Conduct a skills audit and assess trustees' skills and identify any gaps
 - An online self-evaluation questionnaire to all trustees, senior executives and the clerk/governance professional
 - Semi structured video interviews with the chair, CEO, chair of finance and audit committee, finance director, and other key trustees or personnel to include discussion of how the trust seeks to meet its charitable object, and its capacity for setting an ambitious vision and strategy and associated risk assessments
 - Attendance (virtual) at the November finance and audit committee meeting
3. Understanding of the wider governance structure and practice including how the trust listens to its stakeholders and how it harnesses local governance as an additional check and balance within the governance structure:
 - An online self-evaluation questionnaire to all local governance committee chairs
 - Semi structured video interviews with all local hub chairs and executive headteachers to gauge their understanding of the scheme of delegation and its effectiveness and other issues identified from the self-evaluation feedback
4. Adding to trustees' knowledge and skills:
 - Presentation of key findings to trustees on 3 December 2020 as part of a developmental session with a focus on areas identified for strengthening and how recommendations can be put into practice
5. Reporting
 - A detailed report including findings and key recommendations
 - A governance action plan detailing recommended actions and resources

Note: This review has been carried out during the Covid-19 pandemic and has been conducted remotely using video conferencing to hold meetings.

Key message



This detailed review has evidenced that the trust has highly effective governance practices in place and a strong understanding of its three core functions.

1. Being strategic – the board is clear on its role regarding strategic oversight and there is clarity about what this means from the trust level through to each individual academy.
2. Holding to account – the board receives comprehensive, high quality information about the trust enabling them to effectively hold executive leaders to account.
3. Oversight of financial performance – the board has an effective finance, audit and risk committee and the strength of financial oversight is further evidenced by the strong financial performance and positive findings from both internal and external audit.

The board is reflective, and the governance structure and practices have evolved over time to be more effective because of this. Enhancements have been made with the intent of governance being sustainable and scalable to support the trust's growth ambition. Implementation of recommendations from this review will further strengthen the effectiveness of the board as the trust moves forward.

Findings

Findings are organised with reference to the three core governance functions and NGA's eight elements of effective governance.

The three core governance functions

1) Ensuring clarity of vision, ethos and strategic direction

- a) This is an area of strength within the trust. There are several key documents which capture the overall trust strategy and flow through to what this means for individual academies.
- b) At the trust level, there is a Vision Realisation Strategy (VRS) covering the period 2017 to 2022 and updated in September 2020. It notes that the trust structure is designed to grow through clear, scalable and sustainable systems of strategic governance as well as educational and business leadership. This 'scalable and sustainable' theme is embedded in trust thinking and was referred to across interviews with trustees, local committee members and senior leadership alike.
- c) At the next level, the VRS is supported by a trust development plan. This is referred to as the PILOT document and reflects the trust's key priorities organised under the headings of Partnerships, Integrated, Leading Edge, Outstanding and Transformational. Each heading is defined, has key success metrics and targets identified, and includes future action points required to support the longer-term trust vision. The document is RAG rated and shows the direction of travel over time with the most recent update made in July 2020.
- d) The trust holds strategy days which are attended by trust board and local governance committee members, the executive team and leaders from across the trust. A sample review of documentation from these days confirms that their objective is to enable all participants to contribute to, understand and have ownership of the VRS and Trust Development Plan.
- a) At a local level, academy development plans (ADP's) for the academic year 20/21 exist for each academy. These include a section on leadership and management and where appropriate, this includes identified improvement opportunities for local governance. This was evidenced during the review with two of the ADP's documenting an objective linked to improving local committee member knowledge of the curriculum in their specific settings. Action plans for this include regular meetings with HOA and EHOA and LAC members' 'learning walk' visits. Discussions with local committee chairs and review of a sample of visit reports confirmed that these learning walk visits are happening.
- b) Evidence that the documents are actively used and understood was reflected in the strong positive responses received in this area within the self-evaluation. For example the statement 'the trust board has a clear vision and strategic priorities for the next 3-5 years to which all academies



contribute and which is understood by each of its academies' received a score of 96% at trust board level and this was supported by a similarly strong response of 98% to the statement 'it is clear how the trust's ethos and vision informs our school's vision and ethos from LAC members.

- c) This was supported by several comments in the self-evaluation responses at both trustee and local governance level which referred to the trust ethos and vision being the 'golden thread' running through all governance work. This sentiment was also echoed during the interviews.
- d) OFSTED inspections for all schools since joining the trust have resulted in 'good' judgements. Three of the six reports reviewed commented specifically on governance within the trust and these are all positive, for example: 'Governors, including trust members, are well informed and provide strategic support and effective challenge to you and your team. They are aware of the areas in need of further improvement. They know the school well and regularly visit to check upon leaders' work. This is because they are tenacious in their approach and leave no stone unturned'.

2) Holding executive leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff

- a) Effective accountability of the executive leadership was another area that reported strong results in the self-evaluation. At trust level, the statement 'the trust board ensure there is strong and effective executive leadership personnel and structure in place across the trust, with the right skills, clear line-management and reporting mechanisms' had a 98% score.
- b) When new academies join the trust a Project Development / Management Committee can be set up. NGA recognise that trusts can find the use of this type of intervention board an effective way of managing a school which requires rapid improvement across a range of operational areas as well as to the local governance function. Typically, these boards do not include parents, so it is important that a parent council or similar is established in the school as soon as it is practicable. LAP has achieved this by establishing parent ambassadors who attend a limited selection of LAC sub committee meetings.
- c) As performance of individual academies improves, the trust board is aware of the need to increase parent representation on the LACs and has begun to replace parent ambassadors with parent representatives who are formally appointed as local committee members with full accompanying responsibilities. All parents are invited to apply, and elections held if there are more applicants than the number of positions. It is recognised that there is still some way to go to embed full parent representation and meet the trust's articles of association requirement that, unless there are two parent directors on the trust board, there must be 'at least two Parent Local Governors on each established Local Governing Body'.
- d) As the trust looks to grow, it should consider introducing a time limit for these intervention boards with the aim of establishing a local governance function with full parent representation as soon as possible.
- e) In terms of holding to account, the trust has a comprehensive rag rated key performance indicator (KPI) dashboard that reports in a consistent format across all academies on a termly basis. The KPI's include contextual data along with achievement and progress metrics from early years through to year six with specific analysis of pupil premium children. It reports on the quality of teaching and learning, along with OFSTED and SIAMS report categories. There is also a section on wellbeing and attendance covering both staff and pupils. Review of minutes confirmed the report is looked at and questioned by the trust board. There was also evidence of trustees asking for the format to be refined to better meet their needs both in terms of adding detail where needed and removing data that resulted in duplication of analysis between committees.
- f) The trust board also reviews the recently introduced risk assessment tool which classifies each academy as in a stabilise, repair, improve or sustain phase. The aim is to provide an accurate assessment of the performance position of each academy and to support evidence based, robust strategic planning to, in turn, support the growth and sustainability of the trust.



- g) The assessment is made on a wide range of categories with safeguarding and leadership being limiting judgements. Review of the risk assessment confirmed that governance is a category with each academy receiving a rating in this area.
- h) The effectiveness of holding to account is also supported by a comment made by OFSTED in that ' Trustees provide the right balance of support and challenge. They make sure that they receive the information necessary to understand fully the performance of different groups of pupils. For example, trustees have a deep and accurate understanding of the progress being made by pupils that receive additional funding'
- i) The board have recently introduced a standing item on the agenda to assess how effective the board has been and what impact the meeting has had on the young people in the organisation. The clerk reports this is beginning to be used with increasing effect.

3) **Overseeing the financial performance of the organisation and making sure its money is well spent**

- a) In the trust board self-evaluation the statement 'the trust board ensures that the trust's financial capability and management systems are robust to ensure compliance with the Academies Financial Handbook, best value for money and deliver the long term strategy' scored one of the strongest results at 96%.
- b) The trust has a Finance Audit and Risk Committee which now meets each half term following a request noted in the November 2019 minutes by committee members to meet more frequently to provide increased financial scrutiny. This meets the AFH requirement for a trust to have a separate audit and risk committee that meets at least three times a year and which may be combined with another committee such as finance for trusts where the income is less than £50million. (AFH 3.6)
- c) The committee is has a membership of three trustees and is attended by the accounting officer, who is also the CEO, and the chief financial officer. The minutes make it clear that the accounting officer is in attendance for discussion of audit matters and is not a member of the committee (AFH 3.11). This distinction was also clearly observed during attendance at the November meeting.
- d) The committee has clear terms of reference which are reviewed and updated regularly and include oversight that extends to the financial and non-financial controls and risks at constituent academies (AFH 3.13)
- e) The chair of the committee is not the same as the chair of trustees (AFH 3.10) and is a qualified accountant. The AFH requirement to have appropriate skills on this committee is further supported with another member being an experienced accountant.
- f) The committee is active in reviewing the content of information it receives. Minutes from February 2020 record that the committee discussed the reporting format and were happy with the current level of financial information which includes individual reports per location showing more detailed explanations for variances. Minutes of the following meeting in March 2020 also record evidence of trustees asking for more detailed reports where required.
- g) The February 2020 meeting had two trustees and CEO in attendance, and this was correctly recognised in the minutes as not meeting the requirement of three trustees to be quorate.
- h) Minutes also show evidence of the committee reflecting on its own training and development needs and asking for trustee support in the trust's search to identify more potential members.
- i) Management accounts are produced monthly and are shared with both the chair of trustees and the chair of the Finance Audit and Risk committee. They include information as required by the AFH (2.21) namely income and expenditure account, variation to budget report, cash flows and balance sheet. The trust is keen that their management accounts reflect best practice and has also asked the ESFA to suggest any improvements. The minutes note that the ESFA suggested they ask their internal and external auditors which has now been done with no adjustments recommended.
- j) The minutes show evidence of the committee receiving and reviewing reports from both internal and external auditors. The June 2020 internal audit report reviewed areas of risk management, governance, accounting and financial control, and fraud, website and policies, purchasing and



payments, debtor and debt management, and payroll. Each area received a 'high standard' level of assurance which is described by the internal auditors as 'the systems and controls in place adequately mitigate exposure to the risks identified. The system is being adhered to and substantial reliance can be placed upon the procedures in place, and no recommendations have been made'.

- k) The committee chair confirmed that the internal audit scope was agreed to ensure it covered areas identified as having control weaknesses in the ESFA report.
- l) Review of the most recent internal audit report issued by the newly appointed internal auditors during this review confirmed that the scope was extensive. Even with this expanded scope, there were again no control weaknesses identified.
- m) The November 2020 Finance Audit and Risk Committee meeting included a report from the external auditors. They noted that following the ESFA report they had increased the level of substantive testing carried out as part of their audit this year. They were pleased to report that despite this increased level of scrutiny there were no exceptions noted in their testing of financial transactions.
- n) The risk register has recently migrated from being produced on an excel spreadsheet to being supported by a dedicated software package. These new reports were reviewed for the first time at the November 2020 Finance, Audit and Risk Committee meeting and feedback on the format and content was positive. The information contained is extensive at both trust and local academy level. As the trust grows, care will need to be taken that the risk appetite and tolerance levels for reporting are carefully considered to avoid too much information being shared to the extent that it becomes difficult for trustees to focus sufficiently on the key areas.
- o) Evidence that the risk register is used as a live document was seen at this meeting where a new high level risk identified by the trust was reported to the committee, discussed and appropriately included on the register.

NGA's eight elements of effective governance

1) The right people round the table

- a) Skills audits are used across the governance structure at both trust board and local committee levels to identify development and training needs. They also drive recruitment with use of both Academy Ambassadors and Inspiring Governance to identify individuals with the required skill set. However, finding suitable candidates continues to be a challenge and this process continues at all levels of governance from member to local level.
- b) The trust has a documented induction policy for trustees covering the appointment process, induction purpose and outcomes and the learning and development expectations. A similar policy exists for local committee members.
- c) Review of the comments in the self-evaluation and interviews with trustees and local committee members confirmed that they felt supported on joining the trust and that they had been required to complete a skills and experience questionnaire as part of their joining process.
- d) A review of the skills audit carried out as part of this review confirmed that overall, the trust governance structure has the essential skills required to carry out its role effectively.
- e) A lower scoring but essential skill at trust board level was having experience of the community local to schools within the trust. However, the trust relies on the local academy committee members to provide this knowledge. The effectiveness of this has been recognised by OFSTED with the comment: 'Members of the local governance committee are knowledgeable about the school. This enables them to support and challenge decisions and hold leaders fully to account. They do this especially well in relation to pupils' safety and welfare and the quality of the curriculum'
- f) This does however emphasise the importance of having effective communication from local to trust level governance and is something the trust is looking to strengthen with the introduction of the chairs' forum.
- g) The skills audit also identified the opportunity to strengthen overall knowledge at board level of the elements that make up a broad and balanced curriculum. This is classified as a 'desirable' rather than



‘essential’ skill and the CEO as a trustee clearly contributes strong knowledge here. However, the ability to effectively hold the trust to account would be further improved if there was a broader understanding of this across the board.

- h) The area of experience in marketing, media and PR is also considered as ‘desirable’ but is an area that does not show so strongly in the skills audit. Evidence of the trust being aware of this and sourcing external expertise is evident in the action taken to use a PR agency to address negative publicity following the ESFA report. The impact of negative publicity is also highlighted as the highest risk in the trust risk register.

2) Understanding the role and responsibilities

- a) The scheme of delegation is set out in tabular form with clear colour coding to show where decision making responsibility lies and who should be consulted with as part of that process. Evidence that it is reviewed and updated is demonstrated by the 20/21 document reflecting responsibilities of the newly formed chairs forum.
- b) The local governing committees operate predominantly as advisory committees. Their delegated decision-making responsibilities are limited to areas within the complaints, admissions, and exclusion processes. However, they are valued and recognised as a full and formal part of the governance structure and are consulted in a number of areas, particularly in relation to area of curriculum and teaching.
- c) In relation to the scheme of delegation, the self-evaluation at board level reported strong agreement with statements asking about clarity in areas including vision and ethos, improvement strategy, recruitment, performance management, policies, budgets and risk management. Results were also strong at local level in most areas with a slightly lower score for human resources policy and practice and recruitment procedures. Analysis of accompanying comments in the self-evaluation indicate this may reflect a need for more clarity around some of the terminology or more information about how the areas work in practice. The main scheme of delegation is supported by more detailed scheme of delegation for HR and Finance and it may be that some local governors are new in role and not yet aware of the additional clarity provided by these.

3) A good chair

- a) The current chair of trustees took over the role in September 2020 after the previous chair stepped down from the board. He is undertaking a range of training and development activities to support him in the role including participation in the Confederation of School Trusts governance leadership program and the South West RSC Chairs’ Induction. He also has an experienced National Leader of Governance as a mentor.
- b) Although the chair is new to role, the self-evaluation reported strong agreement with the statement ‘the trust board ensures the chair shows strong and effective leadership’
- c) The 2021 trust board terms of reference state that ‘the chair’s term of office will be one year, and they will not normally stand for more than 3 terms of office’. A term of office is defined as four years thus the maximum time of office would be twelve years. This would not be recognised as best practice and NGA recommends that chairs should be limited to six years in post as chair at the same school, except for exceptional circumstances.
- d) The statement with the lowest score of 65% in the self-evaluation was ‘the chair carries out an annual review of each trustee’s contribution to the board’s performance including that each trustee is investing in his/ her own development’. This reflects the fact that this is not current practice within the trust. Performance management of volunteers on the board in other sectors is becoming increasingly common but is as yet still underdeveloped for school trustees despite inclusion of the ‘annual conversation’ for feedback in the DfE Governance Handbook.
- e) NGA thinks it is important that governing boards become more proactive in assessing and supporting individual governor contributions. This can be done very informally with the chair or vice chair



having an annual meeting or call with each trustee to discuss their contribution to the board, whether their skills are being used well and how this might be enhanced. Views can also be sought about board dynamics and perceived effectiveness and the performance of the chair.

- f) Equally, while the trust has strong succession planning for staff, there is currently no succession planning for trustees. A successful board should be constantly reviewing and refreshing to ensure that an effective balance of skills is maintained. Part of this is about creating a culture of trustees and governors moving on in a planned positive way; governorship is not necessarily permanent, and the needs of the organisation and needs of the board change over time. The Governance Handbook is clear that effective governing boards should 'use active succession planning to ensure the board, and the whole organisation, continues to have the people and leadership it needs to remain effective.'

4) Professional clerking

- a) Clerking support is provided to the trust board and committees by the Governance and Compliance Lead who also holds the role of Chief Finance Officer. LACs have their own individual clerks but are also able to draw on expertise from trust level.
- b) Support in this area was recognised across the trust as an area of strength. In response to the self-evaluation statement 'The Trust Board has a professional clerk providing information and guidance on regulatory practice and procedures, including governance leadership to the committees and any academy level governance' a very high score of 98% was given. At the local level a score of 100% was given in response to the statement 'we have a professional clerk who understands and can advise on the governance structure'. Interviews with trustees and local academy board members further confirmed how well they feel supported by the clerks. Evidence of effective clerking is also evident in the minutes with examples of the clerk providing guidance on procedural elements and reminding trustees of responsibilities where appropriate.
- c) It is recognised by the trust that the combined role of CFO and governance / compliance lead is a large area of responsibility that is likely to be unsustainable as the trust grows. Plans are in the process of being made to enable the clerking aspects of the role to be handed over.

5) Good relationships based on trust

- a) Local chairs reported that joining the trust had been a positive experience both from an individual perspective and from the impact they felt the trust had had on their school. Examples were also given where these positive relationships had encouraged them to stay as chair on the local academy committee longer than they had originally planned.
- b) At trustee level, some reported a lower score for 'I have built strong and collaborative relationships with members of the board'. Discussion around this during interviews indicate that it has been harder to develop relationships during the current Covid situation and without the opportunity for face to face meetings. This is accentuated where a new trustee has joined but has not been able to undertake more usual induction visits or physically meet the rest of the board. The board may wish to consider setting up a less formal meeting to build these relationships.

6) Knowing the school

- a) At the trust board level, the self-evaluation statement 'the trust board listens to, understands, and responds to pupils, parents, staff and local communities across all its academies' received the second lowest score at 76%. At the local committee level, the statement 'we are properly engaged with our school community, the wider school sector and the outside world and we have the opportunity to contribute to the trust's understanding of these issues' received a relatively high score of 85%. However, the statement 'the trust or academy committee makes regular reports to our parents and the local community on the work of the academy committee' received the lowest overall score of 60%.



- b) Analysis of the comments in the self-evaluation and follow up during interviews demonstrated that the trust recognises there are opportunities for improvement in this area. At a local level, committees gave good examples of how they engage with the local community and all make use of questionnaires to gather and review information from the key stakeholder groups of parents, pupils and staff. Whilst there are newsletters to parents, it is recognised that there is an opportunity to improve the outward reporting to parents and the local community.
- c) The trust has recognised the opportunity to improve reporting to the trust board from the local governance committees and has recently introduced a chairs' forum to facilitate this. Local committee chairs had already been meeting on an informal basis to share best practice and support each other and the introduction of the chairs forum, with a trustee also becoming a member, will build on this. The expectation is that reporting to the board from local governing committees will now strengthen and that the process will be scalable and sustainable as the trust looks to grow.

7) Committed to asking challenging questions

- a) A review of meeting minutes shows a good level of questioning and challenge. This is echoed in the internal audit report dated June 2020 with the comment 'Governors minutes were found to be comprehensive, and clearly recorded key decisions and there is good evidence of challenge'.
- b) This was also evident during observation of the Finance, Audit and Risk Committee meeting during this review.

8) Confident to have courageous conversations

- a) The skills audit statement 'I feel able to speak up if I have concerns about non-compliance' secured the highest level of strong agreement across the board. This confidence to have courageous conversations was further supported by comments made in the self-evaluation and the meeting observation.

Summary recommendations

As discussed at the meeting with trustees this review was able to evidence that there are highly effective governance practices in place within the trust. Compliance findings regarding the need to publish required details about local governance committee members on the website and GIAS have already been addressed and several other recommendations note the need to continue with actions already underway. Additional recommendations are for the trust board to consider in order to further develop best practice and support effective governance as the trust moves forwards with its growth plans

1. Board structure and practice

- a. Publish local committee member details on the website to ensure compliance with the Academies Financial Handbook requirements (completed during review)
- b. Publish local committee member details on GIAS to ensure compliance with the Academies Financial Handbook (completed during review)
- c. Ensure sufficient parent representation and compliance with the trust's articles of association by ensuring each local academy committee includes at least two appointed or elected parent members
- d. Develop a road map to move from use of any management committees when new schools join the trust to the establishment of a local academy committee with full parent representation as soon as possible
- e. Introduce a limit of six years in post for the chair, except for exceptional circumstances.
- f. Introduce an annual review of each trustee's contribution to the board's performance including that each trustee is investing in his/ her own development



- g. Engage in active succession planning to ensure the board continues to have the people and leadership it needs to remain effective. Further guidance can be found at: [NGA guidance: succession planning](#).
 - h. Develop framework for reporting outward from local academy committees to their local stakeholder groups on the work and impact the committee and trust is having.
 - i. Consider holding informal teambuilding opportunities for the trust board to help build effective working relationships more quickly as new trustees join
 - j. Continue with efforts to make appointments to increase number of members from four to five
 - k. Continue with efforts to make skill-based appointments to fill two trust board vacancies
 - l. Continue focus on the clerk hand over process to ensure the current excellent levels of support are maintained
 - m. Continue to monitor and refine the use of the newly introduced chairs forum to ensure effective communication from local academy committee to trust board
- 2. Vision, Ethos and strategic direction**
- a. Ensure trustees remain active in strategic discussions around growth plans to ensure pace and nature of trust expansion continues to have positive impact on all pupil outcomes
- 3. Holding to account**
- a. Support trust board members to develop their knowledge of a what constitutes a broad and balanced curriculum to further strengthen their ability to effectively hold to account
 - b. Ensure all local committee members are familiar with the HR aspects of the scheme of delegation and what this looks like in practice.
- 4. Financial Oversight**
- a. Review and agree risk appetite and risk tolerance levels with the aim of ensuring that, as the trust grows, trustees receive an appropriate but manageable amount of information focused on key strategic risks.

Ongoing support

- ❖ Once this review is finalised the school will have **free access to the NGA advice lines for three months**. The membership team, membership@nga.org.uk, will be in touch with you shortly to arrange this.
- ❖ NGA is able to provide professional development for all kinds of governing boards. There are sessions for new governors and trustees, for chairs, for clerks, and for the governing board. Details can be found on the [NGA website](#) or contact consultancy@nga.org.uk for more details.
- ❖ For further consultancy support, including external advisors for headteacher performance management, contact consultancy@nga.org.uk

Acknowledgments

Many thanks to all those at the trust for their constructive engagement with, and input into, this review.

NGA sign off

07/12/2020