



# Governance Handbook

Ormiston Academies Trust

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## Welcome from OAT Governance Team

This governance handbook is intended to support all OAT academy governors in their role. It is also a useful resource for clerks and principals to ensure a common understanding of the role of OAT governors and to develop a consistent standard of governance across the academy network.

The governance team of OAT support and guide all our governing bodies to strive for outstanding in their strategic leadership of the academy.

We have developed a support package for all academy governors to ensure that you are fully equipped to deal with the requisites of your role. This includes the latest in any legislation changes. Training courses that we offer are detailed on the governor portal, OATnet. This is a platform where we share guidance and other resources with you to assist you in your role. There is also a section for your academy to use, maintained by your clerk so that you have access to all important academy documents.

In order to effectively fulfil your role as a governor, you should be aware of the documents that are available to support you, all of which are available on OATnet, they are:

- This governance handbook
- LGB terms of reference – this outlines the role and remit of the governing body
- Sub-committee terms of reference – these outline the role and remit of individual committees
- Scheme of Delegation – this outlines the governance context of LGBs and where decisions are made
- Governor Visits Form – this is guidance on how to conduct a governor visit
- Acronyms – a guide to the acronyms you may come across in your governor meetings
- Schedule of Business – a calendar of the items you should be discussing at your meetings
- Chair Handbook – a guidance document for LGB chairs
- Clerk Handbook – a guidance document for LGB clerks
- Governance newsletter – released half termly to keep you up to date on school governance at OAT
- Governor role descriptions – these are available for additional responsibilities that you may have added to your role, i.e. vice-chair or link governor
- There is a policies page on OATnet which details all OAT policies – your academy may have tailored some of these for your academy – please ensure you are familiar with relevant policies (the key ones are listed in the governor forms pack you signed on appointment but you should also read others as and when it's appropriate i.e. the Exclusions and Behaviour Policies when sitting on an exclusions committee.)
- You should also be aware of DfE guidance such as the DfE Governance Handbook, Exclusions Guidance, Admissions Code and other relevant legislation.

## Welcome from the Chairman

We are delighted you are part of the Ormiston network. Peter Murray and his family set up Ormiston Trust in 1969, in memory of his sister Fiona Ormiston Murray. In her name we aim to improve the life chances of children and young people.

We care passionately about providing the very best learning opportunities for young people and strongly believe that children should be empowered to maximise their potential through the removal of barriers to learning.

Everyone at Ormiston Academies Trust (OAT) shares these beliefs and together we will ensure that our primary and secondary academies are safe places, that they engage with the local community, including parents,



businesses and other schools, and most importantly, that they provide our children the very best education in an environment in which to learn and enjoy.

OAT is a family of academies which works in collaboration to innovate and to make sure that the young people in our care have access to the best education. This is not just about achieving the highest grades, but ensuring young people have the opportunity to develop aspirations, positive attitudes and life skills through core and the wider enrichment curriculum.

We look forward to working with you in the future as OAT continues to grow and develop.

Peter Murray, Founding Chairman

Dr Paul Hann, Chairman

## About Ormiston Academies Trust

Ormiston Academies Trust (OAT) is a not-for-profit multi-academy trust, sponsoring primary and secondary academies since 2009.

Our parent body, Ormiston Trust, was founded for deeply philanthropic reasons with a view to improving the life chances of young people, and this principle informs all of OAT's work and has been the foundation for the ongoing success achieved across our academies.

OAT champions the excellent academic achievement and all-round wellbeing and development of the 27,000 young people it serves. Our vision is for all young people to have access to the highest academic, social and practical skills required to achieve their full potential, whether going on to study at a leading university or entering the world of work. We are determined to become the Trust that makes the biggest difference, both inside and outside the classroom.

OAT academies share the Trust's ethos of ensuring every child reaches their full potential; being aspirational and committed to academic excellence and being supportive yet courageous in our approach.

The *principles* that lead to our academies' success are not complicated:

Courage – addressing the challenge where it's not being addressed.

Aspiration – no 'can't' or 'won't'. There's no place for excuses when a child's future is at stake.

Culture – insistence on the highest standards of performance and behaviour, without exception. That goes for teachers and students.

Great leadership and finding the best teachers.

## Role of the Governing Body

The role of a governing body is to focus on strategic responsibilities, school improvement and the outcomes for its students.

OAT governing bodies come in many different shapes and sizes, and whether you sit on a traditional Local Governing Body (LGB) or Interim Advisory Board (IAB) the terms 'governing body' and 'governor' apply to you unless otherwise stated.

The Department for Education (DfE) states that governing bodies should focus on their *core strategic functions*. These are detailed in the diagram below:



OAT Trustees are legally responsible for ensuring that the statutory requirements of academy governance are undertaken. They delegate a number of these responsibilities to LGB's via Schemes of Delegation.

The LGB should spend their time concentrating on the academy's strategic plan. This includes development priorities and the progress students are making rather than the day-to-day running of the academy, i.e. management tasks that should be carried out by the academy Senior Leadership Team (SLT).

Our approach to governance is a skills based model which means getting the right people around the table rather than having an overly structured approach to the governing body composition. This skills-based approach aims to increase the effectiveness of the governing body ensuring that it sets the vision and direction for the future

and holds the academy to account for its standards and conduct. The role of the governing body is critical to the effectiveness of the academy.

There are eight main principles needed to transform the team of diverse people with a range of skills, experience and knowledge into a highly effective governing body:

1. The right people around the table.
2. Understanding roles and responsibilities.
3. Good chairing.
4. Professional clerking.
5. Strong relationships based on trust.
6. Knowing the academy – its data, staff, students, parents and community.
7. Commitment to asking challenging questions.
8. Confidence to have courageous and, when needed, challenging conversations in the interests of students and pupils.

The education system in England is ever changing, becoming more diverse as new structures and processes are implemented. These changes have brought an increased focus on the role of governance in education, this means that the governing body falls under scrutiny for the overall success of the academy.

The governing body and subcommittees are responsible for the conduct of the academy and promotion of high standards of educational achievement. It should aim to achieve this by;

- Providing a long-term strategy, establishing a vision and setting the ethos and aims of the academy.
- Participating in the appointment of the principal – led by the academy’s Regional Director.
- Holding the principal and senior leadership team to account for the educational performance of the academy.
- Contributing to the performance management of the principal – led by the academy’s Regional Director.
- Contributing to the academy improvement strategy and development plan.
- Monitoring and evaluating the work of the academy by reviewing the:
  - principal’s performance
  - effectiveness of the policy framework
  - progress towards targets
  - effectiveness of the academy improvement strategy / plan
- Contributing to the development and review of the academy self-evaluation plan
- Responding to Ofsted and external reports as necessary, ensuring that academy improvement remains the focus of the work of the LGB.
- Ensuring that students, parents and the community are involved, consulted, and informed as appropriate.
- Demonstrating a commitment to the governing body’s development.

## Promoting British Values

It is the responsibility of the governing body to ensure the academy has a written vision statement and strategy to promote and reflect the British value of democracy in place. It is the right of the governing body to suspend any governor for acting in a way that is contrary to the ethos of the school or undermines fundamental British Values.

## The characteristics of strong governing bodies

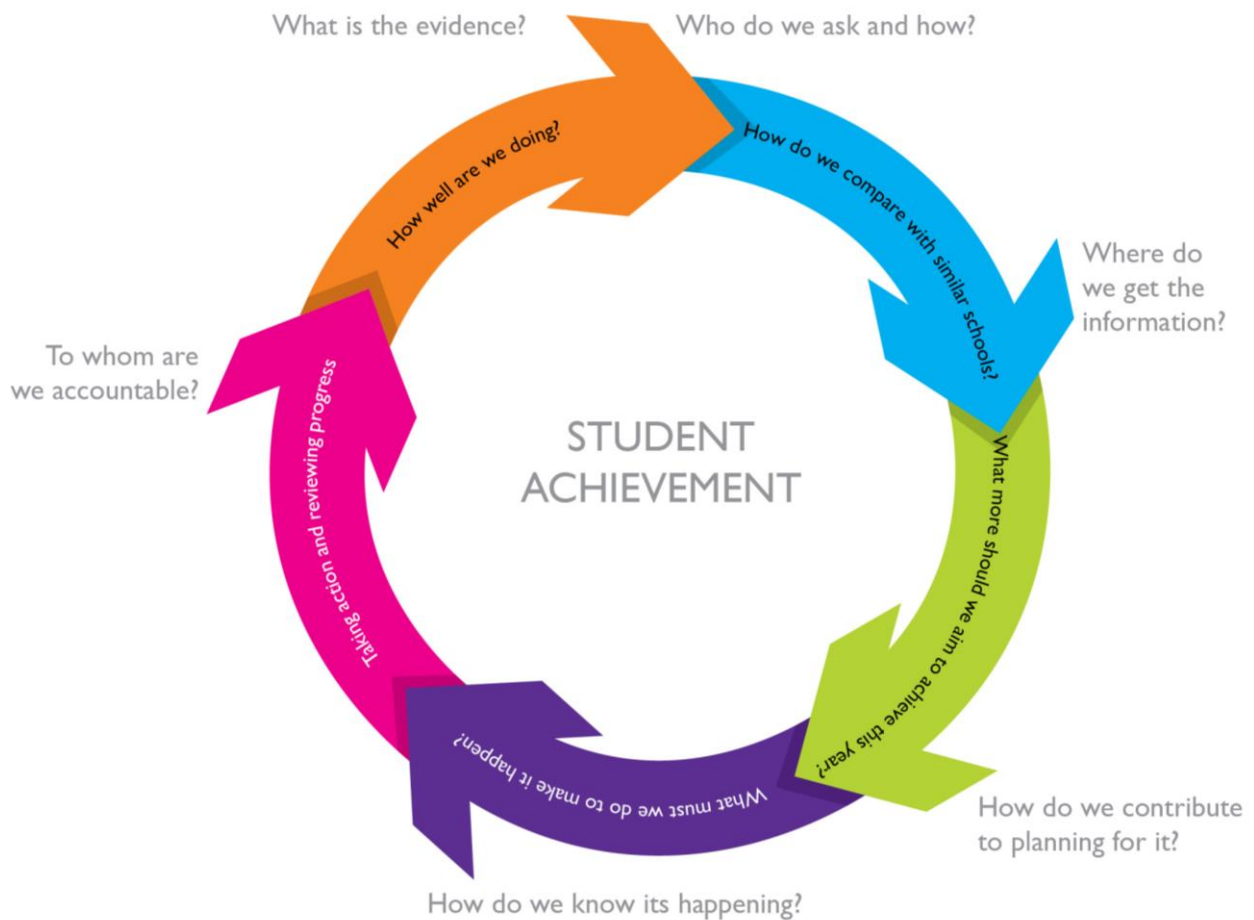
The four best value principles of a governing body are for them to **CHALLENGE** why, how and by whom an activity is carried out; **COMPARE** performance internally and externally; **CONSULT** stakeholders and **COMPETE** as a means of securing efficient and effective services. Ofsted have found the following factors consistent in strong governing bodies:

- They understand their strategic role and how it complements that of the principal.
- They have a range of skills that brings something extra to the academy and to develop a strategic vision.
- Technical knowledge of education, data and statutory responsibilities
- They actively seek to engage with middle and senior leaders about their work - and challenge them on it.
- They have the skills and time to be a visible presence in the academy.
- They set challenging targets for performance at all levels
- They can form their own analysis of the academy's performance without relying on the principal.

## Academy improvement

Good governing bodies are exceptionally well informed about their academy. The governors' role in improving the academy is demonstrated in the diagram below.

What is our **vision**? What are our **values**? What are we trying to **achieve**?



## Composition of a governing body

### Governor categories

The main roles and responsibilities of all governors are the same and all governors are charged with acting in the best interests of the academy. The type of governor affects the way in which they may be appointed. The term of office for all governors is four years. After a year in the role all governors have the opportunity to review their role with the Chair of Governors. This review enables successes to be recognised and challenges to be identified and addressed. When conducting elections for staff and parent governors, the expectations and credentials of prospective candidates should be made clear.

### OAT nominee

This is a governor that is nominated by OAT to represent Ormiston on the governing body. They will have been nominated by the Trust because of the added value they bring through their skills, professional expertise, local connections or wider links. In some cases, the OAT nominee will be your Chair.

### Co-opted governor

Members of the governing body that are predominantly based in the local community (living or working) of the academy. A co-opted governor represents the community interests on the governing body. In some instances, community governors can be individuals who are committed to the good governance and success of the academy but do not work or live close to it. Co-opted governors are **appointed by the governing body** following a successful application process.

### Staff governor

Members of the governing body who are employed by the academy under an employment contract. All staff who are paid to work at the academy are eligible to stand for election and vote. The principal, by virtue of their office, is automatically a member of the governing body (this is known as an ex-officio governor). If a staff member leaves their role at the academy, they will cease to be a governor. Staff governors are **elected by their peers** to sit on the governing body.

### Parent governor

Members of the governing body who have registered students at the academy. All parents of a student at the academy at the time of the election, whether or not they live with the student, are eligible to stand for election and vote. To be eligible to stand for and vote in an election for a parent governor the persons must be someone involved in the full-time care of the child on a settled basis. Parent governors are **elected by their peers** to sit on the governing body.

### Associate member

Associate Members are not governors but can be invited to sit on one of the committees of a governing body, usually because they have specific skills. They can be given the right to vote at committee meetings and are appointed for between one and four years by the governing body.

### Link governor

Link governors are nominated from within the LGB and can be utilised to act as a connection between a subject area or area specialist within the academy and the governing body. This link is good way for governors to get to



know the academy better and encourages a good working relationship to build knowledge within the governing body and enhance success.

These links could be in subjects, key stages, attached to the Academy Development Plan or Action Plan (if in special measures) or specialised areas.

There is a legal requirement for each governing body to have link governors for Special Education Needs (SEN) and Safeguarding, we also recommend that every academy has a link governor for both Pupil Premium and Mental Health.

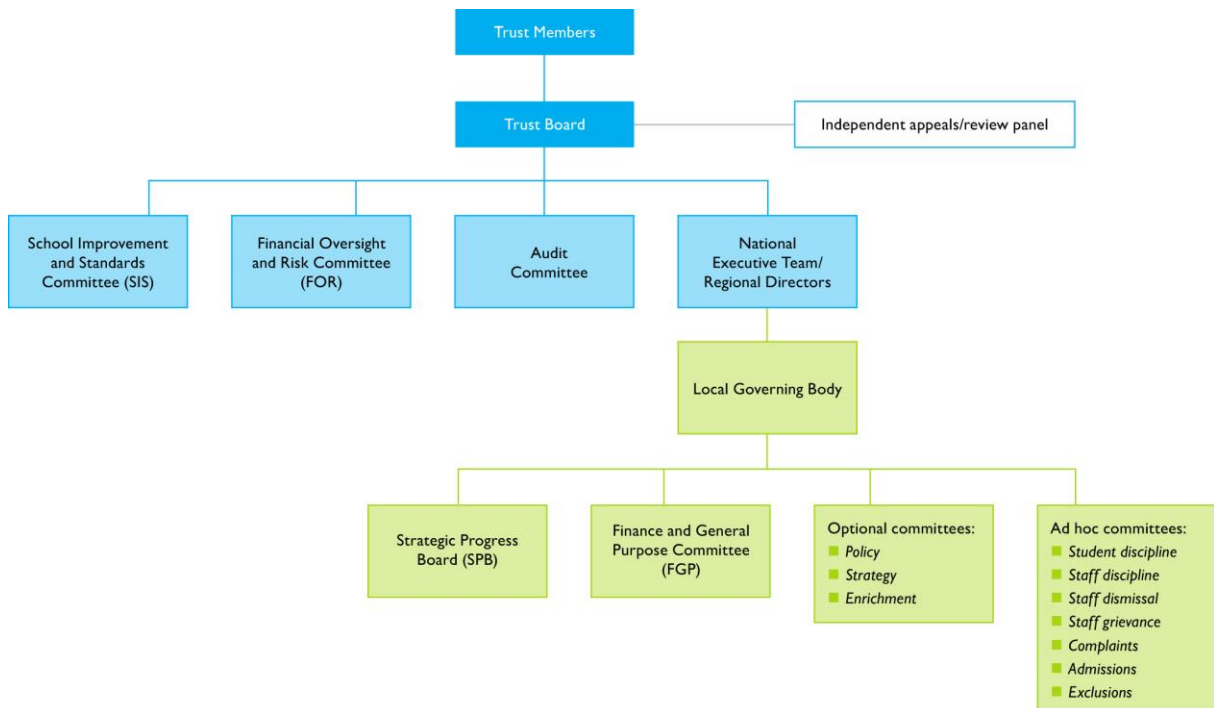
## Governing Body and Committee information

Within your role as a governor you may be offered the opportunity to join a committee, this will largely depend upon the structure of the governing body within the academy.

These committees are designed to undertake delegated duties from the governing body in relation to specific areas. All work undertaken in these committees is reported back to the governing body.

All governing bodies and committees are required to agree their Schedule of Business and Terms of Reference at the beginning of each academic year. OAT have created templates for these to provide a structure to meetings as well as additional guidance. These are available in the appendix, on OATnet, or from your clerk. If changes are made to the Schedules of Business, OAT must approve the changes. OAT also provide a Scheme of Delegation, which should be published on your academy website.

This is the general structure recommended for governing bodies, but each academy will have a different structure depending on its needs and governing body type



## Governing Body

Governors are the strategic leaders of our academies and have a vital role to play in making sure every child gets the best possible education.

The governing body should have a strong focus on **three** core strategic functions:

- Ensuring clarity of vision, ethos and strategic direction.
- Holding the principal to account for the educational performance of the academy and its students and the performance management of academy staff.
- Overseeing the financial performance of the academy and making sure money is well spent.

Effective governing bodies carefully consider how they are organised. This includes thinking about whether and how to use powers to delegate functions and decisions to committees or individual governors. While the governing body can delegate functions and decisions, it is important to remember that it is the overall governing body that in all cases remains accountable in law to OAT and to Ofsted for the exercise of its functions. OAT expect every governing body to focus strongly on its core functions and to retain oversight of them. The whole governing body shall meet at least once in every term, and shall hold such other meetings as may be necessary.

## Committees and their responsibilities

An LGB may choose to delegate some functions to a committee instead of absorbing the responsibilities as a whole LGB. Every academy must have a Strategic Progress Board and academies that have been notified by Head Office must have a Finance and General Purposes Committee. Further to these two committees, academies can create committees as required, committees should only be formed, monitored and dissolved by a full LGB.

### *Strategic Progress Board (SPB)*

The purpose of a Strategic Progress Board is to ensure the delivery of rapid and impact-focused improvement. The SPB will monitor and advise on the self-evaluation processes and the areas for improvement with particular regard to outcomes and success criteria.

The SPB will also make judgements on perceived requirements for intervention, enhancement and support with regards to:

- Areas for development as identified through external and internal inspection and reviews
- The academy's progress towards agreed performance targets
- Particular priorities the academy has identified

### *Finance and General Purposes Committee (FGP)*

This committee is responsible for advising on the day-to-day financial operations and controls of the academy. This includes; recommending the annual budget, monitoring the production of management accounts, the approval of operational financial systems, treasury management controls and policy, considering the adequacy of risk management, internal control and corporate governance.

This committee also focuses in greater detail on the personnel and premises issues, which are presented to the governing body throughout the year. As part of your budgetary control measures you will:

- Receive finance reports at least termly.
- Conduct financial analysis and produce explanatory notes relating to the academy's budget.
- Compare the budget against the actual expenditure.
- Highlight under or overspends.

- Take remedial action when necessary.
- Update the financial plan.

The FGP should meet at least once in every term, and shall hold such other meetings as may be necessary. FGP Terms of Reference and template paperwork are available on OATnet.

### *Ad hoc committees*

Although the ad hoc committees do not meet regularly it is important that you are aware that part of your responsibilities as a governor is that you may be called upon to sit on panels. The most common of these will be for exclusions but may also include staff appeals and complaints.

To assist you with this it is vital that you have an understanding of the academies policies that relate to these and any guidance that is relevant. OAT have put together various guidance documents that can assist you for some of these which are available on OATnet.

OAT is generally more involved in certain types of these committees and provide support where needed, support from OAT governance team or OAT HR team are most common for these. Training for these types of committees can be provided via EduCare, Learning Link and TheSchoolBus. If there is a shortage of members on your governing body with training, then you may wish to raise this with your chair or clerk.

## Clerk to Governors

As a governor, it is very important to work with your clerk, especially if you act as chair for the governing body or one of the committees. Your clerk is your governance professional and they have a wealth of governance knowledge to support the governing body in fulfilling its duties.

Your clerk is essential to the effectiveness of the governing body and its committees, ensuring that the limited time governors have together is used strategically and efficiently, they are also responsible for maintaining the academy's page on the online governor portal, OATnet, so that all of the important documents are readily available to you. The clerk may also be significantly involved in preparing exclusions and appeal panels. Your clerk is an invaluable resource for the governing body.

*“Clerking is the engine that drives the governing body on its journey; if the engine does not work smoothly and properly, not only is the journey very difficult, but there is a serious risk that the destination will not be reached. Clerking provides the efficiency that is a key component of governing body effectiveness”.<sup>1</sup>*

Your clerk has four key roles:

**Offering advice and guidance** – your clerk is trained to offer advice and guidance on relevant legislation and procedures as well as offering advice on best practice. They also have the power to deny papers and decisions that are not compliant with regulatory requirements. Your clerk will act as your ambassador to OAT and they are your first point of contact for advice on matters that require an escalated response.

**Effective administration** – your clerk is far more than a ‘minute-taker’ and whilst they are there to ensure a good record of the meeting or panel, they will also arrange any required ad hoc committees (i.e. exclusions and disciplinary hearings), prepare focused agendas (in liaison with the chair and principal), record and monitor

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<sup>1</sup> Adamson, S. 2012. *The School Governors' Yearbook*. England: Adamson Publishing Ltd

attendance, taking appropriate action in relation to persistent absences, ensuring meetings are quorate and monitor / follow up on agreed actions following meetings. Your clerk will also maintain your academy's section on the OAT governor portal, OATnet and will ensure that your details are up to date on 'Get information about schools'

**Membership and information** – your clerk will maintain a secure database of all the governors including contact details, pecuniary interests, declarations of interest, terms of office, record training undertaken by governors and will ensure that statutory information which the academy is required to publish on its website regarding governance is accurate and up to date. Your clerk will also maintain records of signed minutes, any confidential minutes, agreed policies and terms of reference for the governing body and each committee.

**Personal development** – in line with providing advice and guidance on legislation and procedural matters, it is an important part of your clerk's role to undertake appropriate and regular training. All our clerks should attend OAT termly briefings for this purpose.

Your clerk is a valued member and essential partner to your governing body and should be seen as an integral part to the effective running of the academy. As a governor, we expect you to ensure your clerk has their 'voice' and is supported by the governing body in their role as much as they support yours. We recommend that clerks are supported to develop in their role by having an annual appraisal and being actively encouraged and supported to attend termly Clerks' Briefings hosted by OAT.

## Role of the governor

Governors make up one of the largest volunteer forces in the country. They have an important part to play in raising academy standards as well as supporting students and staff, providing them the opportunity to achieve to the best of their ability. The role of a governor is threefold:

- Offering a strategic view.
- Undertaking the role of 'critical friend'.
- Evaluating the impact and effectiveness of decisions at the academy, ensuring accountability.

The role is rewarding and developmental and is an opportunity for you to use your existing skills in a new setting whilst having the chance to learn from and with others. Governors are expected to undertake training relevant to their role and be responsible for managing their opportunities for learning by liaising with the clerk to establish training requirements and opportunities.

As a governor, you will often hear that you are to undertake the role of 'critical friend', this role involves:

- Recognising and celebrating the achievements of the academy.
- Knowing where the academy is not achieving as well as it could.
- Providing support and encouragement when strategies to bring about improvement are being explored.
- Striking an appropriate balance between support and challenge.

It is the responsibility of the governing body to determine the information that it requires the principal and SLT to provide to them. The governing body and the RD should determine the scope and format of the principal's report to governors.

Governors work together as a team. As an individual governor, you have no authority to act unless the governing body has delegated a specific power to you. Support and expert help is always available from your clerk or from OAT.

Within your role as governor it is important you have a good working relationship with the clerk and work closely together to organise the work of the governing body.

It is also important to note that although there is the expectation of the time commitment to undertake your responsibilities as a governor, under Section 50 of the Employment Rights Act 1996<sup>2</sup>, if you are employed you are entitled to ‘reasonable time off’ to undertake public duties such as your role as a governor. You should discuss this with your employer and if you still find that you are struggling with the time commitment then speak to your clerk or chair of governors.

### Strategic. Not operational.

The distinction between strategic and operational can be confusing for many governors and governing bodies. What drives many governors is their desire to help and be supportive – governors usually have a strong can-do attitude but that can lead us to stray into areas of responsibility that are not within our roles. All decisions and actions of the governing body take should link back to the core functions. If they can’t be linked to these then they are not a strategic function and are probably operational. The board may intervene in operational matters if a circumstance arises where because of action or inaction the academy may be in breach of a duty.

Strategic	Operational
<ul style="list-style-type: none"> <li>▪ Approve</li> <li>▪ Challenge</li> <li>▪ Clarify</li> <li>▪ Decide</li> <li>▪ Ensure</li> <li>▪ Evaluate</li> <li>▪ Monitor</li> <li>▪ Plan</li> <li>▪ Question</li> <li>▪ Ratify</li> <li>▪ Reflect</li> <li>▪ Report</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implement</li> <li>▪ Appraise</li> <li>▪ Observe</li> <li>▪ Report</li> <li>▪ Do</li> <li>▪ Manage</li> <li>▪ Resolve</li> <li>▪ Assess</li> <li>▪ Run</li> <li>▪ Draft</li> <li>▪ Supply</li> <li>▪ Draw up</li> <li>▪ Produce</li> </ul>

### Requirements of being an Ormiston governor

As a governor for an Ormiston Academy you will have already completed an application form and completed or arranged your induction with the clerk and OAT governance team. In addition to this, you will be expected to attend all meetings (or give apologies where you are unable to attend) and take part in governor visits.

Each academic year you are required to complete the OAT governor annual forms. These forms include the governor code of conduct, your contact details, declaration of interests (including any familial relations within the academy and in companies outside the academy) and a declaration of your DBS check status (as required by the DfE). This is a way for the academy and OAT to capture any changes of circumstances. Some of the sections on this form contain information that is required by statute and therefore it is important for these forms to be completed promptly. It is also your responsibility to inform your clerk if your circumstances or details change throughout the year. These forms are available on the governor portal, OATnet or directly from your clerk. In addition to this you will receive an invitation to complete a skills audit in the autumn term of each year

<sup>2</sup> <http://www.legislation.gov.uk/ukpga/1996/18/contents>

If you are a governor in any other education establishment then you are required to declare this, this information will be published on the academy website for all governors that this relates to as per DfE requirements. If you are already a governor and are thinking of governing in another education establishment then you must discuss this with your current Chair of Governors to establish any potential conflict of interest and to ensure that you are able to effectively fulfill the responsibilities of both roles.

## Whistleblowing

OAT insist on having an open and honest culture and are committed to the highest possible standards of probity and accountability. In line with that commitment, we encourage anyone with serious concerns about any aspects of the organisation's work to come forward and voice those concerns. Confidentiality will be maintained as far as is possible. It is guaranteed at the point of making a protected disclosure, privacy will be maintained during investigations and hearings, other than when there is a need for disclosure of identity due to cross examination of the staff member as a witness in any subsequent procedure.

The OAT whistleblowing policy can be found on OATnet within the policy section or can be provided by your clerk.

## Governors with particular responsibilities

### Chair of the governing body

#### *What to expect from your Chair of Governors*

The chair, with support from the vice chair, is responsible for ensuring the effective functioning of the board and has a vital role in setting the highest of expectations for professional standards of governance.

It is the chair's role to give the board clear leadership and direction, keeping it focused on its core functions. Chairs should encourage the board to work together as an effective team, building their skills, knowledge and experience. They need to ensure that everyone is actively contributing relevant skills and experience, participating constructively in meetings, and actively involved in the work of any committees.

It is their role to make sure everyone understands what is expected of them and receives appropriate induction, training and development. It is for the chair to have honest conversations, as necessary, if anyone appears not to be committed or is ineffective in their role. The chair must not exercise as an individual any of the functions of the board except where this has been sanctioned by the board, however, the chair is permitted to act in cases of urgency where a delay in exercising the function would be likely to be seriously detrimental to the interests of the academy, a pupil, parent or member of staff.

All chairs of governors are appointed by OAT. For more information about the role of the Chair, please read the Chair of Governors Handbook.

### Committee chair

Each committee will nominate a chair and vice chair. The role of a committee chair can be challenging at times but is an interesting and fulfilling role too. The chair will need to be familiar with the committees Terms of Reference which details what the committee is authorised to do. It is important that a committee chair understands the committee's responsibilities and where it fits in with the whole governance structure for the academy.

The committee chair will be responsible for ensuring that the business that comes through the committee is actioned appropriately and enables business to be completed in an efficient and effective manner to help support the whole governing body and the wider academy community.

Committee chairs will work closely with your clerk to ensure the business is scheduled appropriately and meetings are managed well.

### Vice chair

The vice chair is there to support the chair in their role and undertake their duties when they're not available.

The chair and vice chair should also be working together with the principal on a succession plan to ensure the vice chair feels supported and capable to undertake the chair role if the opportunity arises.

### Link governors

OAT Academies are expected to appoint link governors for SEN and Safeguarding as statutorily required by the DfE. OAT also recommend that governing bodies appoint a link governor for Pupil Premium to ensure accountability is being held for the spending of Pupil Premium funding. And a link governor responsible for mental health and wellbeing of both staff and students. Role descriptions for all link roles can be found on OATnet.

## Governor visits

OAT value the partnership between academy staff and governors. Our academies actively encourage visits so that governors can learn more about the academy to help them fulfill their monitoring, evaluative and strategic roles. In order to carry out the role of a governor effectively you will need to have a good understanding of the academy. Governor visits are valued highly and this is echoed by Ofsted.

*“If governing bodies are to monitor and evaluate the school’s work they need to visit the school. When handled well these visits build up trust and respect between staff and the governing body, and they allow governors to monitor the school’s work in a way that is far more supportive than if they just attend meetings.”*

Visits to the academy by new governors are an important part of the induction process. These will enable you to get an understanding of the academy and the many aspects of academy life at different points in the year. You can use these visits to familiarise yourself with areas such as:

- The academy grounds.
- Facilities available.
- How students and parents act when coming into and leaving the academy.
- Shared spaces e.g. the hall, learning resource areas, libraries, corridors.
- The areas used for administrative and support staff.

Following on from the induction process, you should increase your knowledge of the academy through a programme of individual governor visits to the academy. Such visits will enable you to carry out your role more effectively and aims to:

- Improve knowledge of operational aspects of the academy, its staff, priorities, strengths, areas for development and help to identify priorities for future improvement.
- Assist in monitoring and evaluating the academy development plan (ADP).
- Increase understanding of the teaching and learning process.
- Improve governor links with staff, students and parents, showing them that governors are interested in the life, work and achievement of the academy.
- Help governors to be better able to support the local community.

- Enable the governing body to ask informed questions in meetings by gaining first-hand knowledge of the academy.
- Allow governors to see resources that were purchased by the budget being used by the academy.
- Assist the whole governing body to fulfil its statutory duties.

It is also important that governors maintain a profile at academy events such as performances, sporting events and parents evening to ensure staff, students and parents feel supported.

More formal visits to the academy are required at least once a year, during the working day. These visits often relate to specific responsibilities you may have, for example as a link governor. There may be numerous reasons to complete a governor visits, you may want to meet with a subject lead, or do a learning walk or you may choose to make a visit after academy hours, on a weekend or during the academy holidays to see the academy's enrichment programme in action. These visits, evidenced through the completion of the governor visit form, can be used as evidence during Ofsted visits to show that governors are monitoring the impact of the decisions they make. The governor visit form is available on OATnet or by contacting your clerk.

Remember visits to classrooms are *not* about making judgments on the quality of teaching and learning at the academy, that responsibility lies with the Principal and the Senior Leadership Team (SLT). You should also be aware that whilst governors are welcome to visit all parts of the academy, there will be times when access is restricted e.g. during building works or exam time.

All visits should have a clear focus and should, in some way, increase the knowledge and understanding of the governing body.

There are some general protocols that should be observed before, during and after a visit:

#### *Before a visit*

- A clear purpose ascertained and discussed with those involved in the visit.
- The visit should be pre-arranged with the academy with clear timescales.
- Know the names of the people you will be meeting on the visit.
- Familiarise yourself with any necessary documentation.

#### *During the visit*

- Arrive on time – report to reception and follow the procedures for visitors.
- Try to meet with the staff before a lesson starts.
- When visiting a classroom be mindful that you are entering the teachers' professional space and that by having a visitor in the classroom the dynamics in the classroom will be altered.
- Use the visit as a valuable opportunity to build positive relationships.
- Be relaxed and interested!

#### *After the visit*

- Thank any staff and students you have met.
- Discuss with the Principal, or a member of the SLT, any issues that may have arisen – were there things you didn't understand or have the opportunity to talk to staff about?
- Prepare your visit form promptly so that it's fresh in your mind.
- Send your visit report to the staff member you met with and ask them to check for any misrepresentations or errors.



- Send your visit form to your clerk – they will ensure that the principal and other governors receive a copy and that it is placed on the agenda of the next governing body meeting.
- Feedback about your visit at the next governing body meeting.

As a governing body, it is important to ensure that:

- A governor visits process is formulated, agreed by staff and ratified at a governing body meeting.
- A timetable of visits for the year is agreed, taking into account the schedule of business and the meetings schedule.
- The process is monitored and evaluated to ensure its effectiveness.

Also remember to take the time during your visit to enjoy the environment you are in and be proud of what you are involved with!

## Training for governors

OAT strongly encourage all governors and clerks to undertake the training made available to them. It is recommended that all governors and clerks, however experienced, use the training opportunities available to them to improve their effectiveness and to keep abreast of changes that impact their role.

The governance team at OAT will support and guide all our governing bodies to strive for outstanding in their strategic leadership of the academy. We have developed a package of support for governors to ensure that you are fully equipped to deal with the requisites of their role. This includes the latest in any legislation changes. OAT governance team work closely with all governing bodies in the academy network to ensure that they are confident and effective in their roles, we achieve this by providing the following package of support:

All governors and clerks have unlimited access to training programs including:

- Learning Link
- EduCare
- Face to face and virtual briefings throughout the academic year
- OAT inductions for clerks, chairs, and governors.
- Observation of a governing body meeting and feedback from OAT governance team.
- Support to develop a policy review schedule
- Provision of OAT governor, chair and clerk handbooks
- Academy governance reviews, recommendation reports and bespoke action plans
- Provision of a suite of OAT model policies and guidance documents to include regular reviews against legislation changes
- Termly governance newsletter
- Termly Briefings
- Provision and review of governor recruitment materials including governor's flyer, application pack and template letters and registration of vacancies
- Supporting exclusions, appeals and disciplinary hearing processes
- Access to template documents to ensure all statutory duties are performed and best practice achieved
- Access to OATnet providing documents, guidance and templates and an individual academy section to enable the sharing of documents
- Assisting with general governance enquiries and providing advice and assistance to academies with governance related matters

- Bespoke training and development packages sourced and facilitated (additional cost may apply)

*“Whether you’re a new or experienced governor, OAT governance team provides excellent support through induction and on-going support”*

Stephen Rayner, Governor at Ormiston Forge Academy

## Mandatory Training

OAT governance team will register all new governors to access free training from EduCare and Learning Link. Within the first year of governance, all new governors should have completed the following mandatory course.

- New governors
- Ofsted inspection of schools (Learning Link)
- School Exclusions (EduCare)
- Safeguarding Young People (EduCare)
- Child Protection in Education (EduCare)
- Managing Academy Finance (Learning Link)
- Data Protect (EduCare)

## Accessing Mandatory Training

### Learning Link

Website: <https://nga.vc-enable.co.uk/>

Phone: 0121 237 3780

Email: [trainingadmin@nga.org.uk](mailto:trainingadmin@nga.org.uk)

### EduCare

Website: [www.educare.co.uk/participant-login](http://www.educare.co.uk/participant-login)

Phone: 0121 262 4734

Email: [governance.training@ormistonacademies.co.uk](mailto:governance.training@ormistonacademies.co.uk)

There is also a template Training and Development plan for governors available on OATnet.

## Mandatory Reading

During your induction, your clerk should provide you with the mandatory reading outlined below. It is also available on OATnet in the Training and Development section:

- Keeping Children Safe in Education (2016)
- Working together to Safeguard Children (2015)
- FGM Risk and Safeguarding Guidance (2015)
- What to do if you're worried a child is being abused (2015)
- Information Sharing (2015)
- Your Academy Whistleblowing Policy
- Your Academy Safeguarding Policy
- OAT Governance Handbook (2016)
- DfE School Admissions Code (Dec 2014)

## Governing Body self-evaluation and development

OAT is committed to raising standards in all academies and we believe that governing bodies should hold themselves and their performance to account to ensure that they are performing effectively and to identify any support that either individual governors or the governing body need. As part of a strive for excellence we are always looking for ways to develop processes that support OAT academies.

### Local Governing Body Annual Review

All OAT governing bodies are encouraged to take some time once a year to reflect on the performance of the governing body as a whole. This is an opportunity to recognise and celebrate the impact and contribution of governors and to identify a development plan for the year ahead.

The OAT governing body review is based on the All Parliamentary Group for Education Governance and Leadership 21 Questions for Multi Academy Trusts. The review focuses on:

- Organisation and teamwork
- Recruitment and retention
- Self-review, innovation and change
- Strategic leadership

A template annual review is available on OATnet or from your clerk.

### Chair of Governor 360° review

The importance of the role of an effective chair is increasingly being recognised in academy governance but how do you know if you have or are an effective chair of governors? One way is to carry out a 360° review. A 360° review collects information from all governors serving on the governing body via a questionnaire which aims to collate a range of viewpoints about the chair and the various aspects of their work.

The data from the completed questionnaires provides analysis of the chair's current performance. This aims to offer comprehensive information regarding areas of strength, as well as areas where there may be a need for development. The 360° review also considers a wider view of the chair's work and relationships, encouraging a transparent and collaborative working environment.

Undertaking a 360° review is also good evidence that you take your role in leading the governing body extremely seriously and you will be able to use it in your governing body self-evaluation.

A template 360° review is available on OATnet or from your clerk.

## When there are concerns about governance

OAT will stand down a local governing body (LGB) and appoint an Interim Executive Board (IEB) in one or more of the following circumstances:

- Identification of weak governance.
- In response to the outcome of an annual review of governance or Ofsted inspection.
- In response to the outcome of an Ofsted inspection where there is a rating decline or an academy moves into a category of serious weakness or requiring improvement.
- A sudden or unexpected dip in the academies mid-term performance.
- Any identified safeguarding concern within the academy.

OAT governance team will manage the process of standing down a LGB in liaison with the Regional Director and principal.

The main function of an IEB will be to secure governance of the academy, developing a sound basis for improvement and will be in place until the trigger is removed. OAT do not adopt a one size fits all approach and is committed to appointing IEB's which are small, focused groups. Members will be chosen on a case-by-case basis in accordance with the skill and knowledge and the needs of individual academies.

## Annual Skills Audit

The DfE Governance Handbook states that all governing bodies should undertake a skills audit and actively seek to address any gaps they identify. Governing bodies should also reflect regularly on whether they have the right overall balance of people and skills. Governing bodies must undertake a skills audit to review their effectiveness in:

- Demonstrating a commitment to best practice
- Wanting to explore the skills and knowledge base of the governing body, as part of an overall assessment of its effectiveness.
- A vacancy arising on the governing body. By understanding the current skills set of your governors and identifying any gaps can effectively direct the advertisement for recruitment of a new governor. This allows you to recruit governors with the right skills that your governing body needs.
- Supporting the organisation of the governing body's committee membership and the delegation of tasks to individual members.
- Identifying and planning governors training and development needs.
- Succession planning and planning the future recruitment of governors.
- Ensuring that governor's skills and expertise are matched to the needs of the academy to improve outcomes for students.
- Supporting individual governors to become more aware of their skills and value to the governing body.

## Succession Planning

Succession planning is an important aspect of the development of any governing body both for stability and progress. Good succession planning supports the development of individual governors and also the future strength and effectiveness of the governing body. Effective governing bodies pay close attention to succession planning, identify and develop talent and successfully manage the recruitment or retention of governors. In particular, where you feel you need support in succession planning for the Chair of Governors Role, please contact OAT governance team for advice.

## Ofsted

### *Office for Standards in Education*

Ofsted is an independent and impartial regulator of education establishments and inspects all academies, maintained schools, early years' settings, non-association independent schools and further education and skills providers, to achieve excellence in the standard of education and care of children and young people. All education establishments are inspected under the Ofsted Common Inspection Framework<sup>3</sup>.

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<sup>3</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461767/The\\_common\\_inspection\\_framework\\_education\\_skills\\_and\\_early\\_years.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/461767/The_common_inspection_framework_education_skills_and_early_years.pdf)

The frequency of inspection depends on the specific provider, some inspections are undertaken on a planned cycle of inspection, and others on an assessment of risk undertaken by Ofsted considering academy data, inspection can take place at the request of the Secretary of State and also in response to a safeguarding concern or complaint.

As of September 2015, an academy currently judged as 'Good' will receive a short, one day inspection approximately 3/4 years after its last inspection. Short inspections are led by a HMI (His Majesty's Inspector) who will start the inspection with the assumption that academy is still good.

Ofsted use a 4 point grading scale for all inspections;

- Grade 1 – Outstanding
- Grade 2 – Good
- Grade 3 – Requires Improvement
- Grade 4 – Inadequate

Inspectors will make a judgement on;

- The effectiveness of leadership and management
- The quality of teaching, learning and assessment
- Personal development, behaviour and welfare
- Outcomes for children and learners

If the inspector judges that the academy has declined or improved from good then the inspection will be converted to a full 2 day inspection within 24-48 hours.

If the academy is judged to be Requiring Improvement or Inadequate then an improvement monitoring cycle will commence. If the academy is judged to be Good then the short inspection cycle will recommence and if judged to be Outstanding then the academy will be exempt from inspection unless any of the risk factors described above.

## Ofsted and Governance

The quality and effectiveness of governance is inspected as part of the leadership and management of the academy. The academy leadership team may be outstanding but if governance does not match this then an outstanding judgment will not be given. This can potentially impact on the overall academy inspection judgment. Governance has a specific paragraph in the inspection report but will be judged inclusively with the academy's leadership and management.

## Key areas Ofsted will focus on when meeting with governors'

- How statutory duties such as Safeguarding are undertaken
- How children are prepared for modern life in Britain
- Clarity of vision, ethos and strategic direction
- How governors understand, interpret and use pupil data to inform academy improvement
- Governors awareness of teaching and learning in specific subjects, year groups and pupil groups
- How pupil premium funding is used to overcome barriers to learning
- How performance management systems improve teaching, leadership and management within the academy

## General meeting principles

All the governing body meetings and committee meetings should be well constructed to ensure effective delivery and outcomes.

### Before the meeting:

As a governor, you can aid this by ensuring you have prepared for each meeting by undertaking the following points:

#### 1. *Read your papers.*

All meeting papers must be circulated to all governors within one week of the committee meeting and two weeks of the governing body meeting. This is to ensure governors and directors have enough time to read all the information, collate questions and comments from the papers you have read and take them to the meeting with you so you have them ready when the item is discussed.

#### 2. *Challenge tabled papers*

Especially challenge tabled policies. You are required to read and agree all policies and cannot do this if the policy has been tabled at the meeting; this is bad practice and Ofsted will pick this up during an inspection.

#### 3. *Check the agenda*

Check the agenda when you receive it and make sure you understand what will be discussed. Feel free to ask the chair in advance about any items that are not clear.

#### 4. *Ensure you are well prepared*

Be prepared for any items that you are required to lead on, this will be made clear to you when the agenda is being set, keep any presentations short and bullet point key points from any report you may provide – as governors should have read this in advance.

#### 5. *Contact your clerk in good time*

If you wish for additional items to be discussed under any other business, let your clerk know in advance. Additionally, if you are unable to attend the meeting, send your apologies to the clerk in advance so that quorum can be checked.

Do not worry if some of the agenda items are not of great personal interest to you, or if you feel you do not know a great deal about them – none of us are experts on everything, and governing bodies are constructed so as to provide a range of knowledge.

### After the meeting:

#### 1. *Read your minutes.*

Minutes are circulated to all governors within two weeks or so after a meeting. Make sure you have received them, or have checked that they are on OATnet. Read them carefully so as to be certain that they record the meeting accurately, speak with your clerk or chair as soon as possible if you believe they are inaccurate.

#### 2. *Action points.*

Minutes will also outline any actions that were agreed on an item, what the action was, and who was to follow this up; note anything that has got your name against it so that you can do what was agreed and report back to the next meeting.

## Question, challenge and support

As a governor, you will often see that your role is to act as a 'critical friend'. This means you are required to constructively question and challenge the information and decisions of the academy and provide support to the principal and academy, this questioning, challenge and support is at the core of the success or failure of a governing body.

By acting as a critical friend, the governing body provides the principal and staff with support, advice and information, drawing on its members' knowledge and experience. In these ways, the governing body acts as a critical friend to the academy. Critical in the sense of its responsibility for monitoring and evaluating the school's effectiveness, asking challenging questions, and pressing for improvement. A friend because it exists to promote the interests of the school and its pupils. Governors need to apply their skills, knowledge and experience to gathering and analysing information to ascertain a clear picture of the academy to enable them to help develop the academy, support improvements and celebrate successes.

As a governor one of the hardest aspects is to strike the right balance between support and challenge. Governing bodies should always review themselves to ensure they are both supporting and constructively challenging effectively.

When discussing things within your meetings the main questions you should be asking are:

- What has the impact been?
- What was the cost? (Was it worth it?)
- Where is the evidence for this?

Remember you will need to ensure you have evidence for what is being presented, accepted and agreed as it is one of the key things Ofsted will be looking for and it helps build your knowledge.

In your role, never be scared to seek clarification of anything you are unsure of or request further information to clarify your understanding. Also, to strike a balance, never be afraid to show your support or provide praise where necessary.

Principals also have a role to play in accepting challenge, as Marie McMahon, Principal at Ormiston Sandwell Community Academy says:

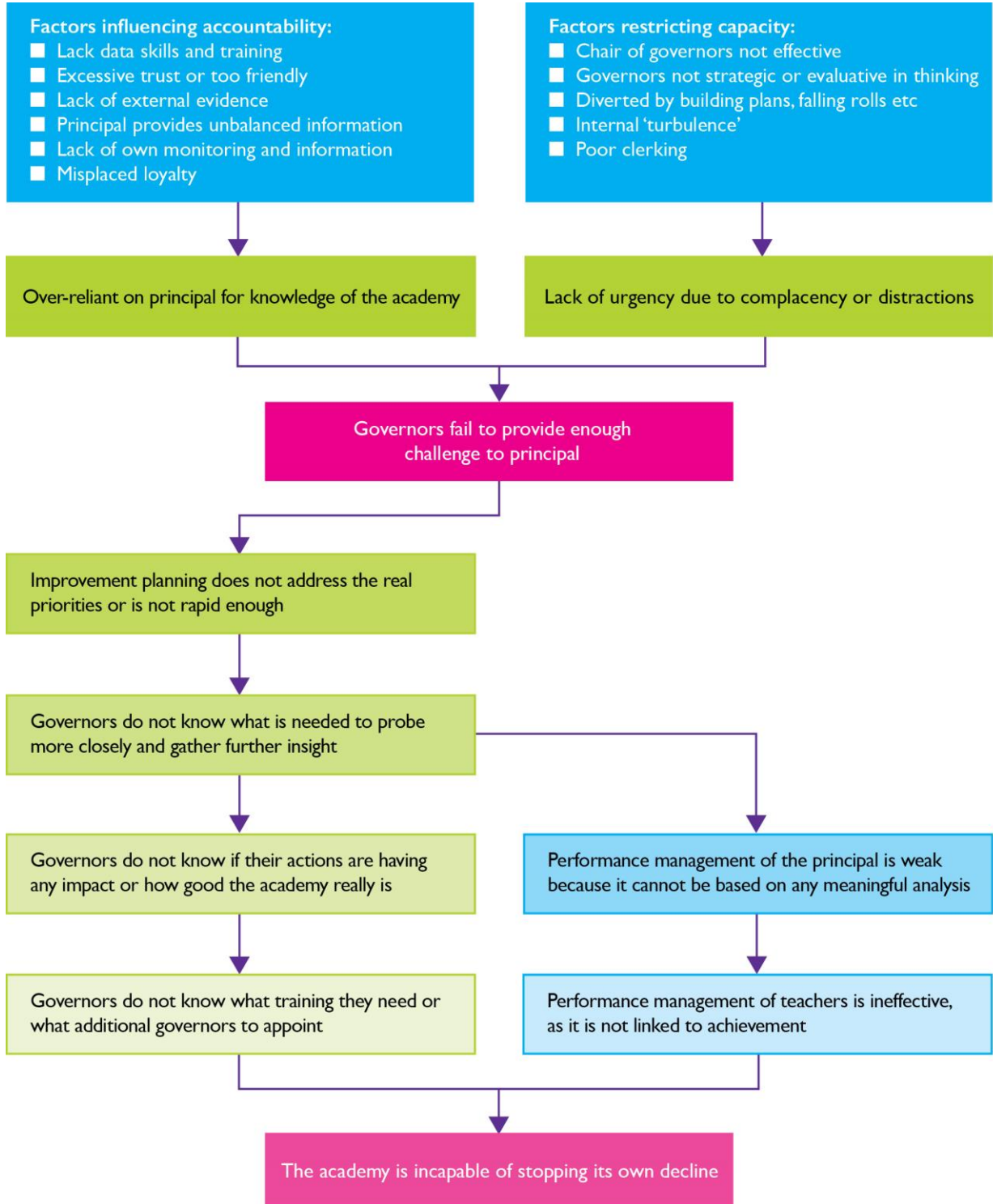
*"I know that new governors often struggle with the 'critical' element of the critical friend role, and really want to be supportive of the principal, but it is essential to get that balance right from a principal's perspective too.*

*Governors often bring a wealth of expertise and experience from a plethora of different sectors, many of them outside of education, and this has been invaluable in my experience. The range of questions and challenges governors ask can be very different from the debates and consultations that will usually already have taken place with academy staff, and can lead to much richer debate, deeper thinking, and more creative solutions. Ultimately, these often more objective discussions can be pivotal in the process of governors and the principal reaching the best final outcomes for the students in our care.*

*Equally, it is important not to become too overzealous in realising the critical element of the role! The key word once again is 'balance'. It can be a very lonely job being a principal, especially in the early days when relationships are being established, and I have found that support from governors at this time is an essential element to successful, strategic leadership and for the future success of the academy."*



## A model of the consequences of failure to challenge





## Confidential business

Governing bodies are entrusted with a great deal of information, some of which may be confidential. In order to protect individuals, and to foster trust and collaborative working, care must be taken when handling confidential matters.

However, governing bodies are not secret societies and in the interests of transparency, openness and corporate governance (and the requirements of the Freedom of Information Act 2000) most information will be freely available to governors and other members of the public. Governors should act with honesty and integrity and be ready to explain their actions and decisions to anyone with a legitimate interest in the academy.

Due to their roles, there are times when governors will come into the possession of sensitive information about individual students, their parents or members of staff. It would be a *serious breach* of trust for any governor to disclose such information outside governing body meetings. Breaching confidentiality in this way can result in a governor being suspended from membership of the governing body and this is highlighted within the code of conduct for governors.

When it has been highlighted at the beginning of a meeting that there is an item that will need to be discussed that contains either a conflict of interest or confidential business it is good practice to leave that item until the end of the meeting, therefore allowing the person(s) who should not be involved to leave the meeting and not have to wait around to be allowed back into the meeting. This allows for a better use of all governor's time and the ability for a discussion to be held without having to worry about others who may be waiting.

### Confidential items

There is sometimes confusion about what should be judged to be a confidential item. The Academy Governance (Procedures) (England) Regulations 2003 describe this as information relating to a named person or any other matter that the governing body or its committees considers confidential. Wherever possible, decisions about what should be deemed confidential should be taken at the beginning of the meeting and not during the discussion.

Agendas, minutes and related papers may be classified as confidential if they relate to:

- A named teacher or other person employed, or proposed to be employed, at the academy.
- A named student at, or candidate for admission to, the academy.
- Any matter, which, by reason of its nature, the governing body, or committee is 'satisfied should remain confidential'.

The clerk may advise on whether an item should be considered confidential but the ultimate decision rests with the governing body or committee and not an individual.

It is also important for governors to respect the confidentiality of who said what in a meeting. Even if the meeting itself is not declared confidential, the views of others should not be discussed outside the meeting.

### Minuting confidential and statutory meetings

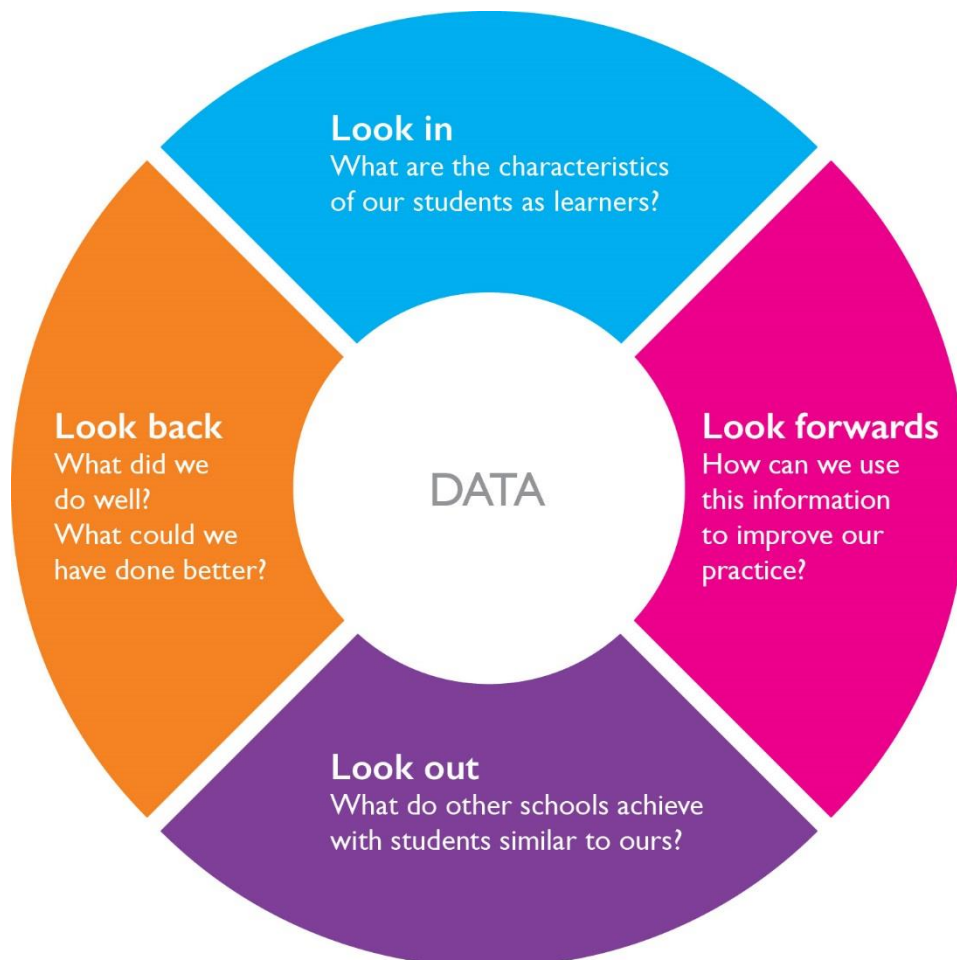
It is important to record the business of all committee meetings, although some academies are reluctant to minute particularly confidential issues. The use of names can be omitted to enable minutes to be shared, and care needs to be taken to avoid the identification of specific individuals (both staff and students), for example when discussing issues such as salaries, performance, health or personal problems, exam results, behaviour, attendance, staff absence and so on.

Minutes of statutory meetings such as staff or student disciplinary hearings, should be made available to the parties who attended the meeting (at their request) and future appeal panels, but otherwise are entirely confidential.

Confidential minutes can be stored in OATnet securely, there is a confidential folder for these to be kept, limiting access to the clerk and OAT governance team.

## Data

This section highlights the various data sources used by an academy, Ofsted and the DfE. Additionally, information is provided about the tools OAT provides academy leaders and governors to support, challenge and improve outcomes.



## OAT Data Tools

It is essential that OAT Governors are trained on how to analyse the data tools used by all OAT schools. These include EVA and SOAP that are used to provide regular updates to leaders in schools about progress, behaviour and attendance.

### Educational Visual Analysis (EVA)

All OAT academies are provided with EVA reports termly for all cohorts of students from Year 3 to Year 13, at no cost. The information provided is in line with the Ofsted and DFE reports referred to above, but is based on live data and reflects current performance rather than on analysing data from the previous academic year.

This forensic, interactive information allows the academy, education advisor, and the academy improvement team, to collectively review areas of significant strength, and can look to provide bespoke interventions to those areas requiring additional support.

It is used to benchmark the performance of current pupils against the national picture, and focusses on pupils currently on roll in an academy rather than those who were at the end of a key stage in the previous academic year.

### School on a Page (SOAP)

All OAT academies use the SOAP as part of their Strategic Progress Board meetings and this data is also shared with LGBs. The SOAP document includes an overview of a school's key performance indicators including: finance, staffing, attendance, behaviour, progress and attainment.

### Analyse School Performance (ASP)

ASP is a new forensic review of the performance of an academy during the previous academic year and it replaces RAISEonline. ASP can be accessed here: <https://sa.education.gov.uk/idp/Authn/UserPassword>

It can be a useful starting point for academy leaders to review action plans for the forthcoming year. Two reports are published each year:

1. **Unvalidated** – this is typically available in early December, but is not based on final outcomes and may not include all remarks, and may not include all the appeals submitted to the DFE as part of the performance tables checking exercise.
2. **Validated** – this is typically available early in the spring term and includes all remarks and the outcomes of appeals. This report includes the figures published in the DFE January performance tables

Governors can have access ASP through their own personal governor account. If you haven't got an account, and would like one, this can be created through your academy. Your account allows you to access the full array of information in an interactive manner.

It is an expectation that governors have a clear understanding of all the pages in Analyse School Performance. Additionally, you are expected by Ofsted, to robustly hold senior leaders to account for all aspects of the academy's performance.

Using ASP, you can compare many aspects of specific academy performance against national averages, and allows you to benchmark accordingly, and amend your academy self-evaluation as appropriate. Data may be highlighted in certain ways, and other symbols may be used:

↑	Indicates this measure has increased significantly from the previous year
↓	Indicates this measure has decreased significantly from the previous year
-	Shows that there were insufficient data for a significance test to be carried out
<b>SIG-</b>	The result achieved was significantly below the national average
<b>SIG+</b>	The result achieved was significantly above the national average

## Parent View



Parent View is an online facility launched by Ofsted in October 2011 that allows parents and carers to give their views about their child's school at any time of the school year. The questionnaire is also the main mechanism for parents to give their views to inspectors about their child's school at the time of a school inspection.

The questionnaire can be accessed directly at [www.parentview.ofsted.gov.uk](http://www.parentview.ofsted.gov.uk) or from the home page of Ofsted's website [www.ofsted.gov.uk](http://www.ofsted.gov.uk).

It is advisable for academy leaders and governors to regularly check the Parent View results for their academy, to see the outcomes from the following questions:

The 12 statements and questions are:

1. My child is happy at this school.
2. My child feels safe at this school.
3. My child makes good progress at this school.
4. My child is well looked after at this school.
5. My child is taught well at this school.
6. My child receives appropriate homework for their age.
7. This school makes sure its pupils are well behaved.
8. This school deals effectively with bullying.
9. This school is well led and managed.
10. This school responds well to any concerns I raise.
11. I receive valuable information from the school about my child's progress.
12. Would you recommend this school to another parent?

## Sixth Form Data

For those academies with Post-16 provision, different data sources are used to evaluate the performance of this part of an academy. From 1<sup>st</sup> September 2014, there is also a separate Ofsted judgement to determine the overall effectiveness of sixth form provision, which should be reflected in the academy self-evaluation.

Ofsted produce a sixth form section of the overall inspection dashboard. From August 2016, there are also the 16-19 additional reports which include further subject level information. The key areas of foci in terms of Post-16 data are:

- Attainment outcomes
- Value Added (VA) scores to show progress made from KS4 to KS5
- Retention and recruitment trends

- Progress made by students re-taking GCSE qualifications in English and mathematics

It is important that governors have a summary understanding of the key messages from this data to be able to challenge and hold senior leaders to account on the performance outcomes of the sixth form.

- It should be noted that Parent View outcomes are available to all members of the public. Analyse School Performance and the KS5 additional reports are confidential documents not available to members of the public.

## DfE Data

### Performance Tables

The DfE performance tables reflect the outcomes from the previous academic year for all key stages and are available here: <https://www.gov.uk/school-performance-tables>

The performance tables sit at the heart of the accountability framework. They focus the debate on standards and provide a reliable and accessible source of comparative information on pupil progress and attainment.

The performance tables present this information alongside wider contextual data including Ofsted judgements, absence, workforce and finance data, presenting users with a wider understanding of the setting in which schools are operating. This data is designed to be used as the starting point when considering a school's performance by school, Ofsted, regional school commissioners, local authorities, governors and parents.

Governors should be aware of the content of these tables and can use them to benchmark against both the local authority, similar schools and the national pictures.

Governors can also see the financial benchmarking section at the end of the tables. This allows governors to compare the spend in their academy on key areas such as staffing, cover, resources etc. compared to local and national averages. Additionally it will allow governors to look at income generated by the academy compared to local and national averages.

As is the case with the Ofsted data sources, this information should be used to further inform the academy self-evaluation.

## Finances

### Academy funding

Academies were first established by the Education Act 1996, which was amended by both the Learning and Skills Act 2000 and the Education Act 2002. They were set up as independent schools, free from the oversight of the Local Authority (LA), but still funded by the state.

There are two different types of academy:

**Sponsor** – Usually established to replace an under-performing school; these have a sponsor, or sponsors, who may come from a wide range of backgrounds including business, charities, faith groups, universities, or other successful schools. Sponsors are no longer required to make a financial contribution, although this will be welcomed where it is offered. They are responsible for putting in place both the Academy Trust and the governing body, and also for appointing the principal.

**Converter** – These are formed where, following wide consultation, the governing body decides, often on the grounds of wanting greater autonomy, to remove the school from LA control. Initially, academy status was open only to successful schools, those judged good or outstanding at inspection, but the Secretary of State has since extended the scheme to all schools.

By virtue of their constitution, academies are charitable companies limited by guarantee. Consequently, they must comply with company and charity laws. In terms of financial management these two laws require academies to produce annually both a governors' financial report and fully audited accounts, in prescribed formats. This is because the school is funded directly from government, and therefore must comply with government regulation on accounting and reporting procedures.

The Education and Skills Funding Agency (ESFA) is the body responsible for financing academies. The ESFA is obliged by the Secretary of State to fund academies fairly, and support their success by providing high-quality support itself, and offering 'rigorous challenge'.

The ESFA receives its funding directly from the Department for Education (DfE), and then funds schools according to their particular Funding Agreement.

## Types of funding

Academies receive three types of funding:

- Initial grants to cover feasibility planning and putting the plans in place to set up the academy.
- Capital grants for buildings.
- Finance – to meet the running costs once established.

Funding is calculated on the basis that there should be no financial disadvantage. Academies should receive funding which is similar to that from the LA for maintained schools in the area in which they are sited. Funds mainly come via the Education and Skills Funding Agency in the form of the General Annual Grant (GAG).

The GAG has different elements:

### *School core funding*

The school's budget share is the largest part and is calculated in a similar way to the funding for the LA maintained schools in the same area. Adjustments may be made for reduced business rates and for insurance, which is paid separately.

Although the Educational Services Grant (ESG) has been removed, ESG protection arrangements with academies will remain the same for 2018/2019. This means that no academy will see losses of more than 3% of their overall budget as a result of the ending of the ESG.

For 2018/2019 the Secretary of State has introduced a National Funding Formula (NFF) for schools' funding and high needs funding. NFF has been used to set the total funding available for schools in each local authority area. Local authorities are continuing to use a local formula to distribute that funding in consultation with local schools' forums.

## The Academies Financial Handbook

The Academies Financial Handbook contains more detail of the financial responsibilities of the various individuals and committees. A condition of the funding for academies is that there must be sound financial systems and practices in place. The governing body must ensure that forward planning and internal management controls are appropriate and will safeguard the funds of the academy.

Governors must consider how they will meet the financial and accounting requirements, as the governing body has responsibility for the academy's finances.

The strategic management of the academy's finances is the responsibility of the governing body, which has oversight of all funds. This includes the spending identified in the school's development plan. The governing body must therefore be involved in making high-level decisions about how funding will be used for the benefit of students' education, and accounting for its use and the outcomes. The principal has the responsibility for the day-to-day operational management of the budget.

The governing body must meet **at least once per term**, and at each meeting should consider:

- The academy's financial position – its income, expenditure and commitments.
- The degree and accuracy of internal monitoring of the budget that is taking place.
- Progress on any necessary action to improve financial arrangements.
- Any significant contracts being proposed.
- Review of the risk register

The governing body must consider **annually**:

- Whether the academy's goals are being met.
- The performance of external providers, e.g. bankers or the services provided under service level agreements (SLA's).
- 
- Review and approval of the budget for the following year.
- Review and approval of levels of insurance cover for the academy's assets.
- Findings made by the auditors and their management letter, and any other financial reviews, and any action that needs to be taken.
- Review of any risk to which the academy is exposed and what is being done to mitigate this.

## Grants

The Principal, SLT and governing body are held accountable for how the funding from grants have been used to support eligible students and are required to publish information regarding how the grants have been used and the impact of the spend on its website.

**Pupil premium** is available for all schools and academies and aims to address the underlying inequalities between students by ensuring that funding to tackle the disadvantage reaches the students who need it most. Pupil premium provides funding to raise the attainment of disadvantaged pupils of all abilities to reach their potential. Schools and academies will receive the following funding for each child registered as eligible for free school meals at any point in the last six years:

- £1,320 (2018-2019) for primary-aged students.
- £935 for secondary-aged students.

Schools and academies will also receive £2,300 for each looked-after pupil who:

- Has been looked after for one day or more.
- Was adopted from care on or after 30 December 2005,
- Left care under:
  - a special guardianship order

- a residence order
- a child arrangement order

**Year 7 literacy and numeracy catch-up premium** provides schools and academies with an additional £500 for each year 7 pupil who did not achieve at least level 4 in reading and / or maths at the end of key stage 2.

**PE and sport premium** is available for primary schools and academies. The aim of the PE and sports grant is to improve physical education and sport in primary schools. The funding is based on the number of students in years 1 to 6:

- Schools and academies with 16 or fewer eligible students receive £500 per student.

Schools and academies with 17 or more eligible students receive £8,000 and an additional payment of £5 per student.

## Policies

### OAT policies

OAT provides a number of up-to-date template policies for academies to adopt, these can be found on our policy schedule on OATnet.

The governing body are only required to ratify 4 policies, these are;

- Teachers Pay
- Special Educational Needs
- Child Protection and Safeguarding
- Admissions

Further to this, OAT stipulate that there are an additional **eight** policies which the governing body must note;

- Sex and Relationship Education
- Allegations of abuse against staff
- Disclosure and Barring Service
- Anti-bullying
- Lockdown
- Visitors
- E-safety
- Personal Electronic Devices

The governing body should ensure that they use the OAT policy framework to track academy policies. The policy framework identifies who will review the policy, the frequency of review, who is responsible for its implementation and whether it can be amended. This framework should be managed by one person in your academy.

When undertaking governor visits, this is a good opportunity to see if the policies you have approved / are reviewing are reflecting practice within the academy and to speak to staff to ensure receive their feedback on the policies.



## Academy policies

The academy should add to the policy framework, any policies which are local to the academy, they should follow the same fields as the OAT policies, i.e. where the policy should be approved, how frequently, etc.

### *Suggested policy protocol*

- Where a policy is listed on the LGB as being sent to the LGB (whether to review, ratify or note), the policy must be sent as part of the meeting papers prior to the meeting – at least one week before a sub-committee meeting and at least two weeks before a governing body meeting.
- Where the policy is being reviewed by the LGB, governors need to read and consider their own experiences of the practice written in the policy – if the policy is not a reflection of your experience you should raise this and explain your concerns to allow for these to be answered or the policy to be changed accordingly.
- Policies will not be agreed unless they are a true reflection of the practice in the academy.
- Policies will then be agreed by the approval method appropriate to the type of policy it is (in line with the policy framework).
- Once a policy has been ratified the policy review schedule should be updated by your clerk to ensure the review cycle is activated and the policy uploaded to the governor portal and the academy website (where applicable).
- Approved policies should be communicated to all academy staff and they should be informed that it is their duty to familiarise themselves with the contents of the policies.

## Appendix I

### Ofsted Questions

These are some questions that have been asked of governors at recent Ofsted inspections.

Take the time to consider how you would answer these in respect of your academy and where you would find the evidence to support your answers.

1. Can you give an example of a question you could ask during interview to explore any safeguarding concern you may have about an applicant?
2. What did you find particularly helpful about your safer recruitment training?
3. Can you give examples of how you are ensuring the academy is promoting tolerance and respect for diversity?
4. How do your links with the community help you achieve good community cohesion?
5. How do you check that teachers read 'Keeping Children Safe' and your Child Protection policy?
6. What was your response to your most recent examination results?
7. What factors do you judge led to the academy's most recent examination results?
8. Can you give examples of how you have challenged and supported the Principal?
9. Who checks that appropriate risk assessments are made when residential visits are being planned?
10. What is the governing body's vision for this academy and ambition for the next five years?
11. What services do OAT provide for the academy?
12. What impact has the Principal had on the academy since their appointment?
13. How do you know that judgements made in the academy's self-evaluation are accurate?
14. Is there a designated governor to oversee the use and impact of pupil premium spending?
15. How do you know that the designated safeguarding officer and other staff have had the appropriate training?
16. What are the procedures to ensure that performance management of your Principal and of staff is rigorous, fair and drives improvement?
17. What do you know about the training provided for teachers to improve teaching and learning?

## Appendix 2

### Question and challenge

#### Planning and monitoring

- What's been happening in the last 12 months (including successes, improvement, challenges and difficulties)?
- What's planned for the next 12 months (including what would you like to achieve for your subject area)?
- What is working well? What is not working well?
- Is further training for teachers and support staff needed and is training planned?
- Are there special projects or events linked to subjects?
- What levels of attainment were achieved last year? What steps are taken to raise achievement?
- How are students progressing throughout their time at the academy? How many students are reaching age-related expectations and above at the end of the year compared with the starting point at the beginning?
- Are there any groups making particularly good / slow progress? What can be learned from these?
- How good are standards in relation to national data, previous results and other subjects?
- What pressures are teachers experiencing?
- How are teaching assistants used to support students?
- How does the academy encourage parents to help their children at home?
- What is the policy on homework?
- Does curriculum innovation fit into the academy's mission statement?
- How do we know all our students are successful learners?
- How do findings influence classroom practice?
- What percentage of teaching and learning is good or better? How can this be evidenced?
- What strategies do we have to improve the quality of teaching and learning particularly where it is not consistently good?
- What evidence is there in the academy that students work effectively with others?
- What evidence is there to show that students work is matched to their needs?
- Where can we evidence that student progress is the highest priority for teaching?
- Are we confident that students are well prepared for the next stage in their learning? How and where is this evidenced?
- Is the academy website compliant with legal requirements?
- How can we tell if a particular academy strategy is successful?

#### Standards

- What does tracking (data) tell us? How do our results compare locally and nationally?
- How are governors informed about students' progress? How do governors make themselves aware of the academy data?
- How well does student tracking support progress? How does this feed into the progress picture across the academy?
- What is the impact of any interventions that have been put in place? Where is the evidence of this?

#### Leadership and management

- What are the strengths and weaknesses of the academy and how are governors informed of them?
- What type of leadership do we have in our academy? Is it distributed or centered on a small number of staff?
- How do the managers manage? *Autocratic or democratic styles.*
- Has a member of the governing body 'shadowed' the principal to understand their typical working day?
- Is there a culture of achievement and high standards within the academy? Where and how is this shown? How does the academy show that achievements are recognised for **all** students?
- Is the principal supported by sufficient and effective administrative and clerical staff?
- Is the staff CPD programme linked to curriculum development priorities and ADP? And sufficient funding to carry out?
- Is the principal given opportunities for their own professional development? *Through courses, visits, secondments etc.*
- Has the governing body demonstrated support during difficult periods (i.e. recruitment, budget problems and falling rolls)? How has this been done? Can the impact of this be demonstrated?
- When did the governing body last express their appreciation to the principal?

#### Governing body

- What are the strengths and areas for development of the governing body?
- Can governors give examples of how they have supported and challenged the principal and academy?
- How are the training needs of governors identified and addressed?
- What training have governors undertaken and what has the impact of this training been?

#### Accountability

- How does the governing body assess the academy's performance and effectiveness?

- What targets are set by the ADP and how do governors contribute to the plan?
- How is the academy prospectus prepared?
- What is the academy's home-academy agreement?

### Finance

- Is there a projected surplus or deficit this year and the next two years?
- What are the plans to meet the deficit or use the surplus?
- How much of the total budget is spent on improving outcomes for LAC / SEN / G&T?
- What proportion of the total budget is spent on staffing costs? *It is recommended to be around 80%.*
- What changes have been made to the budget, and can the principal explain any significant changes?
- Does the planned budget match the priorities in the academy development plan?
- Are any changes to the staffing structure anticipated which would change the financial cost?
- If there is a projected shortfall in future years? What plans are in place to address this?
- Can the principal explain where the grant funding (pupil premium / year 7 catch up / PE and sport premium) is being spent and the impact it is having?

### Performance management

- How are governors involved in the principal's performance management?
- How is the principal's performance management reviewed throughout the year?
- What is the performance management structure within the academy?
- How many senior teachers are there?
- What are the levels of teaching are there in the academy and what actions are being taken to bring about improvements?

### Safeguarding

- What mechanisms are in place to ensure that governors are aware of how safeguarding issues are being dealt with?
- Are arrangements in place to ensure in the absence of the designated person staff know where to go to seek advice?
- Does the governing body monitor that the whole staff have received training as required?
- Do other organisations and bodies that use the academy premises have appropriate policies and procedures in place for safeguarding children including that any staff or volunteers have been appropriately vetted?
- Are individual governors clear on the difference between a complaint and an allegation and the different ways that these need to be handled?
- Is the chair of governors aware of their role and the procedures for dealing with allegations relating to the principal?
- Are the academy safeguarding responsibilities communicated to parents?
- Do parents understand the safeguarding agenda? What measures are taken ensure understanding?
- Do we have the appropriate policies in place? Are these kept in accessible place for all staff?
- Do we have a single central record for our own employees and volunteers? Where is it held? Who is responsible for it?
- When was the safeguarding / child protection policy reviewed? *This should be done annually.*
- When did the designated staff member last attend safeguarding training?
- Has the principal and at least one governor or director completed the safer recruitment training?
- Does the governing body know that the academy premises is safe and secure?

### Special education needs (SEN)

- Which member of staff is the special educational needs coordinator (SENCO)?
- How are SEN children spread across age groups / classes / sets?
- What is the response of students and their parents / carers to the SEN teaching programs in place?
- Is there clear accountability in the academy to ensure teaching of all children matches the Every Child Matters agenda?
- Is the SENCO involved in senior management decisions? *SEN budget, appointments of staff and involvement in the SEF*
- Does the SENCO have enough non-contact time to liaise with colleagues, governors, parents and external agencies?
- Does the SENCO have sufficient support and development opportunities?
- How is good practice disseminated?
- How do outcomes for students with SEN compare with other students within the academy?
- How much is spent on improving outcomes for students with SEN and does this provide value for money? How could this be improved? How effective is this?
- Is SEN an integral part of the academy development plan?
- What is the need for provision in the forthcoming academic year and how does this differ from the current year?
- What is the planned investment in CPD for all academy staff on SEN issues?
- Is there a named governor with responsibility for SEN?

### Looked After Children (LAC)

- Who knows which students in the academy are looked after? Who should know?
- What is done with information about LAC students?
- How is information recorded?
- How are LAC consulted about what they want other students and teachers to know about them and why they are in care?
- Who in the academy has an overview of their educational needs and progress?
- Who is responsible for liaising with Children's Services and ensuring that the academy has relevant information about the child's care history?
- How do the academy policies and ways of working ensure that LAC students will be given the same opportunities and encouragement as other students?
- What training do the academy staff and governors need to help them understand and meet the needs of children in care?
- Who will draw up an educational plan for LAC students when they enter the academy, and monitor progress?
- How does the academy communicate with foster families and residential children's units?
- Are LAC students supported to enable them to participate in out of academy / extra-curricular activities?
- Does every LAC student in our academy have a personal education plan (PEP)? *This should be completed within the statutory timescale and have clear, relevant targets.*
- What actions are being taken to improve outcomes for LAC students in our academy? What are the measurable effects of these actions?
- How many LAC students are there currently enrolled at the academy?
- How well do LAC students achieve in comparison with their peers as well as against local and national expectations (including attendance and exclusions data)?

### Attendance

- What is the agreed attendance target for the academy? How does this compare against the actual level of attendance?
- Does the academy have an attendance policy and when was it updated?
- Do we need a lead governor with responsibility for monitoring attendance?
- Does the governing body scrutinise half-termly attendance data at every meeting?
- What is the level of persistent absence? *Students with attendance of 80% and below*
- How many persistently absent (PA) students are there? Who are they (SEN, LAC, behavioural needs)?
- What strategies / interventions does the academy use to improve attendance?
- How is the impact of these interventions measured and how often are they reviewed?
- Are all staff aware of their responsibilities regarding attendance in the academy and is there a senior member of staff allocated to attendance?

### Exclusions

- What is the number of exclusions in this year – both fixed term and permanent?
- What is the trend compared with previous years? What are the reasons for this?
- What is the process for managing and monitoring the number of exclusions?
- What is the academy doing to reduce the number of exclusions?
- How does the academy's exclusions numbers compare to local and national averages?
- Have governors received exclusion training?

### Key stages

- What issues are in the academy's ADP that apply particularly to this key stage and what plans are there to address them?
- Do we have key stage leaders and / or a foundation stage coordinator?
- How are the key stages and / or foundation stage implemented?
- What progress is being made towards implementing plans and how will the impact be assessed?
- In what particular ways does the key stage contribute to achieving statutory and other targets?
- Do any changes need to be made?
- What resources have been allocated?
- How is student progress monitored and assessed and how well do students know their individual targets?
- What areas of staff development are currently being addressed through continuing professional development (CPD)?
- How are we communicating with and involving parents?

### Questions on subject reports from subject leaders

- What systems are in place to enable learning from the success of this course?
- How are teachers supported outside their own specialism?
- How do we know that xxxx is the best way of supporting teachers outside their specialism?
- How will this department decide on their main focus for improvement next year?

- How do we know that the criteria for decision making is robust?
- What does the subject department consider to be the main factor for the improvement in results this year?
- Could we learn more about the direct impact of our specialism on the motivation and achievements of students?
- Are there any examples of the impact of this subject on the rest of the curriculum?
- How do subject coordinators monitor pupils' learning?

### *Narrowing the gap*

- What has changed since the last inspection?
- Is the academy identifying its vulnerable groups and students? Who are they and which groups are most vulnerable?
- Is tracking of progress in place and how is this monitored?
- How does the progress of vulnerable groups compare to local and national statistics?
- What is being done to improve / accelerate progress made by the vulnerable groups and gifted and talented students?
- How does the academy evidence student progress? How is this evidence used to raise standards further?
- How does the academy work with parents and carers to help them to support their children's learning?
- Have governors undertaken training so they understand the data provided?

### *Pupil premium*

- Number of eligible FSM / LAC / service children students?
- Total pupil premium grant (PPG) for this academic year?
- How does student attainment for these students compare with others in the academy? If there are gaps, what are they?
- What measures have been put in place to use the PPG to narrow the gaps?
- Can the academy demonstrate the impact of using the PPG to raise attainment for FSM, LAC and service children?
- Was the PPG split from the main budget?
- Is the PPG being used effectively?
- What input have governors had in the use of the PPG?
- How do governors track how the PPG is allocated and the impact it's having on standards?

### *Equality & Diversity*

- How does the academy monitor equality and diversity?

### *Parental engagement*

- What strategies do we have in place to engage with parents (including those who may require reasonable adjustments)?
- Do we keep a record of how we engage with parents? How effective is our engagement and how can this be evidenced?
- Do parents attend events, celebrations or parents' evenings?
- How do we inform parents of their child's progress?
- Are there any issues within our local community that concern or affect our parents?
- How can parents access information regarding parental support?
- What impact do our strategies have for our parents and ideas about how to help their children's learning?
- What is the Parent View feedback?
- How does the governing body get feedback from parents and the students? How is this fed back to the academy?
- How are parental complaints dealt with?

### *Community cohesion*

- Do we have a framework policy or focus to guide our approaches to community cohesion ensuring equality?
- How do we provide opportunities for our students to meet and interact with people from different backgrounds? How is this communicated to students and parents?
- Do we have any links with different schools and communities?
- How do we interact with hard to reach groups?
- Are we aware of the languages spoken locally and how many of our parents do not have English as their first language? Do the appropriate teaching staff have access to this information and how do we communicate with these parents?
- How do we share our values with the wider community?
- What strategies do we have in place to support students from minority ethnic backgrounds / varying socio-economic backgrounds and abilities to help them achieve their full potential?
- How do we tackle discrimination? How can this be evidenced?
- What evidence is there in the academy that students value the efforts of others and respect differences?
- Are governors identifiable?

When considering a new initiative or evaluating a course of action, asking questions about the impact, benefit and effects of the change will enable you to promote discussion and ensure your decisions are effective.