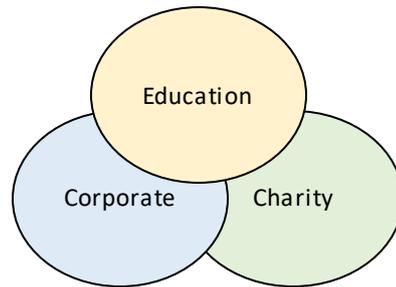# E-ACT Governance

An overview

E-ACT Governance: an overview

What is governance?

The purpose of governance is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for educational and financial performance[1].

Corporate governance is the system of rules, practices and processes by which a company is directed and controlled[2].

The corporate governance of E-ACT will be explained in this overview. As a charitable company limited by guarantee, E-ACT operates within three overlapping and broadly similar governance frameworks.

As an education provider, our primary regulator is the Department for Education (DfE). As an organisation, we follow the precepts in the ESFA Academies Financial Handbook and the DfE Governance Handbook. In that handbook, the DfE have set the six pillars of effective governance for an education provider and our framework is based on those principles:

1. Strategic Leadership
2. Accountability
3. People
4. Structures
5. Compliance
6. Evaluation

"Strategic Leadership": the trustees and executive leadership team

Sometimes called "the tone at the top" the trustees are responsible for three key functions:

1. Ensuring clarity of vision, ethos (culture) and strategic direction
2. Holding the executive to account for education performance and staff performance
3. Ensuring sound financial performance and ensuring money is well spent

The Executive Leadership Team (ELT), led by the CEO are responsible for collaborating on and implementing the first function, and providing assurance in relation to the other two.

The DfE require trusts to have trustees and members, and recommend that the latter are separate from trustees with distinct decision making powers separate to the strategic oversight. In E-ACT, all

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[1] Department of Education (DfE), Governance Handbook 2017
[2] Institute for Chartered Secretaries and Administrators (ICSA)

trustees are members. This agreed choice is to ensure greater benefit for our pupils by not separating out key decision making powers from the strategic trustee group. A check and balance is in place in the form of the vice-chair who holds the independent trustee role which can be approached by other trustees if there is a belief good governance is not being followed.

"Accountability": performance cycles

Each level of the framework has its own cycle of performance meetings which feeds into the layer above, ensuring scrutiny and accountability at each level.

The academic year is divided into six cycles and each cycle scrutinises the performance of the previous cycle i.e. 1A scrutinises 3B

- Autumn/Winter Term – 1A and 1B
- Winter/Spring Term – 2A and 2B
- Spring/Summer Term – 3A and 3B

The trustees, via ELT, delegate authority to REDs and RODs to hold their regional head teachers and business managers to account for educational and operational performance.

In turn, the REDs and RODs are held to account for their educational and operational performance by the Chief Executive Officer (CEO) and Executive Leadership Team.

The CEO and ELT are held to account for trust wide performance by the trustees at the end of each meeting cycle.
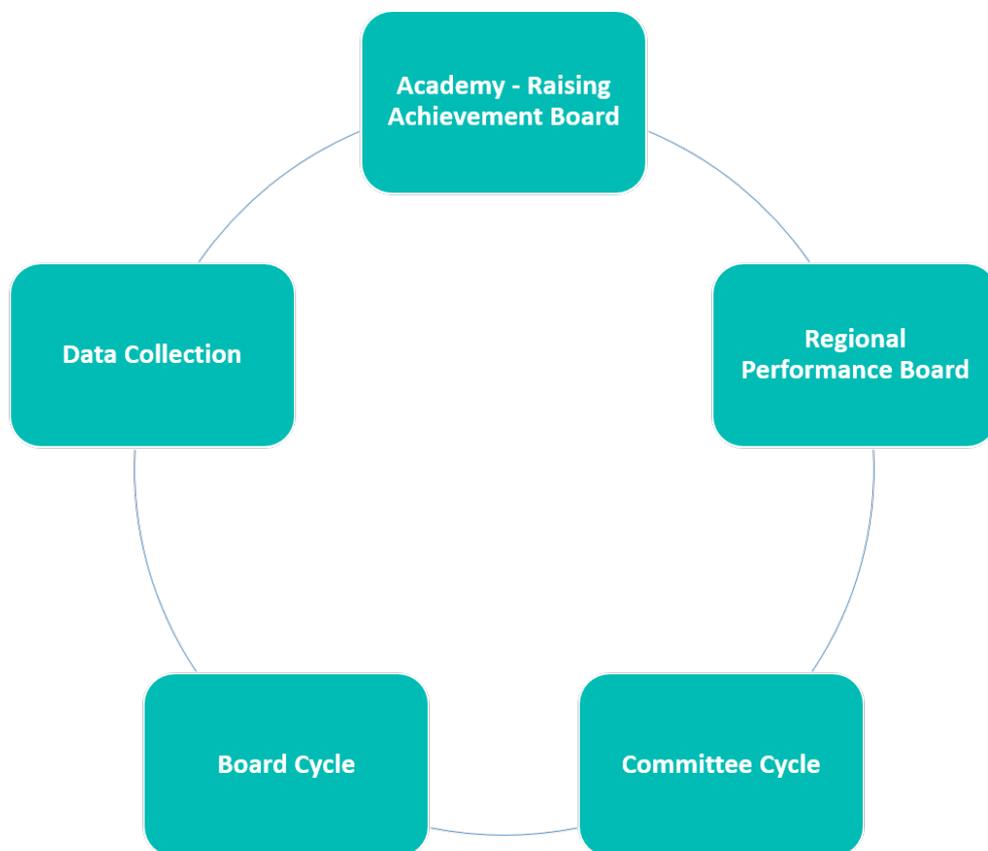
Data Collection

Performance data is collected monthly by the regional data leads and is uploaded onto the PowerBI dashboard. PowerBI is used for performance data analysis by the Head Teachers, REDs, RODs, ELT and Trustees and is an integral part of each meeting. More information can be found in the [monthly data collection guidance](#)

Raising Achievement Boards

These are held per academy in each half term and are the point when the regional leads hold the academy to account for their performance over the previous half term. Term 3A is a 'deep dive' into the overall performance of the academy.

The meetings are led by the RED and ROD for their respective sections and ensure that the academy is performing to expectations whilst providing scrutiny and support to the head teacher and the academy's senior leadership team. These meetings will also be attended by the relevant system leaders and a representative of the academy's Academy Ambassadorial Group (AAG).

The AAG representative will inform the RAB of the progress against objectives, and achievements of their AAG since the last meeting.

Regional Performance Boards

These are held per region in each half term. Term 3A is not formally held due to deep dives but subsumed into 3B reporting. These meetings look at the performance of the entire region and the CEO with the Executive team hold the regional directors to account for the performance over the previous half term. The outcomes of the RPBs feed directly into board and committee papers.

Board and committee cycle

There are five cycles of trustee meetings in an academic year which scrutinise all operational and educational performance and hold both the CEO and ELT to account for the performance of E-ACT over the previous cycle.

Each cycle has the following committee meetings: Audit and Risk, Finance, Education, People and Remuneration. These committees feed into the full board meeting held at the end of each cycle. The [Scheme of Delegation](#) details the delegated authorities to committees, the CEO, ELT, Regional Teams, Head Teachers and AAGs.

During the cycle, performance data from PowerBI is scrutinised, as well as regional reports and improvement plans for any academies rated less than "good" by Ofsted.

Academy Ambassadorial Groups

In addition to the meetings detailed above, each academy has an Academy Ambassadorial Group (AAG) which meets at least once a term and holds their academy to account from a community and pupil perspective. They function as one of E-ACTs internal control mechanisms, attend the academy RAB and have a direct line into the trustees. More information can be found in the [AAG Charter](#).

"People": key appointments

E-ACT's key resource is its people and care is taken through recruitment processes to ensure that those hired embody the values and ethos of E-ACT. Ensuring the culture of the organisation is correct is a large piece of work and is a constant focus for ELT and trustees. This is monitored via organisational questionnaires and HR reporting at each meeting cycle. In addition, there is a specific committee to focus on personnel and remuneration. Their work plan includes ensuring succession planning for key roles.

"Structure": E-ACTs Governance Framework

E-ACT operates across England in four main regions (London and Bucks, South West, North and Midlands/Daventry). As such, it operates a devolved governance structure with operational and educational decisions being made in and for the regions (see page 15).

Each region is its own entity BUT operates within, and is subject to, the national framework set by the trustees and executive leadership team (ELT). This framework is separate to but overlaps with the national educational framework.

The national framework focuses on the performance management monitored through the meeting cycles and ensures compliance with statutory responsibilities, as well as DfE, Ofsted and governance regulations. It provides greater transparency and accountability in the decision-making process.

The trustees and CEO monitor the efficacy and implementation of the governance framework and ensure that it is fit for purpose.
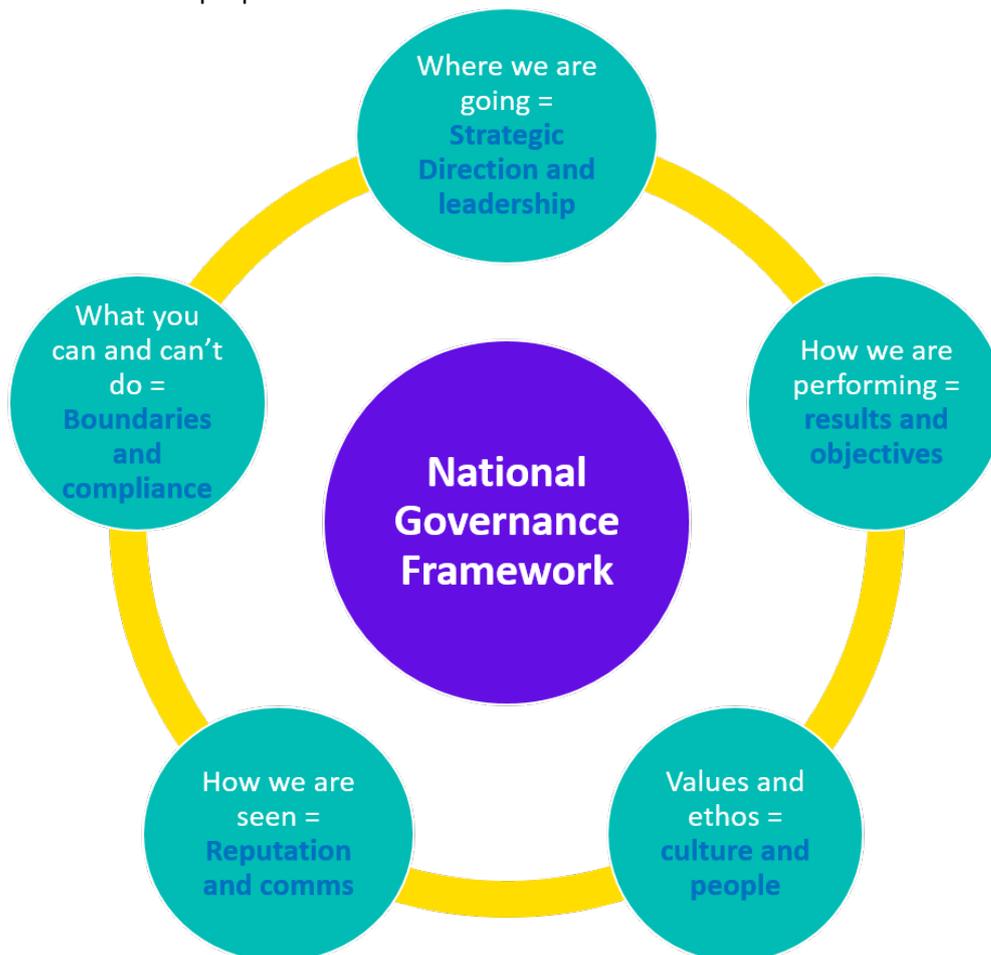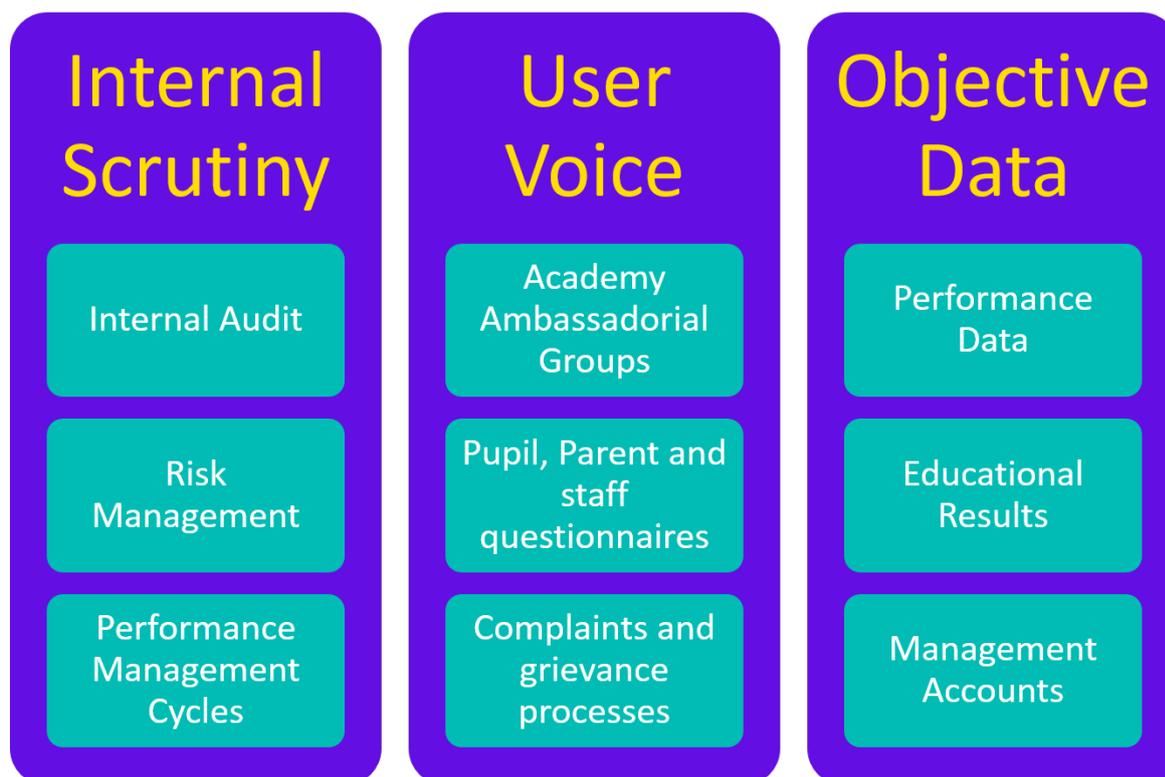
All authority in the trust is delegated from Trustees. The Scheme of Delegation clearly sets out the decision-making responsibilities at each level, from the trustees to head teachers.

The benefits of this framework are as follows:
- Clear lines of accountability for all levels
- Clarity over performance management
- Splits Education and Operations responsibilities so each function can focus on its strengths
- Ensures statutory and regulatory compliance
- Encourages local involvement
- Assurance for the trustees that:
  - ❖ Scrutiny and challenge are embedded at each level of the organisation
  - ❖ The employed experts can be held to account for their performance
  - ❖ The organisation is working towards its charitable objectives set out in the Articles

"Compliance": Systems of Internal Control

To ensure the governance model includes the appropriate checks and balances, the trustees implemented the following system of internal control (SIC):

Internal Scrutiny	User Voice	Objective Data
Internal Audit	Academy Ambassadorial Groups	Performance Data
Risk Management	Pupil, Parent and staff questionnaires	Educational Results
Performance Management Cycles	Complaints and grievance processes	Management Accounts

The SIC utilises internal scrutiny, user experience, and objective data sets to provide trustees and our regulator with assurance that both the framework, and the regional models are functioning effectively.

The SIC works in complement with the external control functions operated by Ofsted and our external auditors, KPMG.

Pages 8-14 detail specifically how we address our statutory and regulatory compliance.

Data Protection Compliance

The oversight of data compliance sits within the governance function. This remit includes advice and training for regions to address Freedom of Information (FOI) requests, Subject Access Requests (SAR) and General Data Protection Regulations (GDPR). The governance function is also responsible for central monitoring and reporting of FOI, SAR and breaches/near misses via the performance management cycle which in turn are reported annually to the Audit and Risk committee.

"Evaluation"

E-ACT operates a continual evaluation cycle which forms part of the performance management cycles. In addition, the personnel committee and Chair undertake the appraisals for the CEO and ELT.

Internal evaluation functions

E-ACT has an independent internal audit function which sets and conducts its audits on a three yearly cycle and operate as a critical friend to the business through their auditing. Lessons learnt from their findings are adopted into processes and guidance to improve the functions of E-ACT.

Our AAG groups provide academies and regions with an extra level of performance evaluation and they have a direct line to the trustees so common trends can be identified and improvements made nationally as necessary.

External evaluation functions

Each of our academies are subject to Ofsted inspections and grading; our educational framework is therefore designed to complement both Ofsted and DfE requirements.

In addition, E-ACT appoints external auditors annually to interrogate the accounts and our processes, prior to the publication of the annual accounts.

When appropriate, E-ACT will also appoint external specialists to evaluate and advise on specific functions; e.g. a full board evaluation was undertaken in 2017. Recommendations arising from these audits are discussed and incorporated into processes as agreed.

Regulation / Requirement	Regulator / Official body	Responsible Person(s) - Academy	Responsible Person(s) - Region	Responsible Person(s) - National	Compliance evidence required
Work effectively with leaders to communicate the vision, ethos and strategic direction of the school and develop a culture of ambition	Ofsted	Head Teacher, working with their staff	RED, working with the Head teacher	CEO, working with the REDs Board of Trustees, working with ELT	1. Organisational Strategy 2. Academy Improvement Plan 3. Stakeholder surveys and focus group feedback
Provide a balance of challenge and support to leaders, understanding the strengths and areas needing improvement at the school	Ofsted	Head Teacher performance managing their staff, ensuring appropriate challenge and support for teaching and learning	RED, holding the System Leaders and head teacher to account through a formalised cycle of RAB meetings	1. CEO holding the REDs to account through a formalised cycle of RPB meetings. 2. Trustees - holding CEO and ELT to account through Education committee meetings	1. RAB and RPB meeting records 2. Record of regional SL visits and actions 3. Academy self-evaluation 4. Trustees Education Committee papers and minutes 5. Record of regional SL visits and actions
Provide support for an effective headteacher, demonstrating an understanding of the issues facing the school	Ofsted	System Leaders working with the Head teacher to drill into the key issues of the school across all areas of T&L, SG, SEND, PP, data, attendance and behaviour.			
Understand how the school makes decisions about teachers' salary progression and performance	Ofsted	Head teachers performance manage their staff and ensure performance management is undertaken at each level.	RED, holding the Head teacher to account on individual teachers' salary progression and performance within each academy.	1. CEO holds the REDs to account on individual Head teacher's salary progression 2. Personnel committee scrutinises and challenges on pay for REDs, Head Teachers, and teachers 3. Personnel committee formally approves all pay progression for head teachers, regional teams and national teams	1. RAB minutes in relation to pay awards 2. Record of any teacher support plans in place 3. Personnel committee papers and minutes 4. Annual PM report to trustees

Regulation / Requirement	Regulator / Official body	Responsible Person(s) - Academy	Responsible Person(s) - Region	Responsible Person(s) - National	Compliance evidence required
Performance manage the head teacher rigorously	Ofsted	AAG members should comment on performance of Head teacher to RED	RED through performance management, and RAB processes	1. DCEO performance managing the REDs. 2. Personnel committee reviewing PM and approving targets 3. Personnel committee reviewing Chair of the board 's CEO appraisal and approving targets set	1. Record of annual Performance Managements for CEO, RED, Head Teacher
Understand the impact of teaching, learning and assessment on the progress of pupils currently in the school	Ofsted	Head Teacher via RAB and Data SL	RED, via RAB and RPB	CEO and trustees via trustee PowerBI dashboard and education committee	1. Record of findings from the Academy RABs, including peer reviews of teaching and learning 2. RAB and RPB dashboards 3. Trustee dashboard 4. Education Committee papers and minutes
Ensure that assessment information from leaders provides governors (Trustees) with sufficient and accurate information to ask probing questions about outcomes for pupils	Ofsted	1. Headteacher via RAB 2. System Leader via quality assurance	RED via regional and academy data	1. CEO via RPB process 2. Trustees via data dashboards and papers	Trustee and Committee dashboards
Ensure that the school's finances are properly managed.	Ofsted	1. Head teacher 2. Business Manager / Finance lead	ROD - academy and regional performance	1. CFO - regional and national performance 2. Trustees - Finance committee - oversight responsibility	1. Monthly management accounts 2. RAB minutes re finance 3. Finance committee minutes

Regulation / Requirement	Regulator / Official body	Responsible Person(s) - Academy	Responsible Person(s) - Region	Responsible Person(s) - National	Compliance evidence required
Ensure that the school is using the pupil premium and the primary PE and sport premium in a way that is having an impact on outcomes	Ofsted	Head teacher working with designated academy leads	ROD, working with the PP System Leader and head teacher	1. CEO holding the ROD to account for PP outcomes within region. 2. Trustees monitoring progress of the sub-group	1. RAB minutes 2. Record of Regional PP SL visits and actions 3. Record of PP and sport premium scrutiny from PP System Leader 4. Record of Impact on PP outcomes from Data System Leader 5. PP Strategy and Impact monitoring report 6. Trustee minutes - Education and Audit 7. Internal audit report
Inspectors will report on the achievement of disabled pupils and those who have special educational needs. This includes reporting on the pupils in any specialist resource provision managed by the governing body and the extent to which the education the school provides meets the needs of these pupils.	Ofsted	Head teacher working with designated academy leads and regional System Leaders	RED, working with the SEND System Leader to hold the head teacher to account on SEND support and impact.	1. DCEO holding the RED to account 2. Education committee - scrutinises progress of SEND pupils	1. RAB minutes 2. Record of regional SEND SL visits 3. Record of SENCO work with children 3. Education Committee papers and minutes

Regulation / Requirement	Regulator / Official body	Responsible Person(s) - Academy	Responsible Person(s) - Region	Responsible Person(s) - National	Compliance evidence required
Transparent and accountable, including in recruitment of staff, governance structures, attendance at meetings and contact with parents.	Ofsted	1. Head teacher 2. Business Manager 3. AAG	1. RED 2. ROD	1. ELT 2. Trustees	1. Record of Organisational and Governance Structure in place 2. Board and committee minutes 3. RAB and RPB minutes 4. AAG minutes 5. Records of staff recruitment across the trust 6. Record of parental engagement eg. programme and feedback
Duty to ensure adherence to the Equality Act 2010 (ensuring that no discrimination against the protected characteristics exists throughout E-ACT in relation to pay, conditions, opportunities, promotion, training or dismissals).	Statutory	1. Head teachers 2. Academy HR 3. Academy Business Managers	1. ROD 2. Regional HR Lead	1. Chief Operating Officer 2. Trustees - personnel and remuneration committee	E-ACT employment policies HR advisor reports to personnel committee Regional HR compliance reporting
Duty to deal with parental and pupil complaints in line with The Education (Independent School Standards) Regulations 2010	Statutory	Head teacher - Stage 1 and Stage 2 complaints AAG members - hold a complaint function and sit on PEX	RED - Stage 2 investigation if the complaint refers to a Head teacher and stage three as per policy	1. DCEO 2. Trustees - receive reports at Education committee 3. National Director to hear a panel if necessary	1.RAB minutes re complaints 2. AAG minutes re complaints 3. Complaints policy and procedure 4. RPB minutes re complaints 5. Half Termly report on the number of stage 2 complaints received per academy and the outcomes of these complaints

Regulation / Requirement	Regulator / Official body	Responsible Person(s) - Academy	Responsible Person(s) - Region	Responsible Person(s) - National	Compliance evidence required
Duty to ensure a broad and balanced curriculum up to the age of 16	Statutory	Head teacher - develops curriculum; RAB process	RED via RPB and RAB	1. CEO 2. DCEO 3. Trustees on education committee	1. Curriculum development strategy 2. Curriculum plans 3. Progress and attainment data 4. RAB and RPB minutes re curriculum discussions 5. Trustee minutes regarding curriculum discussions
Duty to adhere to the academy's admissions policy	Statutory	Head teacher	1. RED 2. AAG members (in appeal situations only)	1. CEO and trustees set the Trust's admissions policy 2. Trustees - education committee receive report on admission appeals	1. Trust-wide admissions policy 2. Termly report on number of admissions appeals
Duty to ensure that a SENCO is appointed to the academy to manage SEND needs and that these are being handled appropriately	Statutory	Head teacher to appoint the SENCO	1. RED 2. SEND System Leader	1. CEO 2. Education Committee - receive reports on SEND attainment and progress	1. SEND pupil progress and attainment within each academy and region 2. SEND policy 3. Head teachers annual report to parent on SEND provision 4. SEND policy
Duty to ensure that the Head teacher is held to account for the lawful use of exclusions.	Statutory	1. Head teacher has right of exclusion 2. Two AAG members sit on exclusion panel	RED - chairs disciplinary committee	1. CEO 2. Education Committee - receive reports on exclusions 3. Governance team will source Independent Review Panel where requested	1. No. of FTEs and sub-group profile 2. No. of PEX's and sub-group profile 3. Exclusions policy
Duty to ensure that all safeguarding policies and procedures are in place, including ensuring that Safer	Statutory	1. Head teacher - appoint a DSL and SPOC and ensure appropriate training is undertaken.	RED	1. CEO 2. Edu committee receive half termly reports on safeguarding	1. Safeguarding policy 2. Education committee papers

Regulation / Requirement	Regulator / Official body	Responsible Person(s) - Academy	Responsible Person(s) - Region	Responsible Person(s) - National	Compliance evidence required
Recruitment procedures are applied		2. Safeguarding System Leader			
Duty to ensure adherence to Employment Law, including compliance with procedures for the regulation of conduct and discipline of staff.	Statutory	Head teacher - acting in line with Scheme of Delegation and appropriate policies	1. RED 2. ROD	1. CEO 2. Trustees - Education committee receive grievance and appeals info	1. Scheme of Delegation 2. No. and outcome of staff grievances, disciplinary, and staffing profile. 3. Disciplinary Policy 4. Grievance Policy 5. Committee minutes
Duty to ensure that academy websites are up-to-date and compliant with regulation	Statutory	1. Business Manager 2. AAG can assist	ROD	1. Trust-wide communications Manager 2. Director of Corporate Services 3. Chief Operating Officer	1. RAB process
Compliance with equality and public sector equality duties	Statutory	1. Headteacher	1. ROD 2. RED	1. ELT 2. Trustees	1. RAB papers 2. Board papers
Compliance with the EY Statutory Framework	DfE	1. Headteacher	RED	1. Director of Education 2. CEO 3. Trustees – Education Committee	1. RPB process 2. Annual curriculum review
Setting the Strategic Direction of the Organisation	DfE	1. Head teacher to implement national direction 2. Business managers	1. RED 2. ROD	1. CEO and CFO 2. ELT 3. Trustees - setting the strategy	1. Annual report 2. Board minutes 3. Trust-wide strategies and plans e.g. pupil plan, curriculum plan

Regulation / Requirement	Regulator / Official body	Responsible Person(s) - Academy	Responsible Person(s) - Region	Responsible Person(s) - National	Compliance evidence required
Holding the Head Teacher to account	DfE	AAG members	1. RED - holding head teacher and system leaders to account 2. ROD - holding business managers to account	1. CEO - line management of ELT 2. COO - line management of ROD 3. Deputy CEO and Director of Education, line management of REDs 4. Personnel committee 5. Chair of the Board for line managing CEO	Record of annual Performance Management, target and objectives for: CEO, Deputy CEO, REDs, RODs and Head Teachers
Overseeing the financial performance of the organisation	DfE	1. Business Manager 2. System leaders for operations	ROD	1. CEO 2. CFO 3. COO 4. Trustees - audit and risk and finance	1. Monthly Budget Monitoring within regions 2. Quarterly compliance records of financial processes across the regions 3. Quarterly value for money report statements across the regions 4. Audit and Risk minutes 5. Finance minutes 6. Letter from external auditors KPMG.