

# Hope Valley College

## External Review of Governance

Mark Coppel





### National Governance Association

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

T: 0121 237 3780 | E: [governorhq@nga.org.uk](mailto:governorhq@nga.org.uk) | [www.nga.org.uk](http://www.nga.org.uk)



<b>Consultant</b>	Mark Coppel
<b>School / Academy</b>	Hope Valley College
<b>Key Contact and Email</b>	Steve Dawson <a href="mailto:stevedaw64@hotmail.com">stevedaw64@hotmail.com</a>
<b>Chair of GB / Trust</b>	Steve Dawson
<b>Head</b>	David Willis
<b>Ofsted Status and Date</b>	Inadequate January 2018
<b>Local Authority / Trust</b>	SAT
<b>Membership Details</b>	
<b>Reason for commissioning the review</b>	
<p>This is an Ofsted required review following an inspection classifying the school as “inadequate.” The Ofsted report said the trustees “do not have a detailed enough understanding of the progress pupils make” and goes on to say that the board “does not routinely challenge leadership on pupils’ progress.” The report also states that the “governors have not managed the school’s finances effectively” and that “relationships among senior leaders have broken down.”</p>	
<b>Background information</b>	
<p>Hope Valley College is a smaller than average secondary and post-16 school of around 560 pupils and is a single academy trust. It converted early, in 2011. The current principal has been in post since September 2015.</p> <p>The school was given “inadequate” for leadership and management, whilst all other areas were categorised as “requires improvement” except the post-16 provision which is “good.” There are particular issues identified by Ofsted in leadership and management around working practices, roles and responsibilities and relationships.</p> <p>Whilst attainment overall is above national average the inspection said that there was a declining trend in pupil progress over a number of years in a range of subjects, with modern foreign languages and some sciences being specifically mentioned. There was also criticism of the progress of disadvantaged pupils and SEND pupils. The college has a lower than average number of pupils receiving the premium pupil grant.</p> <p>There is a considerable in year deficit in the budget this year which is eroding the school’s reserves. They have already conducted a restructure of non-teaching and support staff and are currently conducting a restructure of the teaching and leadership team.</p> <p>The school has recently commissioned an Ofsted required review of Pupil Premium.</p> <p>The trustees are in talks with a multi academy trust with a view to joining. . These talks were already underway about six months prior to the Ofsted inspection.</p> <p>The principal is currently on sick leave and advised the reviewer that based on his doctor’s advice, he was</p>	



able to participate in the online board appraisal and telephone interviews.

The school is currently being led and managed by the deputy principal.

### The governance framework

1. The college was an early convertor to academy status and retains the original articles of association which refer to trustees as governors but for clarity, throughout this report they will be referred to as “trustees.”
2. The governance structure is not clear with some trustees being members and there being little if any separation of powers.
3. There are 17 trustees and one vacancy. Six of these trustees, including the chair of trustees and the principal are members of the trust. There are no independent members.
4. Until very recently there was someone referred to as “Chair of the Trustees” who chaired the annual general meeting of the members. At this time there was a separate chair of the board. This position has, since the commissioning of this report, been clarified with the appointment of a single chair of trustees.
5. The trustees are made up of:
  - a. Seven community trustees
  - b. Five parent trustees
  - c. Two co-opted trustees
  - d. Three staff trustees
  - e. The principal
6. There are three committees – Finance and Personnel (including premises), Teaching and Learning and Strategic. Each committee has its own chair.
7. The chair of trustees has held that position for approximately a year. They have hired a professional clerk from outside of the school since June 2017.

### The external review process

The scope of this review was determined with the principal and chair of trustees and in conjunction with the NGA. It was agreed that the following methodology would be adopted to assess the effectiveness of the school’s governance arrangements:

#### 1. To determine the clarity of roles, responsibilities and accountability

##### Document Review

Review articles of association and scheme of delegation / terms of reference

Review agendas and minutes of meetings including meeting papers and supporting data

#### 2. To determine effectiveness and efficiency

##### Self review

Online Evalu8 survey of members, trustees and senior leadership.

Phone interviews were conducted with the chair, and the school Principal.

#### 3. To determine responsiveness

##### Facilitated discussion

Presentation of initial findings for discussion and debate attended by 12 trustees (four of whom are members); none of the senior leadership team attended. The session also covered best practice and agreeing next steps.

#### 4. This written report

Report details findings, recommendations and actions.



## Key message

The trust board of Hope Valley College, operating as a single academy trust since 2011, has not kept up with best practice guidelines, and does not have the separation of powers, or required knowledge, skills and behaviours which strengthen the checks and balances required to ensure that the trust delivers its charitable object. The board has not been carrying out its three core functions as follows:

1. The school's vision and strategy is not clear and whilst individual trustees do understand the strategic role they have not acted strategically enough in ensuring that key priorities have been identified with agreed monitoring plans, and follow on action if necessary.
2. The executive team has not been held to account. There is no quality challenge and monitoring of outcomes from interventions.
3. Governance is currently tackling the financial issues; they have reduced the in-year deficit and are conducting a review and restructure of the leadership team to make further savings. However, whilst the board has finance experience they specifically lack accountancy expertise.

Matters have escalated with a breakdown of relationships and are not helped by an overly large board which is not responsive enough. An interim structure needs to be agreed, and rapid development of specific skills particularly in questioning, data analysis and the monitoring of school improvement. These considerable challenges mean that effective governance of the organisation is an ongoing and significant risk.

## Findings

The primary focus of this review arises from the December 2017 Ofsted inspection report, that is whether governance has the capacity to effect change for the school following its Ofsted judgement of "inadequate".

Findings are based on the review activities and are reported against the three core functions for governing boards, and NGA's eight elements of effective governance.

The facilitated self-review session was moderately well attended (12), but unfortunately none of the leadership team attended.

### The three core functions

#### 1. Ensuring clarity of vision, ethos and strategic direction

The online board appraisal based on the APPG 20 questions, reinforced the areas found in the review that need development. Overall 20 out of 23 (87%) trustees and leadership responded. In the RAG rating of the questions 36.2% of all responses were red (disagree or strongly disagree), but what was most striking overall was the range and disparity between the responses across most areas. There was consensus on having the right skills (generally agreed) and the impact of the governing body (it was agreed they had not made impact). There was also notable agreement that they have an effective clerk. In all other areas, there was a massive spread of disagreement on the effectiveness of the areas questioned. This would indicate a board that does not have consensus amongst themselves, possibly indicative of not having a common and clear vision for the college.

#### 2. Holding the executive to account

There has not been a relentless focus on school improvement and specifically on the issues raised by the data as to the interventions put in place and the monitoring and evaluation of the outcomes of that



intervention. There is evidence in the documents that the meetings are more of a reporting process for the leadership, to the board. There is little evidence that trustees and committee members are prepared in advance of meetings to provide quality challenge based on the information provided before the meetings, particularly on data reports. The trustees on the performance management committee have had performance management training and have guidance from the school improvement partner, but it is not clear how effectively this is being carried out.

### **3. Financial oversight**

The school's finances are not sustainable, with a significant in year deficit. The trustees have been addressing this with a restructure of the non-teaching staff and the current review of the teaching and leadership staff. They have appointed a new chief finance officer and have complete confidence in the CFO's abilities. However, they lack the accountancy expertise within the board to be confident in their decisions. They have started the process to recruit a board member with the appropriate skills.

## **NGA's eight elements of effective governance**

### **1. The right people**

- a. Several of the trustees have been in role for over eight years.
- b. For the size and complexity of the organisation, there are too many trustees. This is preventing the board from being responsive.
- c. A skills audit has been conducted in the last 12 months and it has been used to recruit specific trustees.
- d. Those that attended the self-review session were accepting of the areas in which they need to improve their practice and seem to be eager to improve. There was an impression that some of those trustees that did not attend were the ones who were less able to commit to the role.

### **2. Understanding the role and responsibilities**

- a. The articles of association are extremely out of date and have not been up dated since the inception of the academy.
- b. There are not clear lines of accountability, with the members of the trust also being trustees, including the principal.
- c. The terms of reference for the committees are clear and have been reviewed recently. There are chairs for each committee. It is unclear from the minutes how long the meetings are. It is also not clear who is attending meetings and in what role as everyone is referred to with initials only.
- d. Everyone who attended the workshop had had an induction process for new trustees. They have an induction pack, but it is out of date. There is a named training trustee, but they have not had the necessary history of training, specifically on holding the leadership to account, and data.
- e. Whilst there is some evidence that there is an understanding of the roles and responsibilities, and it is clear that on the whole there is an understanding of the need to be strategic, not operational, there is also evidence that they have not been strategic enough and have not held the leadership to account strongly enough in specific areas.
- f. Some of the school policies are out of date and would not appear to be in line with statutory guidance.
- g. There was evidence that some trustees had, in the past, had personal conflicts of interest and/or loyalty, and that this had led to certain actions that were not appropriate. However,



there is also some evidence (although not unanimous) that the chair has taken action to deal with this, for example in the case of a parent trustee who was struggling to distinguish between being a parent and being a trustee.

### 3. Professional clerking

- a. The clerk is from outside of the school and has experience clerking for other organisations. He is organised and has implemented a number of changes that are of benefit to the board since his arrival in the summer of 2017.
- b. There are clear actions from meetings and those actions are tracked efficiently.

### 4. Good chairing

- a. The chair has recently completed the chair's development programme.

### 5. Good relationships

- a. The issue of relationships is reflected in contradictory evidence on the matter of how trustees have dealt with some of the issues arising from tensions within the school. For example, it seems that the trustees may have at times, conducted meetings where the purpose of the meeting and who should attend was either not as clear as it could have been, or was misunderstood. As it is not clear which is the case, this indicates that there is an ongoing issue with trust.
- b. There was some evidence that there is a difference of opinions on some issues between the board, as evidenced by the broad spread of results in the online board appraisal, and by some tensions at the workshop.
- c. The relationship between the board and the principal has completely broken down since the Ofsted inspection.

### 6. Knowing the organisation

- a. There was evidence that the board do not all fully understand the concept of different "cohorts" within the school and do not know how different groups of pupils are performing. However there are now linked trustees to the key improvement areas such as teaching and learning, pupil premium and SEND.

### 7. Question and challenge

- a. The document review found that there has been no evidence of quality challenge to leadership. This is also evidenced in the recent Ofsted report. There is an acceptance from the trustees of this issue, but the chair stated there has been challenge but it has not been captured in the minutes.

### 8. Courageous conversations

- a. The breakdown in relationships is reflected in contradictory evidence with some trustees saying that they have been supporting the principal to have courageous conversations and tackle some of the HR issues within the school; however this view is not shared by all.



## Summary recommendations

### 1. The governance structure

Whilst the articles of association need to be updated, with the intention of joining a MAT being imminent, there is little point in amending them at this time so the changes in governance structure being recommended are those that can be achieved within the current structure.

In the immediate short term the trustees should constitute a smaller, more responsive and expert group, separate from those trustees who are also members, which can make quick decisions and focus on the areas of school improvement which have been identified. If necessary additional training should be sought, based on the skills audit and needs identified in the school improvement plan. In addition, the minutes need to capture and highlight all challenge from the trustees. They need to clarify who is attending meetings and in what capacity and to record the time meetings finish. Those trustees whom have served more than two terms (eight years) should step down in accordance with best practice.

The board needs to make sure that all policies are up to date and that all website publication requirements are complied with as well as the requisite information about members and trustees is updated on the website.

### 2. Vision, ethos and strategic direction

The board's lack of a clear vision and strategic direction will be superseded by that of the MAT it joins; however, the board should have clear short term goals (including the plan for joining a MAT) and should be clear about the college's ethos and values so that the right MAT is selected. This process has already started. These aims must link to the school improvement plan, driving the reporting framework to the board and scaffolding its other work such as monitoring and evaluation progress towards achieving the plan. In addition the board must continue to work to address the issue of relationships both between it and the school's leadership, and within the school's leadership team.

### 3. Holding to account

The trustees need to raise their level of scrutiny of information given to them by the leadership. They need to be asking quality questions and asking for evidence and external validation of information, particularly the outcomes from interventions put in place to address school improvement priorities. They need to spend less time in meetings being reported to, and more time bringing their challenging questions to meetings. They need a better understanding, through training, of school data so that they know the different data sets and can interrogate them and the leadership, especially around different cohorts of students.

### 4. Financial Oversight

They need to complete the recruitment of a trustee from an accountancy background – even if only for the short term.



Detailed actions to be undertaken		
Action	Responsible Person	Completed by
<b>1. The governance framework</b>		
a. Constitute a small, responsive, expert group which can meet regularly and maintain robust oversight of the school's improvement plan	Trust board	Immediately
b. Select members from the existing board who do not stay on as trustees	Members	Immediately
c. Those trustees having served more than two terms should step down from the role	Chair	Immediately
d. Make sure all policies are up to date and that website is compliant with publication requirements along with other trustees' and members' information	Chair/Clerk	Immediately
e. Agree a role description for trustees which makes clear what the role and responsibilities are; specifically where the line is between being strategic and being operational. See <a href="#">NGA model role description for trustees</a>	Chair	Immediately
f. Ensure all trustees and SLT are issued with and are familiar with the <a href="#">What to expect</a> document	Chair	Immediately
g. Chair to review the performance of the trustees See <a href="#">Reviewing members contributions</a>	Chair	July 2018
h. Tighten up minutes by capturing and highlighting challenge, setting out who is at meetings and in what capacity and when meetings finish	Clerk	Immediately
<b>2. Vision, ethos and strategic direction</b>		
a. Ensure that there is quality professional advice for dealing with the current HR issues, and that there is adequate support for the interim leadership of the school	Chair	Immediately
b. Create an action plan with clear short term goals for the board, recognising the post Ofsted School Improvement Plan and providing information as to how the trustees will support, monitor and challenge leadership to achieve these objectives	Chair	Immediately
c. Review and revise the school's ethos and vision ensuring that these are clear and enable trustees to fully engage in securing the right MAT for the school to join	Chair	Summer term
<b>3. Holding to account</b>		
a. Review appraisal and performance management policy, and staff discipline / capability policies ensuring that they are robust and communicated appropriately to all staff	Chair to lead	Immediately
b. Review school improvement advisor role and consider if a change is needed – a new approach could be helpful and the board must ensure that robust targets are set and that progress is closely monitored	Chair	Immediately



c. Renew focus of agendas on School Improvement in board meetings	Chair/Clerk	Immediately
d. Design a series of visits into school to monitor the progress of school improvement priorities; see NGA <a href="#">Guidance on school visits</a>	Chair	Immediately
e. With the help of the skills audit and with the school improvement plan in mind, plan a schedule for training for trustees including data and holding the executive to account; see NGA <a href="#">Governance training</a>	Chair/Clerk	Immediately
<b>4. Financial Oversight</b>		
a. Complete the recruitment of a trustee with a accountancy background and appropriate skills; see <a href="#">Inspiring governance</a>	Chair	Immediately

**Ongoing support**

Once this review is finalised the school will have **free access to the NGA advice lines for three months**. The membership team, [membership@nga.org.uk](mailto:membership@nga.org.uk), will be in touch with you shortly to arrange this.

NGA is able to provide training for schools and academies. There are sessions for new governors and trustees, for chairs, for clerks, and for the governing board. Details can be found on the [NGA website](#) or contact [trainingadmin@nga.org.uk](mailto:trainingadmin@nga.org.uk) for more details.

For further consultancy support, including external advisors for headteacher performance management, contact [consultancy@nga.org.uk](mailto:consultancy@nga.org.uk)

**Acknowledgments**

The review would like to give particular thanks to the clerk to the board, Dave Veryard, for his assistance in collecting all the documentation for this review.

<b>NGA sign off</b>	26 <sup>th</sup> March 2018
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