



Academy of Concern and  
Sponsored Academy Intervention Policy

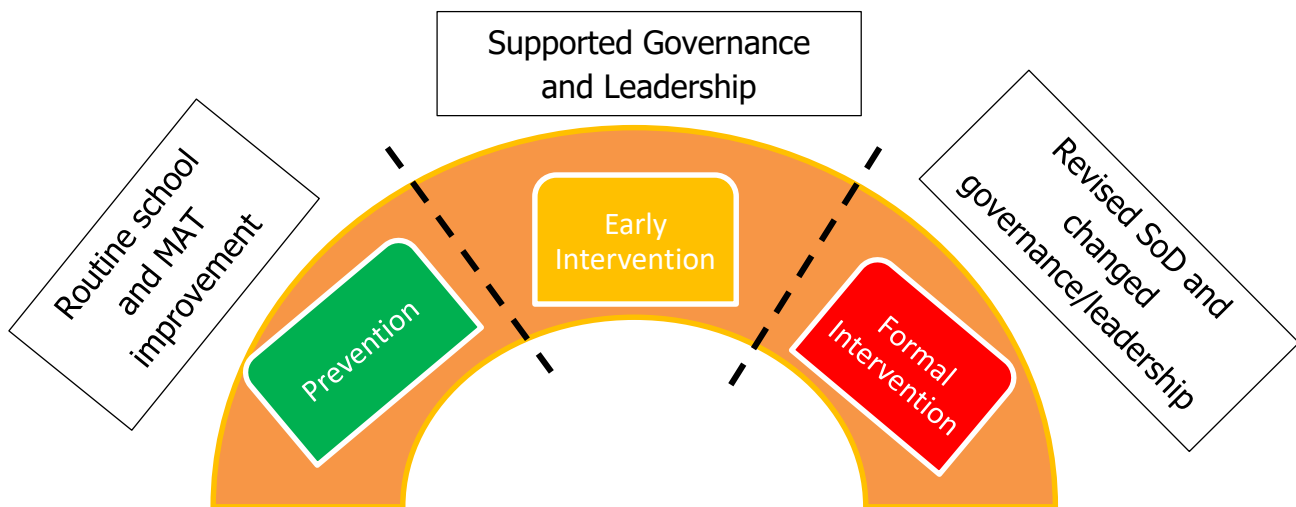
<b>Date Published</b>	<b>1<sup>st</sup> October 2016</b>
<b>Version</b>	<b>1</b>
<b>Last Date Approved</b>	<b>25<sup>th</sup> October 2017</b>
<b>Review Cycle</b>	<b>2 Years</b>
<b>Review Date</b>	<b>October 2019</b>

“Learning together; to be the best we can be”

# 1. Context

- 1.1. Nexus Multi Academy Trust has an ethos of empowerment across all its schools, with the Scheme of Delegation providing the legal framework for the distribution of power and responsibility to Headteachers and Local Governing Bodies on behalf of the Chief Executive Officer and the Trust Board.
- 1.2. Whilst it is our aspiration for all schools/settings to be judged as at least "Good" by Ofsted, the Trust Board recognises that for a variety of reasons some schools will require specific support and intervention to turn around weakened performance regardless of the their last inspection grade.
- 1.3. As a recognised "sponsor" Trust, Nexus is also required to take on failing schools and incorporate them into the Trust's structures to facilitate rapid and sustainable improvement.
- 1.4. This policy document outlines how the Trust Board will exercise its statutory duties to ensure all children are receiving the best education possible and how the Chief Executive Officer will ensure that each school he is responsible for is being effectively managed to demonstrate probity, regularity and value for money at all times, as per the legal duties on the Chief Executive Officer as outlined in the Academies Financial Handbook.
- 1.5. The Trust has a model of intervention which acknowledges the essential work undertaken by school communities every single day to deliver world class education. The Nexus approach is therefore on a continuum spanning prevention, early intervention and more formal intervention:

## 1.6. Nexus MAT Intervention Model



## 2. Prevention of concerns arising

- 2.1. Nexus Multi Academy Trust has developed a MAT Improvement Strategy, one element of which is a performance dashboard that outlines the key performance indicators for our schools and settings.
- 2.2. Flowing from this strategy is a programme of school improvement activity linked to the School Improvement Plan of each academy and the wider MAT Improvement Plan, the intention of which is ensure that individual schools (and Trust as a whole) are in a perpetual state of improvement, building on existing strengths.
- 2.3. The Trust makes the commitment to invest as much resource as possible to enable rapid school improvement that is outward looking in its design linked to other "Good" and "Outstanding" settings across the country and beyond.
- 2.4. The Trust Board has a Standards Committee which scrutinises school improvement planning and evaluates the impact. Local Governing Bodies also have delegated powers and responsibilities to ensure that this is routinely challenged at a local level.

## 3. Early intervention in response to concerns about a Nexus School

- 3.1. The Nexus Head of School Improvement will advise the Chief Executive Officer; Trust Board of Directors; and Local Governing Bodies on the capacity of each school's senior leadership team to respond to areas of improvement as per the school's self-evaluation form, in conjunction with the school Headteacher. As part of this work, an annual programme of external review is commissioned to augment the objectivity of leadership capacity and provide additional assurance to the executive and governors.
- 3.2. Where (a) performance indicator(s) is/are in decline **OR** where the Headteacher, Local Governing Body, Chief Executive Officer, Trust Board or Head of School Improvement feel that concerns are presenting which require intervention: a programme of action will be formulated by the Headteacher and Head of School Improvement which will be monitored by the Local Governing Body and the Trust Board (typically via the standards committee). The Chief Executive Officer will also have managerial oversight.
- 3.3. This level of intervention is classed as "early intervention", and would not typically necessitate a revision to the delegated powers of the Headteacher or the Local Governing Body as per the Scheme of Delegation. It is intended that SMART action planning in response to the weakened indicator(s) will provide the necessary grip of issues and increase transparency to all for how problems are being addressed, with Local Governing Bodies being supported by the Trust executive to drive improvements swiftly and effectively.
- 3.4. However, as part of early intervention it is the prerogative of the Chief Executive Officer to assign additional resources and/or structures to be put in place to increase the chances of a rapid response being successful. This could include additional oversight of the Headteacher and/or the Local Governing Body or the appointment of additional officers and/or members of the Governing Body to increase capacity and expertise.
- 3.5. Any changes to the established model of leadership and governance will be for the duration of the action plan, with the measures taken reviewed once the school is in a position to evidence sustained improvement. It may be that structural changes made during this early intervention stage are retained, if

the Chief Executive Officer and/or the Local Governing Body feel this has long-term added value.

## 4. Formal intervention in response to concerns about a Nexus School and sponsorship of other schools

- 4.1. If it is not possible to respond to concerns about a school through the “early intervention” model, then formal intervention will take place.
- 4.2. Formal intervention will not be used unless absolutely necessary, though can be triggered at the recommendation of the Chief Executive Officer with agreement from the Trust Board. Any decision to formally intervene in a school must be formally minuted and communicated with the Local Governing Body and school leadership as soon as is reasonably possible.
- 4.3. Local Authority maintained schools in special measures/categories of concern and other failing academies may be sponsored by Nexus as part of the Department for Education’s strategy for responding to “inadequate” schools. Sponsorship is agreed by the Office of the Regional Schools Commissioner.
- 4.4. Formal intervention may necessitate a change being made to the school leadership, such as the removal of individuals and/or the appointment of a consultant or executive Headteacher or other senior leader. Formal intervention may therefore run parallel to use of the Trust’s appraisal and capability or disciplinary policies, or another HR process being led by a Local Authority or the an academies previous governing board/body.
- 4.5. Informed by due diligence and an individualised assessment of the school context, the Chief Executive Officer will recommend the correct governance structure to the Trust Board to ensure there is optimal confidence in effective local oversight and scrutiny.
- 4.6. **In all cases, formal intervention will require the suspension of the Scheme of Delegation between the Trust Board and the Local Governing Body, with a revised scheme of delegation specifically applicable to that school agreed by the Trust Board following the advice of the Chief Executive Officer. This revised Scheme of Delegation between the Trust and the school will be shaped by the**

**circumstances necessitating intervention with the intention of mitigating present and potential risks.** For sponsored schools, this will mean that they be incorporated into Nexus MAT with a personalised scheme of delegation.

- 4.7. The standard Nexus Terms of Reference for the Local Governing Body will also be suspended/not applicable. The replacement body (including if an LGB is retained in an advisory role) will be issued with its own Terms of Reference agreed by the Trust Board.
- 4.8. There are 3 means of intervention used by Nexus MAT with a Local Governing Body:
- 4.8.1. **Enhanced capacity:** Additional governors are appointed by the Chief Executive Officer to increase capacity and expertise, with some powers retained but not all. This approach may be applied to an existing school within Nexus MAT or one in the process of being incorporated into the Trust;
  - 4.8.2. **Transition Board:** Where An Trust Board appointing a "Transition Board" (appendix A) to oversee improvements. This model would only be applicable to a school in the process of being sponsored by Nexus and incorporated into the Trust;
  - 4.8.3. **Intervention Board:** The Local Governing Body is removed with the Trust appointing an "Intervention Board" (appendix B). This approach may be applied to an existing school within Nexus MAT or one in the process of being incorporated into the Trust;
- 4.9. Where the Local Governing Body is removed, this may result in the suspension or removal of any or all governors with immediate effect, with re-elections required once a Local Governing Body is re-installed.
- 4.10. The Trust may agree to maintain a Local Governing Body (with or without the same membership) in an advisory capacity. This will be agreed at the discretion of the Trust Board following the advice of the Chief Executive Officer.
- 4.11. Any Board convened to replace a Local Governing Body will be for a period of time as agreed by the Trust Board. This will be subject to regular review and may be revised at any point, at the discretion of the Trust Board.

Terms of reference will be published for any replacement Board and/or advisory group and published on the school website.

- 4.12. Extraordinary changes to the established model of leadership and governance will be for the duration of the intervention period, with the measures taken then reviewed once the school is in a position to evidence sustained improvement. A return to a Local Governing Body model and use of the Trust-wide Scheme of Delegation must be agreed by the Trust Board.

## **TERMS OF REFERENCE FOR A TRANSITION BOARD (“the Transition Board”)**

**[NAME OF ACADEMY] (the “Academy”)**

**EFFECTIVE DATE [ ] REVIEW DATE [ ]**

### **PURPOSE**

The Transition Board’s primary role is to support the transition of the School from a maintained school to becoming an academy within Nexus MAT and to facilitate the establishment of a Local Governing Body to whom delegated responsibility can be given. The Transition Board will have been established by Nexus and may have been appointed before the School formally joined Nexus in order to support the conversion of the School to become an academy. The Transition Board shall meet at least twice a term, more if necessary.

The Transition Board will ensure that the Strategic Plan for the Academy is being implemented and will advise on the development and review of the Plan.

The Transition Board’s primary focus is achieving continuing school improvement and, if appropriate, the rapid turnaround of the Academy. The Transition Board will report to the Nexus MAT Board and to the Nexus MAT Chief Executive Officer on progress, recommending further action as necessary. The Transition Board is accountable to the Nexus Multi Academy Trust Board for the progress of the Academy.

### **MEMBERSHIP**

Members of the Transition Board are appointed by Nexus MAT, who will ensure the members have both the capacity and skills to work intensively with the Academy senior leadership team, providing support and challenge to the Academy’s staff and building on existing links with the community.

Board members must be able to demonstrate an understanding of the ethos and values of Nexus and a commitment to fulfilling Nexus’s mission and objectives for the Academy, drawing on specialist skills where required. Whilst there is no limit on the numbers expected to serve on the Board, in most cases it is not anticipated that there will be more than 3 initially, one of whom will be the Chief Executive Officer or a nominated deputy. The Nexus Chief Executive Officer will appoint the Chair of the Transition Board.



## **TERMS OF REFERENCE FOR AN INTERVENTION BOARD (“the Intervention Board”)**

**[NAME OF ACADEMY] (the “Academy”)**

**EFFECTIVE DATE [ ] REVIEW DATE [ ]**

### **PURPOSE**

The Intervention Board has been established by Nexus Multi Academy Trust Board to secure the rapid turnaround of the Academy. Whilst the Intervention Board is in place, the Scheme of Delegation shall be suspended.

The Intervention Board shall meet at least twice a term, more if necessary and shall report directly to the Nexus Multi Academy Trust Board, who will be supported by the Nexus Executive Team. Additional reporting may also be necessary to the Department for Education if any warning notices have been served under the Supplemental Funding Agreement.

The Intervention Board will ensure that the Action Plan for the Academy is being implemented and will advise on the development and review of the Plan.

### **MEMBERSHIP**

Members of the Intervention Board will have been appointed by the Nexus Multi Academy Trust Board on the recommendation of Nexus Chief Executive Officer, who will ensure the members have both the capacity and skills to work intensively within the Academy, providing support and challenge to the Academy’s staff and building on existing links with the community.

Board members must be able to demonstrate an understanding of the ethos and values of Nexus and a commitment to fulfilling Nexus’s mission and objectives for the Academy, drawing on specialist skills where required. Whilst there is no limit on the size of the Intervention Board, it is not anticipated that there will be more than 3 members, one of whom will be appointed by the Chief Executive Officer to chair all meetings. Others, such as the Headteacher or Headteacher Designate, may be asked to sit on the Intervention Board in an advisory capacity.

Operating with an Intervention Board is not intended to be a long-term arrangement and a target date has been identified for the review of the arrangement. Any initial period is not intended to be greater than 12 months.