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Academy trust governance guide

From: **Department for Education**
(/government/organisations/department-for-education)

Published 7 March 2024

Updated: 7 March 2024 - **See all updates**

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1. Culture and engagement

How boards create a culture that motivates and is ambitious for all.

This section covers the trust quality descriptions of [culture and engagement](https://www.gov.uk/guidance/-governance-in-academy-trusts/using-this-guidance) (<https://www.gov.uk/guidance/-governance-in-academy-trusts/using-this-guidance>).

Culture

The board and executive leadership team anchor the trust's strategy in the needs of its schools, the communities they serve and the wider educational

system in line with its charitable objects. The board, accounting officer and executive leadership team create a culture of ethical leadership, and follow the [Seven Principles of Public Life](https://www.gov.uk/government/publications/the-7-principles-of-public-life) (<https://www.gov.uk/government/publications/the-7-principles-of-public-life>), also known as the 'Nolan Principles'.

Engagement

The board oversees strategic relationships with external stakeholders, including the involvement of parents, schools and communities. Where appropriate it will also involve dioceses and the religious authorities, so that decision-making is supported by meaningful engagement.

1.1 Establishing a positive culture

Everyone involved in governance is expected to know about and follow [the Seven Principles of Public Life](https://www.gov.uk/government/publications/the-7-principles-of-public-life) (<https://www.gov.uk/government/publications/the-7-principles-of-public-life>).

1.1.1 How trustees can create a positive culture

Trustees:

- ensure the trust's culture and values are focussed on the charitable objects and its governing documents, including any trust deed
- embed the culture and values across the academy trust, ensuring these are reflected in its policies and practices
- ensure that the trust complies with the principles of ethical practice and leadership including in the delivery of training and development and by being an ethical employer
- create and maintain positive relationships with executive leaders that encourage a professional culture across the trust
- promote a whole-trust approach to pupil and staff well-being, safeguarding arrangements, and child protection

Where a trust has a religious character, the relevant appointing body may appoint the members and trustees. Those appointed have a duty to preserve and develop the character of the trust, including any religious character.

1.1.2 Responsibility of the board in creating a positive culture

In setting a positive culture, the board **must**:

- act in the best interests of the trust
- be open and ensure transparency about their decisions and actions
- be prepared to explain their decisions and actions

An effective board also:

- sets and safeguards high expectations for the trust's community, including for:
 - the expected behaviours, progress and attainment of all pupils
 - the conduct and professionalism of its staff, the board and its committee members including any local committees
- achieves the best outcomes for the trust's pupils through a full understanding of the needs of pupils, staff, parents, carers and local communities
- ensures all systems, processes and policies operate with the best interests of the pupil at their centre

The trust's culture **must** actively promote the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs. Information on promoting fundamental British values is available in the [independent school standards guidance](https://www.gov.uk/government/publications/regulating-independent-schools) (<https://www.gov.uk/government/publications/regulating-independent-schools>).

Find out more about the Seven Principles of Public Life through the [academy trust governance code](#):

[principle 3 - integrity \(https://atgc.org.uk/principle-3-integrity/\)](https://atgc.org.uk/principle-3-integrity/).

1.1.3 A collaborative culture

Collaboration can foster strong relationships which offer support and shared learning. Trusts can use this shared expertise and knowledge to raise standards.

Where a trust collaborates with another trust, it **must** ensure that their collaboration does not impact on:

- the trusts' governance
- intervention
- financial transparency
- the accountability relationship between the trusts and DfE

These arrangements **must** be compatible with the duties of charity trustees, which are explained in the Charity Commission's guidance [the essential trustee: what you need to know, what you need to do \(https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3\)](https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-what-you-need-to-do).

Trusts may collaborate informally with maintained schools but **must not** share governance arrangements and form formal committees.

DfE's guidance on [trust partnerships for academy trusts and prospective joiners \(https://www.gov.uk/government/publications/multi-academy-trusts-establishing-and-developing-your-trust\)](https://www.gov.uk/government/publications/multi-academy-trusts-establishing-and-developing-your-trust) has more information.

Find out more on collaborating from:

- Ethical leadership commission: [Framework for Ethical Leadership in Education \(https://www.nga.org.uk/news-views/directory/ethical-leadership-in-education-campaign/\)](https://www.nga.org.uk/news-views/directory/ethical-leadership-in-education-campaign/)
- National Governance Association: [Ethical Leadership for a better education system \(https://www.nga.org.uk/news-views/directory/ethical-leadership-in-education-campaign/\)](https://www.nga.org.uk/news-views/directory/ethical-leadership-in-education-campaign/)

1.1.4 Trustee conduct and behaviour

Effective boards create and maintain a code of conduct.

Breaching the code of conduct could result in the trust removing a trustee or individual on a committee, including a local committee.

Here are some examples of model codes of conduct produced by organisations to help boards in drafting or updating their own code of conduct:

- Catholic Education: [codes of conduct for governors and directors in Catholic schools and academies](https://www.catholiceducation.org.uk/guidance-for-schools/governance/item/1003629-codes-of-conduct-for-governors-and-directors)
(<https://www.catholiceducation.org.uk/guidance-for-schools/governance/item/1003629-codes-of-conduct-for-governors-and-directors>)
- Confederation of School Trusts: [model code of conduct for trustees and trust boards](https://cstuk.org.uk/knowledge/guidance-and-policy/model-code-of-conduct-for-trustees-and-trust-boards/)
(<https://cstuk.org.uk/knowledge/guidance-and-policy/model-code-of-conduct-for-trustees-and-trust-boards/>)
- National Governance Association: [model governing board code of conduct](https://www.nga.org.uk/knowledge-centre/governing-board-code-of-conduct)
(<https://www.nga.org.uk/knowledge-centre/governing-board-code-of-conduct>)

1.1.5 Equality, diversity and inclusion

Equality, diversity and inclusion should be an integral part of the board's strategy and business plans. It is important that this includes not just legal or regulatory obligations but also how equality, diversity and inclusion is championed and embedded throughout the academy trust.

Trusts **must** abide by the [Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/contents)
(<https://www.legislation.gov.uk/ukpga/2010/15/contents>).

It applies to all trusts as providers of education to their pupils and to those who have applied for admission as pupils. Where the board is also the employer, it **must** also be aware of its responsibilities under the Equality Act.

Under the [Public sector equality duty \(PSED\)](https://www.gov.uk/government/publications/public-sector-equality-duty)
([https://www.gov.uk/government/publications/public-](https://www.gov.uk/government/publications/public-sector-equality-duty)

[sector-equality-duty](#)) boards **must** have due regard to:

- eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advancing equality of opportunity between people who share a protected characteristic and those who do not
- fostering good relations between people who share a protected characteristic and those who do not

Boards **must**:

- ensure equality objectives are published and that they can demonstrate compliance with the PSED
- comply with the duty to make reasonable adjustments to help alleviate any substantial disadvantage to a disabled person, which will vary in each case

DfE's [Equality Act 2010: advice for schools](#)

(<https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>) provides detailed information for academies, including on general exceptions and special issues for some protected characteristics.

Useful information is also available from:

- Equality and Human Rights Commission (EHRC): [guidance for schools on the PSED](#) (<https://www.equalityhumanrights.com/guidance/public-sector-equality-duty/public-sector-equality-duty-guidance-schools>)
- Government Equalities Office: [Positive action in the workplace: guidance for employers](#) (<https://www.gov.uk/government/publications/positive-action-in-the-workplace-guidance-for-employers>)
- [Governor hub: community insights](#) (<https://governorhub.com/insights>): a free tool that boards can use to search for information about the diversity of a school's community

1.1.6 Being transparent about governance

The trust **must** be transparent with its governance arrangements.

Openness about governance arrangements and decisions helps parents, carers and wider communities understand and navigate the trust and creates a relationship based on trust.

The [Academy Trust Handbook \(sections 1.42-1.46\)](https://www.gov.uk/guidance/academy-trust-handbook/part-1-roles-and-responsibilities) (<https://www.gov.uk/guidance/academy-trust-handbook/part-1-roles-and-responsibilities>) has information on what the trust **must** provide and publish.

Published governance information on an academy trust's website **must** be in a readily accessible format. For example it should be on a webpage, without the need to download or open a separate document.

It may be helpful to add the governance professional's contact information to the governance page of your trust's website.

There is useful information in the DfE guidance [What academies, free schools and colleges **must** or should publish online](https://www.gov.uk/guidance/what-academies-free-schools-and-colleges-should-publish-online) (<https://www.gov.uk/guidance/what-academies-free-schools-and-colleges-should-publish-online#trustees-information-and-duties>).

Find out more on transparency from the sector-led academy trust governance code [Principle 7: Openness and accountability](https://atgc.org.uk/principle-7-openness-and-accountability) (<https://atgc.org.uk/principle-7-openness-and-accountability>).

Document retention

The board and academy trust **must** follow legal requirements from the [Companies Act 2006, chapter 6](https://www.legislation.gov.uk/ukpga/2006/46/part/13/chapter/6) (<https://www.legislation.gov.uk/ukpga/2006/46/part/13/chapter/6>) for document retention in relation to board proceedings. They **must** accurately document:

- evidence of the board and its committee's discussions and decisions
- any evaluation of the board's impact

Information on [data protection for schools](https://www.gov.uk/guidance/data-protection-in-schools) (<https://www.gov.uk/guidance/data-protection-in-schools>), freedom of information and cyber security can be found in the Compliance section [7.9 Protecting and sharing information](https://www.gov.uk/guidance/-governance-in-academy-trusts/7-compliance) (<https://www.gov.uk/guidance/-governance-in-academy-trusts/7-compliance>).

1.1.7 Get Information about Schools (GIAS)

DfE has a national database of governors and trustees. You can access this through [Get Information about Schools \(GIAS\)](https://get-information-schools.service.gov.uk/about) (<https://get-information-schools.service.gov.uk/about>).

GIAS:

- allows DfE to identify individuals who have a role in governance
- helps boards to identify where people govern in more than one trust, academy or school

A trust **must** provide up-to-date information about its members, chair, trustees and people on local committees to the Secretary of State for Education, as required by the [Academy Trust Handbook section on provision of information](https://www.gov.uk/guidance/academy-trust-handbook/part-2-main-financial-requirements) (<https://www.gov.uk/guidance/academy-trust-handbook/part-2-main-financial-requirements>). Some of this information will be used to populate the [Get Information About Schools database](https://get-information-schools.service.gov.uk/Guidance/Governance) (<https://get-information-schools.service.gov.uk/Guidance/Governance>).

Certain governance information collected from GIAS will be made public. Find out more from the [National database of governors](https://www.gov.uk/government/news/national-database-of-governors) (<https://www.gov.uk/government/news/national-database-of-governors>).

When collecting information from trustees and local governors, they will need to be made aware:

- that it will be shared with DfE
- of the reasons why the information is being collected
- of the purpose for which it will be used

The collected information will be encrypted and held securely by DfE. Access to this information is restricted to a small number of users who need it to fulfil their official responsibilities.

Find out more from:

- [GIAS privacy notice \(https://get-information-schools.service.gov.uk/privacy\)](https://get-information-schools.service.gov.uk/privacy)
- [GIAS users responsibilities pages \(https://get-information-schools.service.gov.uk/responsibilities\)](https://get-information-schools.service.gov.uk/responsibilities)

1.2 Engaging with stakeholders and religious authorities

The board oversees strategic relationships with:

- parents
- the trust's community
- the church community and diocese (in the context of church schools)

This creates a sense of trust and shared ownership.


The board ensures that the trust puts the systems in place to regularly:

- seek and consider the views of parents, carers and communities – helping them to understand the structure of the trust, how it operates and how they can support their child's education and put forward their views
- listen and respond to parents and carers, pupils, staff, local communities and employers and capture how their views have informed the board's decision-making
- communicate decisions clearly to pupils, parents and carers, staff and communities

The board is responsible for assuring this process.

[Parentkind \(https://www.parentkind.org.uk/\)](https://www.parentkind.org.uk/) provides guidance and training on building better partnerships with parents.

The National Governance Association and Parentkind have produced guidance on [Engaging with parents and carers](https://www.nga.org.uk/knowledge-centre/engaging-with-parents-and-carers/) (<https://www.nga.org.uk/knowledge-centre/engaging-with-parents-and-carers/>).



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