

# **Newham Community Learning - Risk Management Policy**

Last updated: September 2022

Applies to: Newham Community Learning

Approved by: Trust Board, December 2022



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Newham Community Learning is a charitable company limited by guarantee and registered in England and Wales with Company Number 09896221. The registered office of the Trust is Sarah Bonnell School, Deanery Road, London, E15 4LP.

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# 1. Overview of the Policy Management Process

## 1.1. Document history

Date	Revision	Version number (substantive revisions are allocated a new whole number; minor revisions are designated by the addition of a consecutive decimal point)
June 2020	NCST Trust level Risk Management Policy in place	v1.0
Sept 2022	Reviewed, updated and released as a Newham Community Learning Policy  Additions: 2.5.7 - Data Protection Risk 2.5.8 - Cyber Security Risk	v.2.0
Dec 2022	Addition of blue text as approved by the Audit and Risk Cttee at the meeting of 17 Nov 2022  <b>2.5.2. The employment, professional development, wellbeing and line management of those involved in the enterprise</b>  The Trustees and individual Schools should have a suite of legally compliant and common personnel policies, supported by advice and insurance. Schools must ensure that local processes that reflect the implementation of the Trust's staff policy can be evidenced, and the impact of this implementation reported on as and when required.  The Trust and its schools should have a clearly articulated commitment to the professional	v.2.1



	<p>development of all its staff, and be able to demonstrate evidence of this commitment.</p> <p>The Trust and its schools should have both local and overarching arrangements to support the wellbeing of staff.</p> <p>The Trust and its schools should ensure that line management processes are effective in that they enable the delivery of the above items.</p>	
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## 1.2. Review and approval

The Risk Management Policy applies to the whole Trust. It is reviewed by the Executive Team (and/or their delegates) and is then presented to the Trust Board for approval (via a relevant board committee if appropriate).

It is reviewed in line with the Trust Policy Review Schedule.



## 2. Newham Community Learning - Risk Management Policy

### 2.1. Principles

The Trustees have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and maintaining of the Schools (which includes taking existing schools into the Trust). The Trustees have the power to direct change where required.

The Trustees have delegated authority for the running of each of its Schools to a Local Governing Body, who in turn fulfils a governance and oversight role in the conduct of the School, further delegating authority to the Headteacher and senior leadership team who are responsible for the internal organisation, management and control of the School on a day to day basis. The responsibilities of the Local Governing Body are set out in the "Scheme of Delegation", published in complete format on the [Governance Page](#) of the Trust website.

Risk management must prioritise and protect:

- The safeguarding of high quality and effective education of the young people in the Schools;
- The contribution made by staff to the success of the Trust and the Schools;
- The reputation and ethos of the Trust and the Schools and the principles upon which the Trust was founded;
- The common good in terms of the interests of the families in the communities served by the Schools and the pupils of the future; and
- The Scheme of Delegation and the balance struck between central management and local responsibility.

The Trust's Risk Register details risks in each of these areas, as well as any risks to the achievement of its Priorities/Trust Improvement Plan.

### 2.2. The responsibility of each Local Governing Body

It is the responsibility of each Local Governing Body (the Governors) to implement, monitor and verify such policies and procedures to facilitate an annual statement of compliance on those risks identified by the Board. The Governors should take such steps needed to meet their legal obligations including the requirements of the Department for Education (or any successor body) as they relate to the operation of the Schools. The Governors should provide resources to mitigate identified risks and declare any non-compliance to the Directors. The Governors should commission on a regular basis external verification of internal systems so as to ensure the systems fitness for purpose and compliance to current standards.



## 2.3. The responsibilities of the Trustees

It is the responsibility of the Trustees to identify those risks which arise from academy status and membership of a multi-academy trust and develop policies and procedures which mitigate these risks (taking account of the principles identified above). To mitigate financial risk the Trustees will require all Schools to use approved banking arrangements, audit arrangements, financial management systems, and premises insurance and building surveyors. Rigorous safeguarding policies are also a requirement for all Schools.

Beyond these areas the Trustees should identify risks common to all Schools, set policy frameworks but seek not to impose specific control mechanisms for these risks as responsibility lies with the individual Local Governing Bodies. The Trustees should receive compliance reports from the Local Governing Bodies (and declarations of non-compliance) and develop systems to support (having regard to the principles of subsidiarity and solidarity) individual Schools to mitigate risk to the Trustees and the Trust generally.

## 2.4. Operation of the Risk Management Policy

To assist the Trust Board in fulfilling its function, the Trustees may establish a "risk management committee" made up of appointed Trustees, representatives of the Local Governing Bodies and the Leadership Group, and others as may be required. The terms of reference should identify that a minimum of two Trustees should serve on this committee, with one being present for the committee to be quorate. The risk management committee may be a function of the Audit Committee or work alongside it.

It is the duty of this committee to review the termly schedule of self-assessments made by individual Schools' Local Governing Bodies, consider how to support Schools to mitigate identified risks and report to the Trust Board each term on the risks identified.

## 2.5. The Nature of the Risks

### 2.5.1. The safeguarding of those involved in the enterprise

The Trustees and Local Governing Bodies will be required to have safeguarding (including safer recruitment and e-safety) policies which comply with the requirements of the appropriate Safeguarding Board.

### 2.5.2. The employment professional development, wellbeing and line management of those involved in the enterprise



The Trustees and individual Schools should have a suite of legally compliant and common personnel policies, supported by advice and insurance. Schools must ensure that local processes that reflect the implementation of the Trust's staff policy can be evidenced, and the impact of this implementation reported on as and when required.

The Trust and its schools should have a clearly articulated commitment to the professional development of all its staff, and be able to demonstrate evidence of this commitment.

The Trust and its schools should have both local and overarching arrangements to support the wellbeing of staff.

The Trust and its schools should ensure that line management processes are effective in that they enable the delivery of the above items.

### **2.5.3. The stewardship of the premises and site and the health, safety and welfare of those who use the site**

The Trustees reserve the right to direct individual Schools with regard to the insurances of Trust property (buildings, land and assets) and to approve and be kept informed of planned capital works. The School should develop comprehensive health, safety and welfare policies to include systems to monitor compliance with regulation and good practice and to externally assess these at a regular period.

### **2.5.4. The vision and values of the Trust and the academic standards attained**

The Trustees and the Governors should seek at all times to preserve and fulfil the vision and values of the Trust, honouring the principles upon which the Trust was founded. The Governors should report to the Trustees on any OFSTED or other inspections and reports. Equally the Trustees should be informed of trends and actual academic outcomes and other key indicators identified by OFSTED (or any successor body) in order that the Trustees may broker support and advice from within (or beyond) the Trust to minimise the possibility of the Secretary of State using his reserve powers in relation to one of the Schools for which the Trust is responsible.

### **2.5.5. The financial integrity of individual schools**

The Trustees reserve the right to direct the Schools to bank with a named bank and to direct Schools to use the services of agreed auditors. The Trust Board reserves the right to have annual agreed budget plans, termly budget summaries and annual outturn statements reported to it. Schools will not be permitted to operate deficit budgets without specific approval from the Trust Board. The Governors will agree such policies as required to comply with DfE requirements on the



operation of academies, including in relation to the procurement of goods and services. The Governors will appoint a suitably experienced “responsible officer” who will oversee the financial integrity of the School with a particular reference to levels of delegation and the avoidance of over-reliance upon key individuals.

#### **2.5.6. The capacity of the Trust Board to discharge its duties**

The Trust will ensure that suitably skilled and experienced people serve on the Trust Board, and will ensure that this body is provided with the internal and external support required to discharge its duties effectively. It will also ensure that the local governing bodies at all schools have the required governors in place, as per the local governing body terms of reference. The Trust Board will be expected to make an annual self-assessment of the skills and experience they require and their capacity to fulfil those requirements. Plans to mitigate deficiencies, including via a programme of training, should be agreed. All Trustees and Governors are required to hold an enhanced Criminal Records Bureau certificate and to make a declaration of interests at the beginning of each meeting. The Company will operate a Conflicts of Interest policy. The Company will ensure that good quality legal advice is available to the Trust Board, the Schools and those responsible for running the Schools on a day to day basis.

#### **2.5.7. The capacity of the Trust to protect the personal data of students and staff**

The Trust is a data controller, registered with the Information Commissioner's Office. The Trust collects, processes, stores and destroys large quantities of personal data, including special category data. The Trust and Schools should have a suite of legally compliant and common data protection policies (to include those that detail the management of Freedom of Information Requests), supported by advice and insurance.

#### **2.5.8. The capacity to adequately protect the Trust from the risk of a Cyber attack**

The Trust is responsible for the integrity of its digital systems, both on-premise based and cloud based. The Trust is required to ensure that these systems are fit for purpose and that the threat of both external cyber security attacks and potential internal attacks are minimised.

