



LOCAL GOVERNING BODY (NAME OF SCHOOL) CODE OF CONDUCT

Policy Version Control	
Policy type	Academy Trust
Policy prepared by (name and designation)	Nick Blackburn CEO
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Date released	6 th December 2019
Next review date	Autumn 2020

Introduction

At {name of school} we recognise and value the effort taken by members of the local governing body who contribute towards our school. We encourage your assistance and acknowledge that many school activities and processes would be at risk if it were not for your help. As a result, we want to make sure that your time spent as part of the governing body is productive and enjoyable.

Local governing bodies must ensure that they meet the following core strategic functions:

- Certifying the strategic direction of the school by:
 - Setting and ensuring a clear vision, values, and objectives that align with those of the overarching Trust.
 - Establishing the school improvement strategy, determining priorities and setting targets.
 - Complying with all statutory duties.
- Ensuring accountability by:
 - Supporting the appointment a Head Teacher/Head of School who is fit for purpose.
 - Monitoring the school's educational performance and progress towards set targets.
 - Communicating with stakeholders.
 - Contributing to school self-evaluation.
- Managing financial performance by:
 - Monitoring spending against the Trust established budget.
 - Ensuring money is well spent and represents value for money.
 - Managing risks to the school.

This policy outlines what is expected from members of the local governing body, including associate governors, and sets out the code of conduct which all members are required to comply with.

Signed by:

Head Teacher/Head of School: _____

Chair of Governors: _____

Date:

Legal framework

- 1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:
- ✦ The Children Act 1989
 - ✦ The Children Act 2004
 - ✦ The Education Act 2011
 - ✦ The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018
 - ✦ The Childcare Act 2006
 - ✦ Protection of Freedoms Act 2012
 - ✦ The Data Protection Act 2018
 - ✦ The General Data Protection Regulation (GDPR)
 - ✦ The School Governance (Constitution) (England) Regulations 2012
- 1.2. This policy also has due regard to guidance including, but not limited to, the following:
- ✦ DfE (2017) 'Governance handbook'
 - ✦ DfE (2018) 'Keeping children safe in education'
 - ✦ DfE (2018) 'Disqualification under the Childcare Act 2006'
 - ✦ DfE (2017) 'The constitution of governing bodies of maintained schools'
- 1.3. This policy operates in conjunction with the following school policies:
- ✦ Child Protection and Safeguarding Policy
 - ✦ Equal Opportunities and Dignity at Work Policy
 - ✦ Health and Safety Policy
 - ✦ Behaviour for Learning Policy
 - ✦ Whistleblowing Policy
 - ✦ Assessment Policy
 - ✦ Data Protection Policy
 - ✦ Disciplinary Policy and Procedures
 - ✦ Complaints and Grievances Procedure and Policy
 - ✦ Governor Visit Policy

Roles and responsibilities

- 2.1. The governing body is responsible for ensuring Trust policies are implemented within school and determining, monitoring and keeping under review the policies, plans and procedures that are specific to the school.
- 2.2. Members of the governing body accept that they have no legal authority to act individually.
- 2.3. Governors will only speak on behalf of the governing body when they have been specifically authorised to do so.
- 2.4. Governors will not speak against majority decisions outside the governing body meeting.
- 2.5. Members of the governing body will:
 - * Act fairly and without prejudice.
 - * Encourage open governance.
 - * Accept collective responsibility for decisions made by the governing body.
 - * Be mindful of their responsibility to maintain and develop the ethos and reputation of the school.
 - * Consider how decisions may affect the community.
 - * Actively support and challenge the leadership of the school.
 - * Follow the procedures established by the Trust Board of Directors.
- 2.6. Under no circumstances will governors speak about discussions or decisions outside of governing body meetings.
- 2.7. Governors will adhere to the Trust's rules and policies, and the procedures of the governing body in accordance with the relevant governing documents and law.
- 2.8. When formally speaking or writing in a governing role, governors will ensure their comments reflect current organisational policy even if they might be different to personal views.

Confidentiality

- 3.1. When matters discussed between governors are deemed confidential, or where they concern specific members of staff or pupils, complete confidentiality will be observed both inside and outside of the school.
- 3.2. Members of the governing body partaking in discussions regarding school business outside of governing body meetings will exercise the greatest prudence at all times.
- 3.3. The details of a governing body vote will not be revealed under any circumstances.

- 3.4. Governors accept and consent that in the interests of open and transparent governance, their names, dates of appointment, terms of office, roles, attendance records and any business/pecuniary interests they have, will be published on the school website.
- 3.5. Governors understand that the requirements relating to confidentiality will continue to apply after a governor leaves office.
- 3.6. In the interests of transparency, governors accept and consent to information relating to them, as members of the governing body, being logged on 'Get Information About Schools'; the DfE's national database.

Data protection

- 4.1. Under the Data Protection Act 2018, accountability is a data protection principle, which makes governing bodies responsible for complying with the GDPR and states that governors must be able to demonstrate compliance.
- 4.2. To meet this requirement, the Trust will ensure that appropriate technical and organisational measures are in place across all Trust schools to protect any data that it holds.
- 4.3. All governors will receive comprehensive data protection training at least annually.
- 4.4. The Trust will ensure compliance with the GDPR through monitored in the following ways:
 - * Implementing internal data protection policies
 - * Conducting staff training
 - * Regularly reviewing internal HR policies
 - * Maintaining relevant documentation on processing activities
 - * Appointing a DPO
 - * Implementing measures that meet the principles of data protection by default, including data minimisation and transparency
 - * Using data protection impact assessments (DPIAs) where appropriate (e.g. if you are using new technologies and the processing is likely to result in a high risk to the rights and freedoms of individuals)
 - * Taking a 'data protection by design and default' approach
- 4.5. Governors will be familiar with, and act in accordance with, the Trust's Data Protection Policy, supporting any required reviews with the assistance of the Head Teacher/Head of School and the Trust DPO.

Commitment

- 5.1. Members of the governing body will fully understand their role and are committed to the amount of time and energy the role involves.
- 5.2. Each member of the governing body will be actively involved in the role and accept their fair share of responsibilities within the governing body.
- 5.3. Full effort will be given to the attendance of meetings.
- 5.4. Where a governor cannot attend a meeting, they will contact the clerk in advance to give their apologies.
- 5.5. All relevant training and inductions will be undertaken in a prompt and efficient manner.
- 5.6. Governors will visit the school, with visits being arranged beforehand with the Head Teacher/Head of School and undertaken within the framework established by the governing body.

Behaviour of governors

- 6.1. The chair of the governing body is responsible for ensuring the appropriate conduct and behaviour of governors at all times.
- 6.2. The governing body will seek to develop open, honest and effective working relationships with the Head Teacher/Head of School, staff members and parents at the school, as well as any other relevant body.
- 6.3. Members of the governing body will continuously strive to work as a team.
- 6.4. Governors will always express their views openly, in a courteous and respectful manner.
- 6.5. Governors will take into account any concerns expressed about their delegated function and will be prepared to answer queries from Trust Directors or other governors regarding their role.
- 6.6. When making decisions, governors will carefully consider how their decisions and actions might affect those who are part of the Trust and school community and wider locality.
- 6.7. Governors will always act in the best interests of the school and its pupils; governors will not act in a manner that will bring disrepute to the Trust and/or school.

Conflicts of interest

- 7.1. Members of the governing body will act in the best interests of the Trust and school at all times and will not act in the interest of, or as a representative of, any group or individual.

- 7.2. Governors will record any pecuniary interests that they might have in connection to the Trust or governing body's business.
- 7.3. Interests of those related or closely connected to a governor will be declared on the Register of Pecuniary Interests.
- 7.4. Members of the governing body will declare any interest they may have in an item of business on the agenda and will immediately remove themselves from the meeting while it is under discussion.
- 7.5. Any conflict of loyalty will be declared at the start of any meeting, should the situation arise.

Access to the school

- 8.1. All members of the governing body will take an active interest in the school and its community.
- 8.2. All governor visits to the school will be undertaken in line with the Governor Visit Policy.
- 8.3. Governors will actively participate in the school community and will respond to opportunities to be involved in school activities and events.

Breaching the code

- 9.1. If a member of the governing body breaches this code of conduct, the issue will be raised with the chair of the governing body, who will investigate the concern. In the event that it is believed the chair has breached this code of conduct, the chair of the Board of Directors will undertake the investigation.
- 9.2. The governing body will only suspend or remove a governor from their post as a last resort.
- 9.3. The governing body will attempt to resolve any difficulties or disputes in a constructive manner before suspension or removal is considered.
- 9.4. If the need arises to suspend a governor, the governing body will do so by following the established procedures as to ensure a fair and objective process.
- 9.5. In the event of a resolution being made to remove a governor from office, the following procedure will be implemented:
 - * A resolution to remove a governor from office will be included on an agenda and circulated to all members of the governing body and also the chair of the Board of Directors.
 - * A meeting will be held and the resolution to remove the governor from office will be fully explained.
 - * Governors will give due and careful consideration to the reasons given to remove the governor from office.

- * The governor, whom it has been proposed to remove from the governing body, will be given the opportunity to make a statement in response to the resolution to remove them from office.
 - * Within 14 days of the first meeting, a second meeting must be held and an item, specifying that the governing body will confirm their decision, included on the agenda.
 - * Any elected staff or parent governor who has been disqualified from their role and removed from office will be disqualified from serving as a governor and holding office for a period of five years. This period is taken from the date immediately after the day they were disqualified from their elected role. Given the consequence of the five-year disqualification period, the governing body's power to remove an elected parent or staff governor will only be used in exceptional and serious circumstances which may include the following;
 - Serious misconduct
 - Repeated serious incompetence
 - Engagement in conduct which aims to undermine fundamental British values
 - Actions that are significantly detrimental to the effective operation of the governing body
 - Actions that are significantly detrimental to the effective operation of the Trust and/or school
- 9.6. A governor who has been removed from the governing body has the right of appeal. The governor should exercise their right of appeal by writing to the clerk to governors within ten working days of their removal from the governing body; making clear the reasons for their appeal.
- 9.7. On receipt of an appeal, the governing body will establish an independent appeal panel. The appeal panel will comprise of a panel of three Trust Directors.

Code of Conduct Acknowledgement

Name of governor: _____

Role in the local governing body: _____

Appointment date: _____

Term of Office Expiry: _____

Please tick the appropriate box once you have read and understood the following documents:

Behaviour Policy	
Child Protection Policy	
Health and Safety Policy	
Equality and Diversity Policy	
Data Protection Policy	
Disciplinary Policy	
Complaints Policy	
Keeping Children Safe in Education (2018) Part one	

I hereby acknowledge the terms detailed within the Local Governing Body Code of Conduct and agree to abide by this code. I understand that the role is of a voluntary nature and, therefore, I will not receive payment for my duties. Any expenses which I claim will be in line with the Trustees and Local Governing Body Expenses Policy.

Signature: _____

Date: _____