



Policy for

Governance Code of Conduct

Prepared by:	Adopted by Board of Trustees	Signed	Review Date
MATBOM May 17 from template by TheSchoolBus	May 2017	S Bowen ----- Chair of Board of Trustees	Autumn Term 2019-20

Contents:

Statement of intent

1. Legal framework
2. Role and responsibilities
3. Confidentiality
4. Commitment
5. Behaviour of governors
6. Conflicts of interest
7. Access to the school
8. Breaching the code

Appendix – Code of Conduct Acknowledgement Form

Statement of intent

At The Aspire Educational Trust, we recognise and value the effort taken by the Members, Trustees and Local Governors who contribute towards the smooth running of our Trust. We encourage your assistance and acknowledge that many Trust and academy 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 our governance board is productive and enjoyable.

This policy outlines what is expected of the governance board of The Aspire Educational Trust and sets out the code of conduct which all Members, Trustees and Local Governors are required to comply with. Please note, there is a separate policy for conduct of staff.

1. Legal framework

1.1. This policy has due regard to statutory legislation, including, but not limited to, the following:

- The Children Act 1989
- The Children Act 2004
- The Education Act 2011
- The Childcare (Disqualification) Regulations 2009
- The Childcare Act 2006
- Protection of Freedoms Act 2012
- The Data Protection Act 1998
- The School Governance (Constitution) (England) Regulations 2012
- The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2017

1.2. This policy also has due regard to DfE guidance, including, but not limited to, the following:

- 'Governance Handbook' 2017
- 'Keeping children safe in education' 2016
- 'Disqualification under the Childcare Act 2006' 2016

Where reference is made here to the governing board, this is defined in the 'Governance Handbook 2017' as 'the board of trustees'. Committees to whom the board has delegated functions and local governors should take account of guidance to the board, in so far as the relevant function has been delegated to them.

Where reference is made here to governors this means Trustees, committee members and Local Governors.

2. Role and responsibilities

2.1. The governing board is responsible for determining, monitoring and keeping under review the broad policies, plans and procedures within which the Trust will operate.

2.2. All members of the governing board will be required to make themselves familiar with Trust/academy procedures, including the following:

- Child Protection and Safeguarding Policy
- Equal Opportunities and Dignity at Work Policy
- Health and Safety Policy
- Behaviour Policy

- Whistleblowing Policy
 - Assessment Policy
 - Data Protection Policy
 - Disciplinary procedures
 - Complaints procedures
- 2.3. This code of conduct will be reviewed by the Board of Trustees on an annual basis and will be signed by Chair of Trustees at the first meeting of the Autumn term.
 - 2.4. The governing board has three core strategic functions; to ensure accountability, establish the strategic direction of the Trust and to ensure financial probity.
 - 2.5. Members of the governing board accept that they have no legal authority to act individually, except when they have been given delegated authority to do so.
 - 2.6. Governors will only speak on behalf of the governing board when they have been specifically authorised to do so.
 - 2.7. Members of the governing board will:
 - Act fairly and without prejudice.
 - Encourage open governance.
 - Accept collective responsibility for decisions made by the governing board.
 - Be mindful of their responsibility to maintain and develop the ethos and reputation of the Trust and academies.
 - Consider how decisions may affect the community.
 - Actively support and challenge the leadership of the Trust and academies.
 - Follow the procedures established by the governing board.
 - 2.8. Under no circumstances will governors speak against discussions or decisions outside of governing board meetings.
 - 2.9. The governing board will fulfil its duty as an employer, acting in a manner that is expected of a good proprietor.

3. 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 Trust.
- 3.2. Members of the governing board partaking in discussions regarding Trust/academy business outside of governing board meetings will exercise the greatest prudence at all times.

- 3.3. The details of a governing board vote will not be revealed under any circumstance.
- 3.4. Governors accept and consent that in the interests of open and transparent governance, their names, date of appointment, terms of office, role, attendance record and any business/pecuniary interests they have will be published on the Trust/academy website.
- 3.5. In the interests of transparency, governors accept and consent to information relating to them as members of the governing board being logged on Edubase, the DfE's national database.

4. Commitment

- 4.1. Members of the governing board fully understand their role and are committed to the amount of time and energy the role involves.
- 4.2. Each member of the governing board will be actively involved in the role and accept their fair share of responsibilities within the governing board.
- 4.3. Full effort will be given to the attendance of meetings.
- 4.4. Where a governor cannot attend a meeting, they will contact the clerk in advance to give their apologies.
- 4.5. All relevant training and inductions will be undertaken in a prompt and efficient manner.

5. Behaviour of governors

- 5.1. The chair of the governing board is responsible for ensuring the appropriate conduct and behaviour of governors at all times.
- 5.2. The governing board will seek to develop open, honest and effective working relationships with the Principals, staff members and parents at the academies, as well as any other relevant body, such as the Local Authorities.
- 5.3. Members of the governing board will continuously strive to work as a team.
- 5.4. Governors will always express their views openly, but in a courteous and respectful manner.
- 5.5. The governing board will acknowledge the time, effort and skills demonstrated in the execution of delegated functions by other members of the body.

- 5.6. Governors will take into account any concerns expressed about their delegated function, and will be prepared to answer queries from other governors regarding their role.
- 5.7. When making decisions, governors will carefully consider how their decisions and actions might affect those who are part of the Trust community and wider localities.

6. Conflicts of interest

- 6.1. Members of the governing board will act in the best interests of the Trust/academy at all times and will not act in the interest of, or as a representative of, any group or individual.
- 6.2. Governors will record in the Register of Pecuniary Interests any pecuniary interests that they might have in connection to the governing board's business.
- 6.3. Interests of those related or closely connected to a governor will be declared on the Register of Pecuniary Interests.
- 6.4. Members of the governing board 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.
- 6.5. Any conflict of loyalty will be declared at the start of any meeting, should the situation arise.

7. Access to the Trust/academies

- 7.1. All members of the governing board will take an active interest in the Trust and its communities.
- 7.2. All governor visits to the Trust/academies will be undertaken in line with the Local Governing Body Visits Policy.
- 7.3. Governors will actively participate in the Trust/academy community, and will respond to opportunities to be involved in Trust/academy activities and events.

8. Breaching the code

- 8.1. If a member of the governing board breaches this code of conduct, the issue will be raised with the chair of the governing board, who will investigate the concern. In the event that it is believed the chair has breached this code of conduct, another member of the governing board will undertake the investigation.

- 8.2. The governing board will attempt to resolve any difficulties or disputes in a constructive manner before suspension or removal is considered.
- 8.3. In the event that the need arises to suspend a governor, the governing board will do so by following the established procedures as to ensure a fair and objective process.
- 8.4. 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 board.
 - 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 board will be given an 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 agenda item specifying the governing board will confirm their decision.
- 8.5. 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.

Code of Conduct Acknowledgement Form

Name of governor:	
Role in the governing board:	
Year of appointment:	
Length of appointment:	

Please tick the appropriate box once you have read and understood the following documents:	
Behavioural Policy	
Child Protection and Safeguarding Policy	
Health and Safety Policy	
Equal Opportunities and Dignity at Work Policy	
Whistleblowing Policy	
Assessment Policy	
Data Protection Policy	
Disciplinary procedures	
Complaints procedures	

I hereby acknowledge the terms detailed within the Governing Board Code of Conduct and agree to abide by this code whilst I am an acting member of the governing board. 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 Directors and Governors Expenses Policy.

Signature: _____

Date: _____