

This Code of Conduct sets out the expectations of and commitment required from school governors and trustees in order for the governing board to properly carry out its work. It can be modified to include specific reference to the ethos of the school. 'School' includes academies applies to all levels of school governance.

Code of Conduct for the Governing Board

SCHOOL NAME:

The governing board has adopted the following principles and procedures:

Purpose of the governing board

The governing board is the key strategic decision making body in the school, setting the strategic framework and ensuring it meets all its statutory duties. Raising achievement is at the heart of a governing board's strategic role; every child has the right to attend a good school.

The governing board has the following core strategic functions:

Establishes the strategic direction by:

- setting the vision, values, and objectives for the school
- agreeing the school improvement strategy with priorities and targets
- meeting statutory duties

Ensures accountability by:

- appointing the headteacher
- monitoring progress towards targets
- performance managing the headteacher
- engaging with stakeholders (including parents & pupils)
- contributing to school self-evaluation

Ensuring financial probity by:

- setting the budget
- monitoring spending against the budget
- ensuring value for money is obtained
- ensuring risks to the organisation are managed

For governing boards to carry out their roles effectively, governors must be:

- prepared and equipped to take their responsibilities seriously
- acknowledged as the accountable body by the lead professionals
- supported by the appropriate authorities in that task
- willing and able to monitor and review their own performance

The role of a governor:

In law, the governing board is a corporate body which means:

- No governor can act on his/her own without proper authority from the full governing board.
- All governors carry equal responsibility for decisions made.
- Although appointed through different routes, the overriding concern of all governors has to be the welfare of the school as a whole. Governing boards should be alert to the risk of becoming dominated by one particular mind-set or strand of opinion.

As individuals on the governing board, we agree to the following:

Role & Responsibilities

- We understand the purpose of the governing board and the role of the headteacher.
- We are aware of and accept the Seven Nolan Principles of Public Life (see Appendix).
- We accept that we have no legal authority to act individually, except when the governing board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the governing board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open government and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school. Our actions within the school and the local community will reflect this.
- We will always use social networking sites responsibly and ensure that neither our personal/professional reputation, nor the school's reputation is compromised by inappropriate postings.

- We will promote tolerance of and respect for those of different faiths and beliefs, races, genders, ages, disability and sexual orientation.
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing board.
- We will support the headteacher and senior leadership team but challenge their expectations and hold them to account for school performance.

Commitment

- We acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing board and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to do so.
- We will get to know the school well and respond to opportunities to involve ourselves in school activities.
- We will visit the school, with all visits to school arranged in advance with staff and undertaken within the framework established by the governing board and agreed with the headteacher.
- We will demonstrate commitment to continually developing our knowledge and skills and keeping them up to date. This includes our ability to understand and interpret educational and financial data.
- We accept that in the interests of openness and transparency, our full names, date of appointment, term of office, roles on the governing board, attendance records, relevant business and pecuniary interests, category of governor and the body responsible for appointing us will be published on the school's website. We accept that personal information will also be published on DfE EduBase, to help increase transparency on who governs our schools.
- We accept that we are required to hold an Enhanced Criminal Records Certificate (ECRC).

Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in our communications with other governors.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other governors in relation to delegated functions and take into account any concerns expressed, and we

will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.

- We will seek to develop effective working relationships with our headteacher, staff and parents, the local authority, and other relevant agencies and the community.

Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside and outside the school.
- We will ensure that we are familiar with, and adhere to, the data protection principals set out in the Data Protection Act (DPA) 1998 (see Appendix 1).
- We will exercise the greatest prudence at all times when discussions regarding school business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote.

Conflicts of Interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time. We accept that the Register of Business Interests will be published on the school's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- We will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the governing board.

Breach of this Code of Conduct

- If we believe this Code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board will only use suspension as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the chair that we believe has breached this Code, another governor, such as the vice chair will investigate.

Adapted from the NGA Model Code of Conduct, 2015.

Reviewed by EES for Schools Governor Services August 2016.

Governors will sign the Code of Conduct at the first governing board meeting of each school year.

The Governing Board of {name of school} adopted this Code of Conduct on {date}.

Undertaking:

As a member of the governing board I will always have the achievement and well-being of the children and the reputation of the school at heart; I will do all I can to be an ambassador for the school, publicly supporting its aims, values and ethos; I will never say or do anything publicly that would embarrass the school, the governing board, the headteacher or staff.

Signed:

Printed Name:

Date:

The Seven Principles of Public Life

(Originally published by the Nolan Committee)

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations.

Appendix 1

Data Protection and Information Security – Personal Data

The governing board has a collective and individual responsibility regarding confidentiality in respect of school business. In exercising their functions, governors will on occasion, have access to sensitive personal information about staff and pupils. This may, for example, relate to safeguarding, exclusion, health or conduct issues.

In addition, the nature of a governor's role means that they will often receive, access and process information outside of the school premises – at home or at work. Under the Data Protection Act 1998 it is particularly important that personal and sensitive information is held and handled securely.

We will ensure that we are familiar with, and adhere to, the data protection principals set out in the Data Protection Act (DPA) 1998.

We will ensure that personal data:

- is processed fairly and lawfully
- is obtained only for lawful purposes, and is not further used in any manner incompatible with those original purposes
- is accurate and, where necessary, kept up to date
- is adequate, relevant and not excessive in relation to the purposes for which it is processed
- is not kept for longer than is necessary for those purposes;
- is processed in accordance with the rights of data subjects under the DPA;
- is protected by appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction or damage and
- is not transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection of the personal information

Contact details

We will:

- ensure that our correct contact details (home address, phone number and email address) are held by the school to avoid misdirected communications
- ensure that our email addresses are professional and where possible, personal (ie not shared with family members)
- take appropriate steps to prevent others, including family members, from accessing confidential information

Electronic personal data

We will:

- use encryption software/strong passwords on all electronic devices which may contain personal data. This includes mobile phones, laptops, tablets and USB devices
- password protect files containing personal data
- take all reasonable steps to keep such devices secure (eg not leaving them in cars)
- ensure that family members/work colleague who share devices, cannot access personal data

Paper-based personal data

We will:

- keep all paper based files securely
- dispose of paper records in a secure manner

Appendix 2

Key Changes to 2016 EES for Schools Code of Conduct template

This updated version of the Code of Conduct revises and replaces the 2015 edition.

Here are the key changes to the 2016 edition of the EES for Schools Code of Conduct:

Commitment

- We will demonstrate ***commitment to continually developing our knowledge and skills and keeping them up to date. This includes our ability to understand and interpret educational and financial data.***

Reworded to explicitly state that governing boards should set an ethos of professionalism and high expectations of governors, including an expectation that they undertake regular development to fill any gaps in the skills they have to contribute to effective governance. In particular, all governors should be able to understand and interpret data. See also [Governance Handbook November 2015](#) 3.3 (25)

- We accept that in the interests of openness and transparency, our full names, date of appointment, terms of office, roles on the governing board, ***attendance records, relevant business and pecuniary interests***, category of governor and the body responsible for appointing us will be published on the school's website.

Governing boards of maintained schools are required to publish on their website up-to-date details of its governance arrangements for each governor who has served at any point over the past 12 months. This includes information for associate members, making clear whether they have voting rights on any of the committees to which they have been appointed.

The statutory guidance [the constitution of governing bodies of maintained schools](#) (August 2015) reinforces that it should be made clear in the Code of Conduct that this information will be published on their governors and any associate members.

Any governor failing to provide information to enable the governing board to fulfil their responsibilities may be in breach of the Code of Conduct and as a result be bringing the governing board into disrepute. In such cases the governing board should consider suspending the governor.

For academies this is nothing new as this became a requirement in the 2014 Academies Financial Handbook (effective from 1 September 2014). Therefore, this will purely serve as a reminder that the lack of publication represents a breach of the

Funding Agreement. If you haven't already done so you should ensure this information is published as soon as possible.

We accept that personal information will also be published on DfE EduBase, to help increase transparency on who governs our schools.

Under [section 538 of the Education Act 1996](#), maintained school governing boards will be under a duty to provide the information required [on Edubase](#) from September 2016, and keep it up to date as those involved in governance change.

From September 2016 the Academies Financial Handbook will require academy trusts to provide information about their members and trustees as well as (in the case of MATs) those sitting on any local governing boards that may be in place. [Edubase has](#) been pre-populated where possible with information already provided via the [Education Funding Agency's Information Exchange](#). From 1 July 2016 the system was live for academy trusts and multi-academy trusts to check their entries, make any updates, and populate any fields that are empty. Edubase will be developed by September 2016 to enable multi-academy trusts to record details of any committees that operate between the trust board and local governing boards at school level (eg overseeing a cluster of academies within the MAT).

- ***We accept that we are required to hold an Enhanced Criminal Records Certificate (ECRC).***

Section to reflect the [new requirement for maintained schools to obtain enhanced DBS checks on all governors](#): from April 2016 for new governors and 1 September 2016 for existing governors.

For academies, the latest model Articles state that the requirements regarding providing an enhanced ECRC certificate apply to members of local governing boards as well as trustees, regardless of whether or not they are in regulated activity. If the trustee will be undertaking regulated activity, there will also be a need to carry out barred list check.

Data Protection and Information Security – Personal Data (Appendix 1)

The governing board has a collective and individual responsibility regarding confidentiality in respect of school business. This new section highlights the importance of ensuring that personal and sensitive information is held and handled securely under the [Data Protection Act 1998](#).