



ST. MARY'S
ACADEMY TRUST

St Mary's Academy Trust

CODE OF CONDUCT FOR LOCAL GOVERNORS, MEMBERS AND DIRECTORS

Date agreed by HR Committee: 7th September 2022

Date to be reviewed: 7th September 2024

1. Introduction

- 1.1 This code outlines the standards of conduct and accountability which are expected of Local Governors, Members and Directors to enable them to understand their legal and ethical duties and to assist them in carrying out those duties.
- 1.2 Behaviours and actions must be governed by the principles set out in this Code of Conduct. It is each individual's responsibility to ensure that they are familiar with, and comply with, all the relevant provisions of the Code.
- 1.3 By accepting appointment to St Mary's Academy Trust individuals agree to accept the provisions of this Code and should sign the declaration at Appendix One of this policy to confirm this.

2. Key Principles

- 2.1 The Key Principles upon which this Code of Conduct is based are the Seven Principles of Public Life, these are: -

Selflessness

Decisions should be made solely in terms of the public interest and should not be made to gain financial or other material benefits.

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 awarding contracts and recommending individuals for rewards and benefits, choices should be made 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 the decisions and actions 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

These principles should be promoted by leadership and example.

3. Core Strategic Functions (In accordance with the Scheme of Delegation)

3.1 Establishing the strategic direction, by:

- Setting the vision, values, and objectives for the school/trust
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

3.2 Ensuring accountability, by:

- Appointing the Headteacher when required
- Monitoring progress towards targets
- Performance managing the Headteacher
- Engaging with stakeholders
- Contributing to school self-evaluation

3.3 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

4. Training and Development for Local Governors

4.1 Governor training is important: it benefits the school and individual governors and can help to develop effective teamwork. Governors are encouraged to undertake training to further their individual interests within the Governing Body and the work of the Governing Body as a whole.

5. Principles for Local Governors Visits to School

5.1 All Governors can visit the school however they do not have the automatic right to enter the school. The date and timing of a visit must be arranged in advance with the Headteacher, and other staff involved.

5.2 Visits should have a clear focus linked to a school policy, a curriculum area, or an aspect of the school improvement plan.

5.3 If a Governor is going to spend time in a classroom, this should be discussed with the class teacher so that both are clear how long the visit will last, what they are going to do look at and what they are going to do.

5.4 In the event of a pandemic, Governors are expected to adhere to any relevant guidelines issued by the UK government or Department for Education where possible. Governors should behave in a professional manner towards other employees, irrespective of their relative position or status, thus must treat all employees' opinions and feelings with respect.

- 5.5 Governors should understand that any visits do not replace professional inspections or the monitoring role of the Headteacher. It is not the Governor's role to make judgements about the effectiveness of the teaching that they see.
- 5.6 If Governors are concerned about any aspects of what they have seen this should be discussed with the Headteacher.
- 5.7 After a visit, the Governor should report back to the Governing Body after first discussing their findings with the Headteacher.

6. Expectations of the Trust

- 6.1 Local Governors, Members and Trustees should show the Trust the highest loyalty and act in good faith in its best interests. Everyone should act honestly and diligently and should always promote the good reputation of the Trust.
- 6.2 Decisions taken must always be for the benefit of the schools, its pupils, staff, and other stakeholders of the Trust and must be taken with a view to safeguarding public funds in line with the overarching Trust Strategies.
- 6.3 Local Governors, Members and Trustees must observe the provisions of the Articles of Association and in particular the responsibilities given to the Board of Trustees under Company and Charity Law.
- 6.4 Local Governors, Members and Trustees should comply with the Articles of Association, Schemes of Delegation and Terms of reference of the Board's committees to ensure that the Trust conducts itself in a proper, fair, open, and transparent manner and only exercises its powers for the purpose for which they are conferred.

7. Statutory Accountability

- 7.1 Local Governors, Members and Trustees are collectively responsible for observing the duties set out in the Articles of Association, the Trust's Funding Body Agreement, and the Academies Financial Handbook in line with the Scheme of Delegation.
- 7.2 The Accounting Officer of the Trust (Chief Executive) is directly responsible and accountable to Parliament for ensuring that the use to which the Trust puts its funds are consistent with the purposes for which the funds were given and comply with the conditions attached to them. They may be required to appear before the Committee of Public Accounts, alongside the EFA's accounting officer to give an account of the regularity and propriety of all expenditure of its funds and for ensuring value for money by the Trust.
- 7.3 The Board of Trustees is accountable to Parliament for ensuring the financial health of the Trust and to the Courts for ensuring that the Trust is conducted in accordance with Company and Charity Law.

8. Confidentiality

- 8.1 Local Governors, Members and Trustees must observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside and outside school.
- 8.2 Local Governors, Members and Trustees must always exercise the greatest prudence when discussions regarding school/trust business arise outside a governing board meeting.
- 8.3 Local Governors, Members and Trustees must not reveal the details of any governing board vote.

9. Conflict of Interest

- 9.1 Local Governors, Members and Trustees will record any pecuniary or other business interest that they 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, they will offer to leave the meeting for the appropriate length of time.
- 9.2 Local Governors, Members and Trustees will declare any conflict of loyalty at the start of any meeting should the situation arise.
- 9.3 Local Governors, Members and Trustees 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.

10. Christian Values

- 10.1 The ethos of the Trust is underpinned by its Christian Values. Staff, children, and parents must be treated considerately, fairly and consistently, always with due concern for their individual cultural, emotional and religious background.

11. Appointment and Termination

- 11.1 **Appointment letters** – these will be issued by Sue Hague, Clerk to the Governors, along with a copy of the Code of Conduct, Register of Business Interest Form, and an Equality Monitoring Form. The Register of Business Interest Form should be returned to Melanie Priestley via email – m.priestley@smat.org.uk, and the Equality Monitoring Form should be returned to Kelsie Street – k.street@smat.org.uk
- 11.2 **Resignations** – governors should confirm their intention to resign in writing and send the letter by email to either the Headteacher, Melanie Priestley or Sue Hague. Sue Hague will write to governors to confirm their resignation along with an exit survey. The resignation will be reported at the next meeting and recorded in the minutes at that time.
- 11.3 **Articles of Association** – On appointment you should make yourself familiar with the Articles of Association, these are available on the Trust website.

12. Criminal Records Check

- 12.1 Local Governors, Members and Trustees will require an enhanced DBS check before they commence their appointment. This information will be recorded on the schools' single central record.

13. Social Media and Other Publications

- 13.1 Social Media and other publications must not be used in connection with the Trust without the express permission of the Board of the Trust. Failure to comply will be considered a serious breach of the code of conduct.

14. Breach of the Code of Conduct

- 14.1 The Chair of Governors will investigate any allegation of breach of this code of conduct.
- 14.2 The Chair of Governors will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- 14.3 Should it be the Chair of Governors that is alleged to have breached this code, another governing board member will investigate.

15. Disqualification Criteria

- 15.1 A person is disqualified from holding or from continuing to hold office as a governor or associate member if:
- They are a registered pupil at the school.
 - They are under the age of 18.
 - They currently hold office of another category of governor on the governing body of the school.
 - They are barred from regulated activity relating to children.
 - They are prohibited from engaging in the management of an educational institution under Section 128 of the Education and Skills Act 2008.
 - They are disqualified from working with children or from registering as a childminder or providing day care.
 - They are disqualified from being an independent school proprietor, teacher, or employee by the Secretary of State.
 - They have been sentenced to imprisonment, whether suspended or not, for three months or more without the option of a fine in the five years before or since becoming a governor.
 - They have received a prison sentence for two or more years in the 20 years before becoming a governor.
 - They have, at any time, received a prison sentence of five years or more.
 - They have been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor.
 - They have failed to attend meetings for a continuous period of 6 months, beginning with the date of the first meeting missed, without having apologies accepted by the governing body.
 - They are subject to a bankruptcy restriction order; interim bankruptcy restriction order; a debt relief restrictions order; an interim debt relief restrictions order; or their estate has been sequestrated and the sequestration has not been discharged, annulled, or reduced.

- They have been disqualified as a company director or failed to make a payment under a county court administration order.
- They have been removed as a charity trustee on the ground of misconduct or mismanagement.
- They refuse to apply for a Disclosure & Barring Service check.

16. Data Impact Assessment

16.1 At all stages of this procedure data obtained will be used only for the purpose for which it is intended and will be stored securely with restricted access to those involved in the process. Following the process data will be stored on the electronic personal file for the duration of the employees' employment with the Trust and for 6 years thereafter. The data will be destroyed at this time using a confidential shredding service.

17. Equality and Diversity

17.1 This policy has been impacted assessed by the HR Committee, if on reading this policy you feel there are any equality and diversity issues, please contact HR who will if necessary, ensure the policy is reviewed.

APPENDIX ONE - DECLARATION

My role is And I agree to the following: -

Role & Responsibilities

- I understand the purpose of the Headteacher and Business Centre.
- I accept that I have no legal authority to act individually, except when the board has given me delegated authority to do so, and therefore I will only speak on behalf of the governing body when I have been specifically authorised to do so.
- I accept collective responsibility for all decisions made by the board or its delegated agents. This means that I will not speak against majority decisions outside the governing board meeting.
- I have a duty to act fairly and without prejudice, and in so far as I have responsibility for staff, I will fulfil all that is expected of a good employer.
- I will encourage open government and will act appropriately.
- I will consider carefully how our decisions may affect the community and other schools.
- I will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/group of schools. My actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints I will follow the procedures established by the governing board.
- I will actively support and challenge the Headteacher.

Commitment

- I acknowledge that accepting office as a governor/trustee/academy committee member involves the commitment of significant amounts of time and energy.
- I will involve myself actively in the work of the governing board, and accept my fair share of responsibilities, including service on committees or working groups.
- I will make full efforts to attend all meetings and where I cannot attend explain in advance why I am unable to.
- For school Governors - I will get to know the school well and respond to opportunities to involve myself in school activities.
- I will visit the school with all visits arranged in advance with the Headteacher and these will be undertaken only within the framework established by the governing board.
- I will consider seriously my individual and collective need for induction, training and development, and will undertake relevant training.
- I accept that in the interests of open government, my full name, 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 me will be published on the school's website.
- In the interests of transparency, I accept that information relating to governors/trustees/academy committee members will be collected and logged on the DfE's national database of governors (Edubase).

Relationships

- I will strive to work as a team in which constructive working relationships are actively promoted.
- I will express views openly, courteously and respectfully in all communications with other governors/trustees/academy committee members and the clerk to the governing board.
- I will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- I am prepared to answer queries from other board members in relation to delegated functions and take into account any concerns expressed, and I will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- For school Governors - I will seek to develop effective working relationships with the Headteacher, staff and parents, the trust, the local authority and other relevant agencies and the community.

Confidentiality

- I will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside and outside school.
- I will exercise the greatest prudence at all times when discussions regarding school/trust business arise outside a governing board meeting.
- I will not reveal the details of any governing board vote.

Conflicts of interest

- I will record any pecuniary or other business interest (including those related to people I am connected with) that I 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 I will offer to leave the meeting for the appropriate length of time. I accept that the Register of Business Interests will be published on the school/trust’s website.
- I will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- I 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.

I understand and agree to comply at all times with the Code of Conduct for Local Governors, Members and Directors.

SIGNED:.....

NAME:

DATE:.....