

Governor Code of Conduct Advice Note: 2022 / 2023

Approved by FGB 28 September 2022 in accordance with current NGA Model Code

Introduction to the Code

The Redmoor Academy Trust recognises and values the effort and commitment of the Full Governing Body (FGB) who contribute significantly to the effective governance of the Trust.

This Code sets out the expectations of Trustees (Governors) and Members in terms of roles, responsibilities and conduct. The Code follows the most recent version of the Code recommended by the National Governance Association (NGA). The Code is reviewed annually by the FGB. The annual review takes into account advice of DfE/ESFA, and others (e.g. NGA).

All Trustees and Members are asked formally to sign their acceptance of the Code in readiness for each new academic year. The Code enshrines the duty of Trustees and Members to ensure that they contribute to their respective strategic functions, as set out in the Trust Scheme of Delegation.

Trustees and Members are indemnified by the Trust against decisions/inadvertent breaches of the law or failure of the Trust.

Trustees

- Contribute to development of the strategic direction of the academy by:
 - setting and ensuring a clear vision, values, ethos and objectives for the Trust;
 - approving and monitoring School improvement strategies, determining priorities and setting targets; and
 - ensuring compliance and the highest standards of governance.

- Ensure accountability by:
 - monitoring the performance of the school including educational outcomes and progress towards agreed targets;
 - communicating with stakeholders;
 - contributing to the self-evaluation of the Trust.

- Manage and oversee financial performance by:
 - approving and monitoring Trust budgets;

- ensuring money is well spent and represents value for money; and
- identifying and managing risks to the Trust.

The Legal framework

1. The Code has due regard to all relevant legislation including, but not limited to, the following:
 - Children Act 1989
 - Children Act 2004
 - Education Act 2011
 - The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018
 - Childcare Act 2006
 - Protection of Freedoms Act 2012
 - Data Protection Act 2018
 - The General Data Protection Regulations (GDPR)

2. The Code also has due regard to guidance including, but not limited to, the following:
 - DfE Governance Handbook*
 - DfE Keeping Children Safe in Education*
 - ESFA Academy Trust Handbook (formerly the Academies Financial Handbook)*
 - DfE 'Disqualification under the Childcare Act 2006'
 - Keeping Children Safe in Education (KCSiE Guidance)*

**current editions*

3. The Code operates in conjunction with and supports Trust policies and delegations.

Confidentiality

1. Some issues discussed at FGB/FGB Committee meetings are confidential. All discussion relating to specific members of staff or pupils are confidential : strict confidentiality must be observed inside and outside the meeting and the requirements of GDPR must be observed. Although all decisions of Trustees/ Members are available to the public, the discussion at meetings relating thereto must remain confidential and/or limited to the non-confidential minutes of the meeting. (See 5 below).

2. Trustees and Members need to be aware that it is a legal requirement on the Trust to publish on its' website details of their name, date of appointment, appointing body, term of office, direct/indirect interests (as declared) and the record of their attendance at FGB/FGB Committee and related meetings. The Trust is also required to publish these details on the publicly available

DfE national data base “Get Information About Schools” (GIAS). The Trust uploads this information for Trustees and Members.

3. Details of voting at any meeting of the FGB/ FGB Committee and related meetings will not be made public.
4. Trustees/Members must continue to observe confidentiality requirements after they leave office.
5. Subject to any Confidentiality Policy approved by the FGB, all FGB and FGB Committee and related Committee Minutes, agenda and reports must be made available for public inspection on request*. The decisions of Trustees (and the advice provided to them by the Executive) is therefore available for public scrutiny. (This underscores the importance of Professional Clerking support for all meetings).

** (Academies Handbook September 2021).*

Data Protection (GDPR)

1. Trustees and Members must at all times adhere to Data Protection/GDPR legislation and Trust policy in relation to this. All Trustees and Members are required to take part in data protection / GDPR training insofar as this relates to the Trust

Commitment

1. Trustees and Members need fully to understand their respective roles and commitments and the expectations of them. All Trustees / Members are expected actively to engage with their role and to accept their fair share of responsibilities within the Trust, through e.g. attendance at and participation in meetings and accepting a role as lead Trustee or LINK Member*. Job Descriptions for these roles are provided – these clarify the role and ensure that it does not stray into operational matters.

**As determined by the FGB from time to time*

2. Trustees/Members are asked also to commit to supporting their Trustee Training lead and to actively participate in the Trust Training Programme, including those training modules deemed to be mandatory.
3. Subject to an agreed Programme of Visits to be developed by the Principal in consultation with the FGB Chair, Trustees also commit to visiting the school to familiarise themselves with Trust/School policy and practice and the challenges facing the school. Guidance on the conduct of Visits, the timing of which must be agreed with the Principal or their representative, is available. Trustees must complete the formal Visit Report template provided. These reports are included as a standing item on specified FGB meeting agenda – ensuring that the FGB can review the findings from the Visit, discuss any concerns or actions required and thus provide evidence to Ofsted and others of active and engaged governance.

The Nolan Principles : Behaviour of Trustees and Members

The Trust is committed to the highest standards of ethical leadership (i.e. the 'The 7 principles of public life' (the Nolan principles)). All Trustees/Members shall pay due regard to this commitment and to their individual position of public office and adhere to the those principles – Appendix 1.

Consequent on those principles:

1. The Chair of the Trust is responsible for ensuring the appropriate conduct and behaviour of all Trustees and Member.
2. The FGB seeks to develop open, honest and effective relationships with executive and senior leaders, all other staff and parents/carers of children attending Redmoor school, as well as other relevant bodies and stakeholders, (e.g. Members, RSC, ESFA, LA and auditors). In particular, Trustees and Members are required to -
 - a) declare to the Clerk to the FGB any change in their eligibility to hold the position of Trustee/Member as per the eligibility criteria set out in the Trust Articles of Association and any supporting legislation.
 - b) strive continuously to work as a team and to express their views openly, in a courteous and respectful manner.
 - c) always act in the best interests of the Trust and its pupils and not act in a manner that may bring disrepute to the Trust. Similarly, Trustees/Members shall not break the law, act in a manner that is contrary to Charity Regulation or act in disregard of Trust policy in any aspect. To do so shall be regarded as a breach of this Code and may lead to suspension and or dismissal as a Trustee/Member.
 - d) not to accept gifts or hospitality without the prior consent of the FGB and always to act in line with Trust policy in this respect.

Conflicts of interest

1. Trustees/Members shall strictly observe the policy and procedures of the Trust relating to Declarations of Interest and potential conflicts of interest : guidance on this is available from the Clerk to the FGB. Trustees/Members who may be unsure about the nature of an interest should discuss their situation with the Clerk to the FGB - the general rule is **"if in doubt – declare"**.

Breach of this Code

1. Any suspected or alleged breach of this Code shall be reported to the Chair of the FGB (or Clerk to the FGB) who shall make arrangements for the concern to be investigated.
2. In accordance with the recommendations of the DfE Governor Handbook, the extent of participation in the Annual Programme of Trustee Training will be taken into account by the FGB in assessing FGB Effectiveness. Lack of participation in the

Programme may be considered by the FGB to be a breach of this Code and may lead to suspension or removal of a Trustee/Member.

3. In the event that a breach involves the Chair of the FGB the matter must be reported to the Trust Members who shall arrange for a Trust Member or someone independent of the FGB to investigate the matter.
4. The FGB (or Members in the case of 3 above) shall consider the outcome of the investigation and shall attempt to resolve any difficulty or dispute in a constructive manner before suspension or removal is considered.
5. If the need arises to suspend a Trustee/Member*, the FGB shall ensure a fair and objective process by implementing the following procedure:
 - the Chair of the FGB (or if appropriate the Members) will consider if, in light of the alleged or suspected breach, there is a need for immediate suspension. If the Chair (or Members) considers this would be in the best interests of the Trust, they are authorised to make that decision provided always the decision is immediately reported to and confirmed via Written Resolution, by the FGB. Subject to this, Trustees/Members* who are the subject of an allegation or are on suspicion of breach, or who have committed a breach, are encouraged to stand aside from the FGB pending the investigation;
 - if the suspension involves a Trustee, Members shall be advised. If the Chair considers it to be in the best interests of the Trust, the Chair is authorised to make a decision on suspension provided always that the decision is immediately reported to and confirmed via Written Resolution, by the Members;
 - all correspondence/Written Resolutions etc. related to proposed and/or actual suspension of a Trustee/ Member shall be conducted formally through the Clerk to the FGB;
 - if, following investigation, it is suggested that the Trustee/Member should be dismissed, that person shall be given the opportunity to make a written statement to the FGB/Members (as appropriate) in response to the proposal that they be dismissed from office.
 - The Trustee/Member shall be informed of the decision relating to dismissal in writing within five working days.

Appendix 1 : Trust Code of Conduct and Declaration

I agree to abide by the Seven Nolan Principles of Public Life:

Selflessness

I will act solely in terms of the public interest.

Integrity

I will avoid placing myself under any obligation to people or organisations that might try inappropriately to influence me in my work for the Trust. I will not act or take decisions in order to gain financial or other material benefits for myself, my family, or my friends. I will declare and resolve any interests and relationships.

Objectivity

I will act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

I acknowledge that I am accountable to the public for my decisions and actions and will submit myself to the scrutiny necessary to ensure this.

Openness

I will act and take decisions in an open and transparent manner. Information will not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

I will be truthful.

Leadership

I will exhibit these principles in our own behaviour. We will actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

I will focus on the core governance functions of the FGB (as appropriate) - as set out in the covering document.

As an individual FGB /Member I agree to:

Fulfil my role & responsibilities

1. I accept that our role is strategic and so will focus on our core functions rather than involve myself in day-to-day operational management or issues.
2. I will fulfil my role and responsibilities as set out in our [scheme of delegation](#).
3. I will develop, share and live the ethos and values of the Trust.
4. I agree to adhere to school/trust policies and procedures as set out by the relevant governing documents and law.
5. I will work collectively for the benefit of the Trust/school/s.
6. I will be candid but constructive and respectful when holding senior leaders to account.
7. I will consider how my decisions may affect the school/s and the local community.
8. I will stand by the decisions that we make as a collective.
9. Where decisions and actions conflict with the Seven Principles of Public Life or may place pupils at risk, I will speak up and bring this to the attention of the relevant authorities.
10. I will only speak or act on behalf of the FGB if I have the authority to do so.
11. In so far as this applies to my role as a Trustee/Member, I will fulfil my responsibilities as a good employer, acting fairly and without prejudice.
12. When making or responding to complaints I will follow the established procedures of the Trust.
13. I will strive to uphold the school / trust reputation in my private communications (including on social media).
14. I will not discriminate against anyone and will work to advance equality of opportunity for all.

Demonstrate commitment to the role

1. I will involve myself actively in the work of the FGB and accept my fair share of responsibilities, serving on committees or working groups where required.
2. I will make every effort to attend all meetings and where I cannot attend explain in advance why I am unable to.
3. I will arrive at meetings prepared, having read all papers in advance, ready to make a positive contribution and observe protocol.
4. I will get to know Redmoor school well and respond to opportunities to involve myself, where appropriate, in Redmoor school activities.
5. I will visit the school and when doing so will make arrangements with relevant staff in advance and observe school protocol.
6. When visiting Redmoor school in a personal capacity (for example, as a parent or carer), I will continue to honour the commitments made in this Code.
7. I will participate in induction training and take responsibility for developing my individual (and collective skills as a group) and knowledge on an ongoing basis.

Build and maintain relationships

1. I will develop effective working relationships with (as appropriate) Trust and school leaders, staff, parents/carers and other relevant stakeholders from our local community/communities.

2. I will express views openly, courteously and respectfully in all my communications with FGB / Members and staff both inside and outside of meetings.
3. I will work to create an inclusive environment where each FGB and Trust Member contributions are valued equally.
4. I will support the Chair(s) in their role of leading the FGB and ensuring appropriate conduct.

Respect confidentiality

1. I will observe complete confidentiality both inside and outside of school when matters are deemed confidential or where they concern individual staff, pupils or families.
2. I will not reveal the details of any FGB/FGB Committee or related meeting vote.
3. I will ensure all confidential papers are held and disposed of appropriately.
4. I will maintain confidentiality even after I leave office.

Declare conflicts of interest and be transparent

1. I will declare any direct or indirect business, personal or other interest that I have in connection with the board's business, and these will be recorded in the Trust [register of business interests](#).
2. I will also declare any conflict of loyalty at the start of any meeting should the need arise.
3. If a conflicted matter arises in a meeting, I will offer to leave the meeting for the duration of the discussion and any subsequent vote.
4. I accept that the Register of Business Interests will be published on the school/trust's website and that similar details must be provided on GIAS.
5. I will act in the best interests of the school/trust as a whole and not as a representative of any group.
6. I accept that in the interests of open governance, my full name, date of appointment, terms of office, roles on the governing board, attendance records, relevant business and pecuniary interests, category of trustee/Member and the body responsible for appointing me will be published on the trust website.
7. I accept that information relating to the FGB will be collected and recorded on the DfE's national database (Get Information about Schools)

I agree to adhere to this Code of Conduct, adopted by the Trust Board on 28 September 2022. I understand that if I do not do so I may be in breach of the Code and accordingly subject to suspension or dismissal as a Trustee/SSC Member.

.....(Signed)

.....Date

Name

