

# Frinton-on-Sea Primary School

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## Code of Conduct for the Governing Board

**This Code should be read in conjunction with the relevant legislation and for academies, their articles of association and agreed scheme of delegation. It should be adapted as appropriate depending on the governance setting and level of delegation.**

This Code of Conduct sets out the expectations of and commitment required from school governors, trustees and local governing body members in order for the governing board to properly carry out its work within the school and the community.

The governing board has adopted the following principles and procedures:

### **Purpose of the governing board**

The purpose of the governing body 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 and consulting with stakeholders
- 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

- committed to the key characteristics and behaviours expected of the role, as set out in [A Competency Framework for Governance \(DfE 2017\)](#)
- 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 are aware of and accept the Seven Nolan Principles of Public Life (see *Appendix 1*).
- We accept that we have no legal authority to act individually, except when the governing board has given us delegated authority to do so. We will only speak on behalf of the governing board when we have been authorised to do so.
- We accept collective responsibility for all decisions made by the governing board. We will not speak against majority decisions once they have been made.
- We understand that where responsibility has been delegated, the board as a whole remains accountable, and therefore will ensure that important decisions are made by the full board.
- We understand that we have a duty to act fairly and without prejudice.
- 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 promote tolerance of and respect for those of different faiths and beliefs, races, genders, ages, disability and sexual orientation.
- We understand the distinction between the role and responsibilities of the board and those of executive leaders and we will avoid involvement in operational issues.
- 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 understand how much time is involved in the role that we are carrying out.
- We will each involve ourselves actively in the work of the governing board and accept our fair share of responsibilities, including monitoring visits and 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 visit the school. Any visit made will be 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.

## **Data Sharing**

- 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 the DfE's [Get Information about Schools \(GIAS\)](#) system. We accept that the school is required to carry out the following checks on us within 21 days of our appointment: Enhanced DBS Check; Section 128 Direction Check.

- **Communication**

- We will strive to uphold the reputation of the school at all times.
- We will express views openly, courteously and respectfully in our communications with other governors.
- We will seek to develop effective working relationships with our headteacher, staff and parents, the local authority, and other relevant agencies and the community.
- We will maintain a professional presence online and consider the impact that any personal views that we post online could have on the school.
- We will carefully consider how we interact with the school and wider community, both online and in person.
- We will review our online privacy settings at least annually so that we know what information the public can see about us and then consider this information when we are posting online.
- We will not accept friend requests from pupils or parents.
- We will carefully consider the impact of joining any private parent groups associated with the school or any memberships that we already have of such groups when we become governors. Membership of private parent groups may mean that we are aware of parental concerns outside of the school's complaints procedure and this may put us in a difficult situation.

- If we know or become aware of any private parent, staff, or student groups bearing the school's name, we will report this to the governing body.
- We will not post anything inappropriate, offensive, or political on social media, including our personal opinions that may bring us or the school into disrepute.

### **Confidentiality**

- 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.
- We will not disclose any information which is deemed confidential by the governing body or would breach the Data Protection Act 2018.
- We will not make comments about any members of the governing board or school community, either face to face, or online.

### **Data Protection**

- We will strive to ensure the school's overall compliance with the data protection regulations.
- We will ensure that appropriate technical and organisational measures are in place across the school to protect any data that it holds.
- We will engage in data protection training.
- We will be familiar with, and act in accordance with, the school's Data Protection Policy, and will conduct monitoring of this as part of the governing body's overall monitoring plan.

### **Conflicts of Interest**

- We will declare and 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. We will fully review this annually.
- If any matter arises in a meeting which may cause us to become conflicted in terms of our personal or business interests, we will declare this and 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.

### **Breach of this Code of Conduct**

If we believe this Code has been breached, we will raise it with the chair and the chair will investigate under the school's procedure for dealing with complaints about governors. Should it be the chair that we believe has breached this Code, another governor, such as the vice chair, will investigate.

We will follow up any complaints about governors under this Code and the school's procedure for complaints about governors and trustees.

The governing board will only suspend or remove a governor from the governing body as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.

Where a governor's conduct has been investigated under the governor complaints procedure and a panel has found the complaint to be so serious that the person should no longer serve as a governor, the expectation would be that the person should resign from their post.

Should the governor not resign from their post and their continuation as a governor would affect the reputation and the work of the school, the governor may be suspended or removed from their role in line with the grounds and procedures laid down in the relevant legislation (see Appendix A of procedure for complaints against governors).

If a complaint is made against the chair or vice chair, and it is fully or partially upheld by an investigating panel, the governing body may remove the chair or vice chair from office.

**Printed Name:**

**Date:**

## Appendix 1

### 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 2**

### **Legal framework**

The Code of Conduct has due regard to all relevant legislation including, but not limited to, the following:

- The Children Act 1998
- 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) 2018
- The School Governance (Constitution) (England) Regulations 2012
- The Charities (Protection and Social Investment) Act 2016

The Code of Conduct also has due regard to guidance including, but not limited to, the following:

- DfE Governance Handbook (2019)
- Keeping Children Safe in Education (2019)
- The constitution of governing bodies of maintained schools (2017)
- Charity Commission CC3 – The essential trustee: what you need to know, what you need to do