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j0115855

**Local Academy Board**

**Code of Conduct**

j0115855

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| **Updates** | **Date:** |
| 1.2 Keeping Children Safe in Education updated September 2019 | September 2018  September 2019 |
| 2.2 Dignity at Work replaced with Grievance Policy  2.2 Equal Opportunities replaced Equality Policy | September 2018 |
| 2.3 Word change Local Governing Body removed, replaced with Trust  2.9 Whole sentence removed | September 2018 |
| Addendum added - Expectation of Governors in a Church of England School | September 2018 |
| Policy, Approval and Review dates added | September 2018 |
| Governance Handbook year date amended to 2019 | March 2019 |
| Data Protection Act date amended to 2018 | March 2019 |
| Rebranding (name amended) | September 2019 |
| Local Governing Body replaced with Local Academy Board | September 2019 |

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**Statement of intent**

At TheTrust**,** we recognise and value the effort taken by members of the Local Academy Board who contribute towards our academy. We encourage your assistance and acknowledge that many 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 the Local Academy Board is productive and enjoyable.

This policy outlines what is expected from members of the Local Academy Board and sets out the Code of Conduct, which all members are required to comply with.

# Legal framework

* 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 2018
* The School Governance (Constitution) (England) Regulations 2012
* The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2017
  1. This policy also has due regard to DfE guidance, including, but not limited to, the following:
* ‘Governance Handbook’ 2019
* ‘Keeping children safe in education’ 2019
* ‘Disqualification under the Childcare Act 2006’ 2016

# Role and responsibilities

* 1. The Local Academy Board is responsible for determining, monitoring and keeping under review the broad policies, plans and procedures within which the academy will operate.
  2. All members of the Local Academy Board will be required to make themselves familiar with academy procedures, including the following:
* Child Protection and Safeguarding Policy
* Equality Policy
* Grievance Policy
* Health and Safety Policy
* Behavioural Policy
* Whistleblowing Policy
* Assessment Policy
* Data Protection Policy
* Disciplinary procedures
* Complaints procedures
  1. This code of conduct will be reviewed by the Local Academy Board on an annual basis and will be signed by governors at the first meeting of the autumn term.
  2. The Local Academy Board has three core strategic functions; to ensure accountability, establish the strategic direction of the academy and to ensure financial probity.
  3. Members of the Local Academy Board accept that they have no legal authority to act individually, except when they have been given delegated authority to do so.
  4. Governors will only speak on behalf of the Local Academy Board when they have been specifically authorised to do so.
  5. Members of the Local Academy Board will:
* Act fairly and without prejudice.
* Encourage open governance.
* Accept collective responsibility for decisions made by the Local Academy Board.
* Be mindful of their responsibility to maintain and develop the ethos and reputation of the academy.
* Consider how decisions may affect the community.
* Actively support and challenge the leadership of the academy.
* Follow the procedures established by the Local Academy Board.
  1. Under no circumstances will governors speak against discussions or decisions outside of Local Academy Board meetings.
  2. The Local Academy Board will fulfil its duty as an employer, acting in a manner that is expected of a good proprietor.

# Confidentiality

* 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 academy.
  2. Members of the Local Academy Board partaking in discussions regarding academy business outside of Local Academy Board meetings will exercise the greatest prudence at all times.
  3. The details of a Local Academy Board vote will not be revealed under any circumstance.
  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 academy website.
  5. In the interests of transparency, governors accept and consent to information relating to them as members of the Local Academy Board being logged on Get Information about Schools (GIAS),*(formerly Edubase),* the DfE’s national database.

# Commitment

* 1. Members of the Local Academy Board fully understand their role and are committed to the amount of time and energy the role involves.
  2. Each member of the Local Academy Board will be actively involved in the role and accept their fair share of responsibilities within the Local Academy Board.
  3. Full effort will be given to the attendance of meetings.
  4. Where a governor cannot attend a meeting, they will contact the Clerk in advance to give their apologies.
  5. All relevant training and inductions will be undertaken in a prompt and efficient manner.

# Behaviour of governors

* 1. The Chair of the Local Academy Board is responsible for ensuring the appropriate conduct and behaviour of governors at all times.
  2. The Local Academy Board will seek to develop open, honest and effective working relationships with the Headteacher, staff members and parents at the academy, as well as any other relevant body, such as the Trust.
  3. Members of the Local Academy Board will continuously strive to work as a team.
  4. Governors will always express their views openly, but in a courteous and respectful manner.
  5. The Local Academy Board will acknowledge the time, effort and skills demonstrated in the execution of delegated functions by other members of the body.
  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.
  7. When making decisions, governors will carefully consider how their decisions and actions might affect those who are part of the academy community and wider locality.

# Conflicts of interest

* 1. Members of the Local Academy Board will act in the best interests of the academy at all times and will not act in the interest of, or as a representative of, any group or individual.
  2. Governors will complete a Register of Pecuniary Interests form stating any pecuniary interests that they might have in connection to the Local Academy Board’s business.
  3. Interests of those related or closely connected to a governor will be declared on the Register of Pecuniary Interests.
  4. Members of the Local Academy 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.
  5. Any conflict of loyalty will be declared at the start of any meeting, should the situation arise.

Access to the academy

* 1. All members of the Local Academy Board will take an active interest in the academy and its community.
  2. All governor visits to the academy will be undertaken in line with the Trust’s Governor Academy Visits Policy.
  3. Governors will actively participate in the academy community, and will respond to opportunities to be involved in academy activities and events.

# Breaching the code

8.1 If we believe this code has been breached, we will raise this issue with the Chair and the Chair will investigate; the governing body should seek to resolve any difficulties or disputes constructively;

* 1. Should it be the Chair that we believe has breached this code, another governor, such as the Vice Chair will investigate; or at the request of the LAB, the Trust.
  2. We understand that any allegation of a material breach of this code of practice by any governor shall be raised at a meeting of the governing body, and, if agreed to be substantiated by a majority of governors, shall be minuted and can lead to consideration of suspension or in some circumstances removal from the governing body.
  3. In taking the decision to suspend, we will follow a process as set out in Annex A.

**The Governing Body of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ adopted this code of practice on date:**

**\_\_\_\_\_\_\_\_\_.** Governors will sign the Code at the first governing body meeting of each academy year.

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| --- | --- | --- | --- |
| Signed by: | | | |
|  | Headteacher | Date: |  |
|  | Chair of governors | Date: |  |

# Appendix A: Code of Conduct Acknowledgement Form

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| --- | --- |
| **Name of governor:** |  |
| **Role in the Local Academy 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** |  |
| **Grievance Policy** |  |
| **Whistleblowing Policy** |  |
| **Pupil Assessment Policy** |  |
| **Data Protection Policy** |  |
| **Disciplinary procedures** |  |
| **Complaints procedures** |  |

**Undertaking**:

As a member of the Local Academy Board, I will always have the well-being of the children and the reputation of the academy at heart. I will do all I can to be an ambassador for the academy, publicly supporting its aims, values and ethos; I will never say or do anything publicly that would embarrass the academy, the governing body, the Headteacher, staff or the Trust.

I hereby acknowledge the terms detailed within the Local Academy Board Code of Conduct and agree to abide by this code whilst I am an acting member of the Local Academy Board.

Signature:

Date:

**Appendix B: The Seven Principles of Public Life**

(originally published by the Nolan Committee:  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).

**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.

**Annex A**: **Process for governor suspension**

Subject to the following paragraphs, the governing body may by resolution suspend a governor for all or any meetings of the governing body, or of a committee, for a fixed period of up to 6 months on one or more of the following grounds:

A. that the governor, being a person paid to work at the academy is the subject of disciplinary proceedings in relation to his employment;

B. that the governor is the subject of proceedings in any court or tribunal, the outcome of which may be that he is disqualified from continuing to hold office as a governor under the articles of association;

C. that the governor is in breach of any of the provisions of this code of practice which the governing body believes has, or could, bring the office of academy governor into disrepute;

D. that the governor has acted in a way that is inconsistent with the ethos or with the religious character of the academy and has brought or is likely to bring the academy or the governing body or his office into disrepute; or

E. that the governor is in breach of his duty of confidentiality to the academy or to any member of staff or to any pupil at the academy.

F. A resolution to suspend a governor from office shall not have effect unless the matter is specified as an item of business on the agenda for the meeting of which notice has been given in accordance with the Articles of Association.

G. Before a vote is taken on a resolution to suspend a governor, the governor proposing the resolution shall at the meeting state his reasons for doing so. The governor who is the subject of the resolution shall then be given the opportunity to make a statement in response before withdrawing from the meeting.

H. Nothing in this regulation shall be read as affecting the right of a governor who has been suspended to receive notices of, and agendas and reports or other papers, for meetings of the governing body during the period of his suspension.

**Removal of Governor:**

In the event of a resolution being made to remove a governor from office, the following procedure will be implemented:

1. A resolution to remove a governor from office will be included on an agenda, and circulated to all members of the governing board.
2. A meeting will be held and the resolution to remove the governor from office will be fully explained.
3. Governors will give due and careful consideration to the reasons given to remove the governor from office.
4. 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.
5. 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.
6. 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.
7. The nominated body that appointed to the Local Academy Board can only approve the removal of a Foundation Governor. This would normally be the Diocesan Director of Education.

**Addendum - Governor Code of Conduct**

**Expectation of Governors in a Church of England (CE) academy within the Trust**

This addendum to the Governor Code of Conduct sets out the expectations and commitment required from governors and trustees to fulfil its role of upholding the legally binding and historic foundation of the academy/school as set out in the Articles of Association and Scheme of Delegation.

As a governor in a Church school there is an expectation to:

* Develop and uphold the Christian distinctiveness of the school and promote high standards
* Ensure clarity of vision, ethos and strategic directions ensuring that the school has identified what the Christian ethos means for the school in its context and community.
* Ensure that the school is conducted in accordance with the founding Trust Deed.