



St Mary's Academy Trust

CODE OF CONDUCT FOR LOCAL GOVERNORS, MEMBERS AND TRUSTEES

Date agreed by Committee: 18th October 2024

Date to be reviewed: 31st August 2025

1. Introduction

- 1.1 This code outlines the standards of conduct and accountability which are expected of Local Governors, Members and Trustees 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 CEO when required
 - 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 expected 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 Local Governing Body/Committee/Board as appropriate in accordance with the Scheme of Delegation 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. Honesty, Integrity, and Professional Attitude

- 11.1 Local Governors, Members and Trustees must maintain the highest standards of honesty and integrity.
- 11.2 Local Governors, Members and Trustees are expected to conduct themselves in a professional manner fitting for their role within a school and as a role model for children.
- 11.3 It is the duty of Local Governors, Members and Trustees to report to the Chief Finance Officer whenever a matter arises which involves, or is thought to involve, irregularities concerning cash, stores or other property of the Trust or any suspected irregularity, including the unofficial use of funds (if a matter involves the Chief Finance Officer, it is the duty of employees to report to the Chief Executive).

- 11.4 The Trust has a Whistleblowing Policy which seeks to encourage and enable employees to raise concerns so that the Trust can take prompt action. The Policy makes it clear that employees who raise legitimate concerns can do so with no fear of reprisals.
- 11.5 Local Governors, Members, and Trustees must behave in a professional manner towards others, irrespective of their relative position or status within the Trust and treat all other's opinions and feelings with respect. They should speak politely; communicate honestly and openly with the person concerned, not dealing with sensitive matters in public. Local Governors, Members, and Trustees should be publicly supportive of each other, dealing with criticisms or concerns privately, and should never act in a way that undermines another.
- 11.6 Sexual harassment in the workplace is prohibited under the Equality Act 2010. Unwanted conduct of a sexual nature that violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment. Sexual harassment will not be tolerated, please refer to the Dignity at Work Policy.

12. Appointment and Termination

- 12.1 **Appointment letters** – these will be issued by the 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 the Governance Compliance Officer and the Equality Monitoring Form should be returned to HR.
- 12.2 **Resignations** – governors should confirm their intention to resign in writing and send the letter by email to the Governance Compliance Officer. The Chair of the Board 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.
- 12.3 **Articles of Association** – On appointment you must make yourself familiar with the Articles of Association, these are available on the Trust website.

13. Criminal Records Check

- 13.1 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.

14. Health and Safety

- 14.1 In respect of Health and Safety, all relevant Policies and Procedures must be always observed.
- 14.2 All employees are reminded that the Trust operates a no smoking or vaping policy in all its premises.

15. Use of I.T. Equipment/Email/Internet and Social Media

- 15.1 Local Governors, Members and Trustees must exercise caution when using information technology and be aware of the risks to themselves and others. They must familiarise themselves with the Acceptable Use Policy and e-Safety Policy.
- 15.2 If Local Governors, Members and Trustees have permission to use their personal mobile devices (laptops / tablets / mobile phones / USB devices etc.) in school, they must follow the rules set out in the Acceptable Use Policy, in the same way as if they were using school/Trust equipment.
- 15.3 Local Governors, Members and Trustees should not use social media platforms with pupils, or former pupils, and unless posting in a professional capacity, should refrain from posting any comments, or having conversations which are work-related on them. Local Governors, Members and Trustees should ensure that their security settings are such that a pupil would not be able to locate their social media page.
- 15.4 Local Governors, Members and Trustees must only use their Trust email account when communicating electronically on behalf of the Trust.
- 15.5 Work related correspondence should not be carried out via messenger, WhatsApp, or text message.

16. Relationships and Attitudes

- 16.1 Local Governors, Members and Trustees should clearly understand the need to maintain appropriate boundaries in their dealings with pupils. Intimate or sexual relationships between Local Governors, Members or Trustees and pupils will be regarded as a serious breach of trust, and any sexual activity between Local Governors, Members or Trustees and pupils at the Trust is a criminal offence.
- 16.2 Local Governors, Members and Trustees should ensure that their relationships with pupils are appropriate to the age and gender of the pupils, and care should be taken that their language or conduct does not give rise to comment or speculation. Attitudes, demeanours, and language all require care and thought, particularly when they are dealing with pre-adolescent boys and girls.
- 16.3 From time-to-time Local Governors, Members and Trustees may encounter pupils who display attention-seeking behaviour or profess to be attracted to them. They should aim to deal with those situations sensitively and appropriately but must ensure that their behaviour cannot be misinterpreted. In these circumstances, SLT MUST be made aware of the situation.
- 16.4 Local Governors, Members and Trustees should act respectfully towards pupils at all times. They should speak in a calm and objective way, model good manners and take seriously what pupils tell them. They should try to settle conflicts in a fair and objective manner, dealing with current behaviour only, and not consider or refer to past behaviour, unless directly relevant.

17. Low Level Concerns

17.1 A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult working in or on behalf of the school may have acted in a way that:

- Is inconsistent with the code of conduct, including inappropriate conduct outside of work, **AND**
- Does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

17.2 Examples of such behaviour could include, but are not limited to:

- Being over friendly with children
- Having favourites
- Taking photographs of children on their mobile phone, contrary to school policy
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- Humiliating children

17.3 Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

17.4 The reporting procedures are as follows: -

- Low level concerns about a member of staff should be reported to the Designated Safeguarding Lead, the Headteacher.
- If the concern is about the Headteacher this should be reported to the Chair of Governors.

17.5 Please refer to the Low-Level Concerns Policy.

18. Allegations of Abuse Against Staff

18.1 The procedure detailed in the Allegations of Abuse Against Staff Policy sets out the procedure for managing allegations of abuse made against staff members, supply staff, volunteers, and contractors.

18.2 Volunteers includes Local Governors, Members, and Trustees.

18.3 The procedure should be followed wherever an allegation of abuse is made, and it should be noted that an individual could be subject to an allegation even if they have not harmed a child or intended to harm a child.

- 18.4 The framework for managing cases of allegations of abuse against people who work with children is set out in 'Working Together to Safeguard Children: A guide to interagency working to safeguard and promote the welfare of children' (2023) which provides an overview of how allegations should be handled and Keeping Children Safe in Education.

19. Breach of the Code of Conduct

- 19.1 The Chair of Governors will investigate any allegation of breach of this code of conduct.
- 19.2 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.
- 19.3 Should it be the Chair of Governors that is alleged to have breached this code, another governing board member will investigate.

20. Disqualification Criteria

- 20.1 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.

21. Data Impact Assessment

- 21.1 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.

22. Equality and Diversity

- 22.1 This policy has been impacted assessed by HR during review. 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 re-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 Local Governing Body/Member/Trustee as appropriate in accordance with the Scheme of Delegation 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 where appropriate.
- 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 Trustees.

SIGNED:.....

NAME:

DATE:.....