

Code of Conduct for School Governing Bodies (2023)

The governing body has the following core functions, as defined in Regulations:

- a) ensuring that the vision, ethos and direction of the school are clearly defined;
- b) ensuring that the headteacher performs his or her responsibilities for the educational performance of the school; and
- c) ensuring the sound, proper and effective use of the school's financial resources.

In exercising their functions, the governing body shall:

- a) act with integrity, objectivity and honesty and in the best interests of the school; and
- b) be open about the decisions they make and the actions they take, and in particular shall be prepared to explain decisions and actions to interested parties.

Specifically, as individuals on the governing body we agree to the following:

Role and Responsibilities

- We understand the purpose of the governing body and the role of the headteacher and senior leadership team.
- We accept that we have no legal authority to act individually, except when the governing body has given us delegated authority to do so, and therefore we will only speak on behalf of the governing body when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the governing body or its delegated agents. This means that we will not speak against majority decisions outside the governing body meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open governance and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- *We shall fully cooperate with individual requests that are necessary to ensure organisational compliance, such as disclosure and barring checks.
- 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.
- In making or responding to criticism or complaints we will follow the procedures established by the governing body.
- We will actively support and challenge the headteacher and senior leadership team.
- We will accept and respect the difference in roles between the governing body and staff, ensuring that we work collectively for the benefit of the organisation.
- We will respect the role of the headteacher and their responsibility for the day-to-day management of the school and avoid any actions that might undermine such arrangements.

- We agree to adhere to the school's rules and policies and the procedures of the governing body as set out by the relevant governance documents and law.
- When formally speaking or writing in our governing role, we will ensure our comments reflect current organisational policy even if they might be different to our personal views.
- When communicating in our private capacity (including on social media) we will be mindful of and strive to uphold the reputation of the school.
- We will avoid, as far as possible, becoming involved in any communication which may lead to a conflict of interest with the role of the governing body.

Commitment

- We acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing body, and accept our fair share of responsibilities, including 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 arrive at meetings prepared, having read all papers in advance, ready to make a positive contribution and observe protocol.
- We will get to know the school well and respond to opportunities to involve ourselves in school activities.
- We will visit the school, with all visits arranged in advance with the headteacher and undertaken within the framework established by the governing body.
- When visiting the school in a personal capacity (i.e. as a parent or carer), we will maintain our underlying responsibility as a governor and continue to honour commitments made in this code.
- *We will participate in induction training, prioritise training in required areas (such as safeguarding) and commit to developing our individual and collective skills and knowledge on an ongoing basis.
- We accept that in the interests of open governance, our full names, date of appointment, terms of office, roles on the governing body, 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.
- In the interests of transparency, we accept that information relating to governors will be collected and logged on the Department for Education's national database of governors ('Get Information about Schools').

Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will work to create an inclusive environment, where everyone's contributions are valued equally.
- We will express views openly, courteously, and respectfully in all our communications with other governors, the clerk to the governing body and school staff both in and outside of meetings.

- We will support the chair in their role of ensuring appropriate conduct, both at meetings and at all times.
- We will confront malpractice by speaking up against and bringing to the attention of the relevant authorities, any decisions and actions that conflict with the Seven Principles of Public Life (detailed below) or which may place pupils at risk.
- We are prepared to answer queries from other governors in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the headteacher, staff, parents, the local authority and other relevant agencies and the community.
- *We will respect the remit of, and engage constructively with, relevant authorities and other schools.
- We will be candid, but constructive and respectful when holding senior leaders to account.
- We will have regard to our responsibilities under [The Equality Act](#) and will work to advance equality of opportunity for all.

Confidentiality

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

Conflicts of Interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing body's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will 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.
- We 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 body.

Ceasing to be a Governor

We understand that the requirements relating to confidentiality will continue to apply after a governor leaves office.

Breach of this Code of Conduct

If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing body will only use suspension / removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.

Should it be the chair that we believe has breached this code, another governing body member, such as the vice-chair will investigate.

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.
- **Integrity** - holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- **Objectivity** - holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- **Accountability** - holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- **Openness** - holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- **Honesty** – holders of public office should be truthful.
- **Leadership** – holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

(Adapted from the model Code of Conduct published by the NGA - 2023)

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Qualifications and Disqualifications (Regulation 17 and Schedule 4 to the Regulations)

Grounds for disqualification fall into three broad categories:

- general grounds;
- grounds that apply to particular categories of governor; and
- grounds that arise because of particular failings or actions on the part of the governor.

All the grounds for disqualification apply also to associate members except that associate members can be registered pupils at the school and can be under 18.

General grounds

Registered pupils cannot be governors.

A governor must be aged 18 or over at the time of election or appointment.

A person cannot hold more than one governor post at the same school at the same time.

Grounds that apply to particular categories of governor

A person is disqualified from being a parent governor if they are an elected member of the Local Authority or paid to work at the school for more than 500 hours (i.e. for more than one-third of the hours of a full-time equivalent) in any consecutive twelve month period at the time of election or appointment.

A person is disqualified from being a local authority governor if they are eligible to be a staff governor at the school.

A person is disqualified from being a partnership governor if they are:

- a parent of a registered pupil at the school;
- eligible to be a staff governor at the school;
- an elected member of the local authority; or
- employed by the local authority in connection with its education functions.

Grounds that arise because of particular failings or actions on the part of the governor

A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the governing body. This does not apply to the headteacher or to foundation governors appointed by virtue of their office.

A foundation, local authority, co-opted or partnership governor at the school who is disqualified for failing to attend meetings is only disqualified from being a governor of

any category at the school during the twelve-month period starting on the date on which they were disqualified.

A person is disqualified from holding or continuing to hold office as a governor of a school if, in summary, that person:

- is the subject of a bankruptcy restrictions order; an interim bankruptcy restrictions order; 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;
- is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986; a disqualification order under the Companies (Northern Ireland) Order 2002; a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order);
- has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement in the administration of the charity, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body;
- has been removed from office as an elected governor within the last five years;
- is included in the list of people considered by the Secretary of State as unsuitable to work with children or young people;
- is barred from any regulated activity relating to children;
- is subject to a direction of the Secretary of State under section 142 of the Education Act 2002 or section 128 of the Education and Skills Act 2008;
- is disqualified from working with children or from registering for child-minding or providing day care;
- is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State;
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has been sentenced to three months or more in prison (without the option of a fine) in the five years ending with the date preceding the date of appointment/election as a governor or since becoming a governor;
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has received a prison sentence of two and a half years or more in the 20 years ending with the date preceding the date of appointment/election as a governor;
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has at any time received a prison sentence of five years or more;
- has been convicted and fined for causing a nuisance or disturbance on school or educational premises during the five years ending with the date immediately preceding appointment/election or since appointment or election as a governor;
- refuses a request by the clerk to make an application to the Disclosure and Barring Service for a criminal records certificate.

Anyone proposed or serving as a governor who is disqualified for one of these reasons must notify the clerk to the governing body.

(Extract from "Department for Education – The Constitution of Governing Bodies of Maintained Schools – August 2017")
