



Local Governing Body Code of Conduct

Last updated: 08 July 2020

Contents:

Statement of intent

1. Legal framework
2. Role and responsibilities
3. Confidentiality
4. Data protection
5. Commitment
6. Behaviour of trustees
7. Conflicts of interest
8. Breaching the code
9. Monitoring and review

Statement of intent


At Omega Multi-Academy Trust, we recognise and value the effort taken by the local governing body who contribute towards the governance of the trust and its academies. We encourage your assistance and acknowledge that many of the trust's and its academies' 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 governing body is productive and enjoyable.

Members of the local governing body, referred to as 'governors', must ensure that they contribute to the following core strategic functions, as set out in the trust's scheme of delegation:

- Contributing to the development of the strategic direction of the academy by:
 - Setting and ensuring a clear vision, values, and objectives for the academy, ensuring it is in line with the trust's vision, values, and strategic direction.
 - Monitoring the academy's improvement strategies, determining priorities, and setting targets.
 - Complying with all statutory duties.
- Ensuring accountability by:
 - Monitoring the performance of the academy's educational outcomes and progress towards set targets.
 - Communicating with stakeholders.
 - Contributing to the self-evaluation of the trust and its academy.
- Managing financial performance by:
 - Supporting the Headteacher to provide a budget request to the trust board during the annual budget setting process.
 - Ensuring money is well spent and represents value for money.
 - Identifying and managing risks to the trust and its academy.

This document outlines what is expected from members of the local governing body and sets out the code of conduct that all governors are required to comply with.

Signed by:



Chair of the board
of trustees

Date: 14 July 2020

1. Legal framework

1.1. This policy 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 Regulation (GDPR)

1.2. This policy also has due regard to guidance including, but not limited to, the following:

- DfE (2019) 'Governance handbook'
- DfE (2019) 'Keeping children safe in education'
- DfE (2019) 'Academies financial handbook'
- DfE (2018) 'Disqualification under the Childcare Act 2006'

1.3. This policy operates in conjunction with the following trust and academy policies:

- Child Protection and Safeguarding Policy
- Equal Opportunities and Dignity at Work Policy
- Health and Safety Policy
- Behaviour for Learning Policy
- Whistleblowing Policy
- Assessment Policy
- Data Protection Policy
- Disciplinary Policy and Procedures
- Complaints Policy
- Grievances Policy
- Trustee/Governor Visit Policy
- Trustee/Governor Allowances Policy
- Business and Pecuniary Interests Policy

2. Roles and responsibilities

- 2.1. This code of conduct will be reviewed by the board of trustees on a three yearly basis and will be signed by the chair of trustees on behalf of the board.
- 2.2. The board of trustees will be responsible for the development of policies across the trust and will seek to engage with local governors when developing and reviewing trust-wide policies.
- 2.3. The local governing body has three core strategic functions: to ensure accountability, to monitor the strategic direction of the academy, and to monitor financial probity.
- 2.4. The local governing body will ensure that the individual academy's vision, values, and strategy are aligned to the trust's vision, values and long-term strategy.
- 2.5. The local governing body will act fairly and in accordance with equal opportunities principles while making decisions affecting the appointment, recruitment, professional development, performance management, payment, and discipline of staff.
- 2.6. The local governing body will make decisions collectively and take joint responsibility for its actions and decisions.
- 2.7. Governors will hold themselves accountable for the performance of the local governing body and the performance of the academy.
- 2.8. Local governing body members will not use their status as a governor to gain advantage or gain financially within the trust.
- 2.9. Members of the local governing body will accept that they have no legal authority to act individually or on behalf of the trust, except when they have been given delegated authority to do so.
- 2.10. Governors will only speak on behalf of the local governing body when they have been specifically authorised to do so.
- 2.11. Governors will not speak against majority decisions outside the local governing body meetings.
- 2.12. Under no circumstances will governors speak about discussions or decisions outside of local governing body meetings or decisions made by the local governing body.
- 2.13. Governors will respect executive and senior leaders and their responsibility for the day-to-day management of the organisation, never acting in a way that could undermine such arrangements.
- 2.14. Governors will adhere to the trust's and the academy's rules and policies, and the procedures of the trust and local governing board, in accordance with the relevant governing documents and law.

- 2.15. When formally speaking or writing in a governing role, governors will ensure their comments reflect current trust policy even if they are different to personal views.
- 2.16. Governors will recognise the difference between their role and that of staff members, volunteers, and trustees.

Local governing body members are responsible for:

- Attending all meetings expected from them and providing apologies for any absences in advance.
- Preparing and contributing effectively to meetings and discussions.
- Acting in a fair and open-minded manner during discussions.
- Considering professional advice on anything which they do not have expertise in themselves.
- Acting in the best interest of the academy and the trust.
- Ensuring that a properly constituted, balanced and competent local governing body is maintained.
- Conducting themselves in a manner which does not damage or undermine the reputation of the trust or its employees.
- Honouring the authority of the chair of the local governing body as appointed leader of the local governing body and supporting them in their role.
- Honouring the authority of the chair of the board of trustees as appointed leader of the board and supporting them in their role.
- Studying the agenda and associated information prior to the meeting, ensuring that meetings are attended fully prepared.
- Continually seeking ways to improve governance practice.
- Participating in induction, training, and development activities.

3. Confidentiality

- 3.1. 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 trust.
- 3.2. Members of the local governing body partaking in discussions regarding trust or academy business outside of local governing body meetings will always exercise the greatest care and caution.
- 3.3. The details of any vote will not be revealed under any circumstances – the board of trustees is entitled to be informed of the details of all votes and decisions made by the local governing board.
- 3.4. Governors will accept and consent that, in the interests of open and transparent governance, their full name, date of appointment, details of who appointed them, term of office, roles in other educational organisations, attendance at meeting records and any business/pecuniary interests they have will be published on the trust's and the academy's website.

- 3.5. Governors will continue to apply the requirements for confidentiality after a governor leaves office.
- 3.6. In the interest of transparency, governors will provide, with consent, to information relating to them as members of the local governing body being logged on 'Get information about schools' (GIAS), the DfE's national database. The trust will provide GIAS with the information provided by trustees.
- 3.7. Notification will be made through the governance section of GIAS which is accessed via Secure Access. All fields specified in GIAS for the named individuals will be completed.

4. Data protection

- 4.1. Governors will adhere to data protection legislation and trust policy at all times.
- 4.2. The board of trustees will monitor and evaluate the appropriate technical and organisational measures that are in place across the trust and its academies to protect any data that it holds.
- 4.3. The board of trustees will be responsible for the trust and its academies' overall compliance with the data protection regulations.
- 4.4. Governors will be familiar with, and act in accordance with, the trust's Data Protection Policy.

5. Commitment

- 5.1. Governors will fully understand their role and commit to the amount of time and energy the role involves.
- 5.2. Each governor will be actively involved in the role and accept their fair share of responsibilities within the local governing body.
- 5.3. Every effort will be made to attend meetings.
- 5.4. Where a governor cannot attend a meeting, they will contact the clerk in advance to give their apologies and reason for non-attendance.
- 5.5. All relevant training and inductions will be undertaken in a prompt and efficient manner.
- 5.6. Governors will visit the academy as and when necessary to maintain oversight of the performance and engage with stakeholders, with visits being arranged beforehand with the headteacher and undertaken within the framework established by the local governing body.

6. Behaviour of governors

- 6.1. The trust is committed to the highest standards of ethical leadership as set out in [‘The 7 principles of public life’](#). All governors will pay due regard to their position of public office and adhere to the following principles:
- Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
- 6.2. The chair of the local governing body is responsible for ensuring the appropriate conduct and behaviour of governors at all times.
- 6.3. The local governing body will seek to develop open, honest and effective working relationships with the trust board, the trust central team, executive and senior leaders, staff members and parents, as well as any other relevant bodies, such as the LA.
- 6.4. Governors will declare any change in their eligibility to hold the position of governor as per the disqualification criteria set out in the trust’s articles of association.
- 6.5. Governors will continuously strive to work as a team.
- 6.6. Governors will always express their views openly, in a courteous and respectful manner.
- 6.7. Governors will acknowledge the time, effort and skills demonstrated in the execution of delegated functions by other members of the local governing body.
- 6.8. The local governing body will review the trust’s scheme of delegation and the terms of reference for the local governing body, as issued and approved by the trust board.
- 6.9. When making decisions, governors will carefully consider how their decisions and actions might affect those who are part of the academy community, wider locality, and the multi-academy trust.
- 6.10. Governors will always act in the best interests of the trust, its schools and its pupils; governors will not act in a manner that will bring disrepute to the trust or its academies.
- 6.11. Governors will not break the law, go against charity regulations or act in disregard of the trust’s policies in any aspect of their role on the board.
- 6.12. Where a governor also holds another role within the trust, such as a volunteer, they will strive to keep these roles separate.

- 6.13. Governors will use the trust's resources responsibly and not for personal gain, ensuring that any expenses or reimbursement are documented.
- 6.14. Governors will not accept gifts or hospitality without the prior consent of the board of trustees and will always act in line with the trust's Gifts, Hospitality and Anti-bribery Policy.

7.1 Conflicts of interest

- 6.15. Governors will always act in the best interests of the trust and its academies and will not act in the interest of, or as a representative of, any group or individual.
- 6.16. Governors will record, in Governor Hub, any pecuniary interests that they might have in connection to the business of the local governing body.
- 6.17. The interests of those related or closely connected to a governor will be declared in Governor Hub.
- 6.18. Governors 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.
- 6.19. Any conflict of interest will be declared at the start of any meeting, should the situation arise.
- 6.20. Governors will aim to foresee and avoid any conflicts of interest.
- 6.21. Governors, their families or their friends will not benefit, financially or in other terms, from their role on the local governing body.
- 6.22. Any transaction under which a governor will benefit either directly or indirectly will have proper legal authority.
- 6.23. Governors will not place themselves under any financial or other obligation to external individuals or organisations which might influence the performance of their governor duties.
- 6.24. Conflicts of interest will be managed in line with the trust's Conflicts of Interest Policy.
- 6.25. No member will be permitted to continue as a governor unless they have completed the relevant declarations on Governor Hub.

7. Breaching the code

- 7.1. If a governor breaches this code of conduct, the issue will be raised with the chair of the local governing body, who will arrange for the concern to be investigated.

- 7.2. If, following an investigation, the chair believes there to be a breach of the code of conduct, the chair of the local governing body will raise this to the board of trustees, via the chair of trustees.
- 7.3. If it is believed the chair of the local governing body has breached this code of conduct, the members will arrange for a trustee or someone independent to the board and trust to undertake the investigation.
- 7.4. The trust board may investigate any allegations made directly to them.
- 7.5. The board of trustees will only suspend or remove a governor from their post as a last resort.
- 7.6. The board of trustees will attempt to resolve any difficulties or disputes in a constructive manner before suspension or removal is considered.
- 7.7. If the need arises to suspend a governor, the board of trustees will ensure a fair and objective process by implementing the following procedure:
 - A resolution to remove a governor from office will be included on an agenda of a meeting of the board of trustees and circulated to all trust members.
 - A meeting of the trust board will be held and the resolution to remove the trustee from office will be fully explained.
 - The trustees will give due and careful consideration to the reasons given to remove the governor from office.
 - The governor whom it has been proposed to remove from the local governing body will be given the opportunity to make a statement in response to the resolution to remove them from office.
 - The trustees will consider the proposal to remove the governor and make a decision without unnecessary delay.
 - The governor will be informed of the trustees' decision in writing within five working days.

8. Monitoring and review

- 8.1. This policy will be reviewed every three years by the trustees and any changes made will be communicated to all governors and relevant members of staff.
- 8.2. All governors are required to familiarise themselves with this document as part of their induction programme.
- 8.3. This document will be issued to all members of all local governing bodies via Governor Hub and/or via Compliance Manager.
- 8.4. All members of the local governing bodies will be required to sign (via Governor Hub or Compliance Manager) to say they have read and accepted this document. Any governor who does not sign will not be eligible to continue as a governor.
- 8.5. The next scheduled review date for this document is July 2023.