

Local Governing Bodies Responsibilities

&

Code of Conduct

Introduction

This document sets out the division of responsibilities between the Board of Cidari Multi Academy Trust and the Local Governing Bodies.

It also contains a Code of Conduct which sets out the expectations and commitment required from Governors in order for the Local Governing Body to properly carry out its work within the academy and community and remaining accountable to the Board of Directors.

The Code should be seen as complimenting the latest version of the Governor's Handbook issued by the Department of Education.

Purpose

1. The Local Governing Body is the academy's local representation and accountable body. It is responsible for aspects of the conduct of the academy and for promoting high standards through offering support and challenge to the Headteacher.
2. The Local Governing Body operates in legal terms as a Committee of the Board of Directors and receives its delegated powers from them. Final responsibility resides with the Board of Directors.
3. To enable the Local Governing Body to contribute to the academy in securing its mission and sustaining its ethos as a Church of England Academy, whilst ensuring the academy provides a quality educational experience for all its pupils and achieves high standards.
4. To provide a common and agreed understanding of the broad principles by which the Local Governing Body and individual Governors will operate.

Earned Autonomy

5. The Board of Directors believes that best results will be achieved when each academy's Local Governing Body receives a level of responsibility and autonomy appropriate to its specific circumstances. This will be based on the Ofsted category received and **Appendix 2 of the Scheme of Delegation** indicating the framework within which the level of autonomy of each Local Governing Body will be expected to fit.

Principles

6. The Local Governing Body is a corporate body and a Committee of the Board of Directors of Cidari Education Ltd, a company limited by guarantee, formed by the Diocese of Blackburn. Governors have no authority to act individually except where the Local Governing Body have delegated authority to do so.

7. All Governors have equal status and although some Governors may have been nominated or elected by different groups the central concern must be the welfare of the academy as a Church of England Academy.
8. Governors may be representatives of a category of Governor from which they may have been nominated or elected. They are not delegates of these groups, i.e. they are not expected to speak on behalf of the group but according to their own understanding and conscience.
9. Governors have a duty to act fairly and without prejudice and, insofar as they have responsibility for staff, will fulfil all the legal expectations on behalf of the Trust.
10. The Local Governing Body will encourage open governance and be seen to be doing so.
11. Governors have a specific role in preserving and developing the ethos of the academy including the religious character and distinctiveness.
12. Governors of a Cidari Academy are committed to upholding and modelling the academy's 'Christian Values' along with the requirement to ensure promotion of the academy values.
13. The Local Governing Body will always consider carefully how decisions may affect other schools and academies, the local church and the Diocese.
14. Governance is a primary concern with three key functions:

Establishing the strategic direction by:

- Ensuring the Local Governing Body sets a clear vision and strategy for the academy
- Leading the Local Governing Body in monitoring the Headteacher's implementation of the Academy Improvement Strategy
- Meeting statutory duties

Ensuring accountability by:

- Working with the Trust executives in the recruitment and induction of the Headteacher
- Working with Trust executives to monitor the academy's progress towards targets
- Supporting the Trust's executives in the Headteacher's performance review, ensuring that appropriate CPD is provided
- Where required, representing the Local Governing Body in its dealings with external partners and be an advocate for the academy
- Ensuring the Local Governing Body is involved at a strategic level in the academy's self-evaluation process and that this feeds into the key priorities

Ensuring financial probity by:

- Working with Trust executives to monitor spending against the budget
- Working with Trust executives ensuring value for money is obtained
- Supporting Trust executives ensuring risks to the organisation are managed

Relationships

15. The Local Governing body will strive to develop effective working relationships with the:

- Headteacher
- Staff
- Children
- Parents
- Diocese
- Directors and Management of the Trust
- Local church and its ministry
- Parochial Church Council
- Other academies within the Trust
- Other schools within the Diocese but not in the Trust
- Local education organisations/businesses.

16. Governors will work as members of a team in which constructive working relationships are actively promoted enabling them to form a Local Governing Body which functions with collective responsibility and accountability. This means that individual Governors will not speak against a majority decision outside of the Local Governing Body meeting.

17. Governors should express views openly, courteously and respectfully during all communications with other Governors and members of the Cidari executive team.

18. Governors will support the Chair in their role of ensuring appropriate conduct both at meetings and at all times.

19. Governors will seek to develop an open and honest relationship with the Headteacher and all academy staff, acting as a 'critical friend' to the academy and ensuring a balance is struck between offering challenge and support.

Commitment

20. Governors acknowledge that accepting office as a Governor involves the commitment of significant amounts of time and energy.

21. Governors will each involve themselves actively in the work of the Local Governing Body by attending meetings regularly and accepting their fair share of responsibilities, including any membership of Committees, working groups or training and CPD.

22. A Governor who fails to attend 3 consecutive meetings without prior approval or a good reason will be removed from the Local Governing Body and a replacement will be sought.

23. Governors will get to know the academy well and respond to opportunities to get involved in its activities.

24. Governors will prepare for meetings by reading the paperwork provided, encourage open expression of views/questions at the meetings and accept collective responsibility for all decisions made by the Local Governing Body.

Conduct

25. Governors will only speak or act on behalf of the Local Governing Body when they have been specifically authorised to do so.
26. When receiving and responding to any criticism or complaint about the academy the procedures established by the Local Governing Body will be followed.
27. Any visits to the academy, whether formal (e.g. monitoring) or informal will be undertaken within the framework established by the Local Governing Body in agreement with the Headteacher, staff and the Trust.
28. Governors must accept that in the interests of open government, names, terms of office, roles on the Local Governing Body and category of Governor will be published on the academy and the Trust's website.
29. Governors undertake to abide by the Ten Principals, which have been built upon the Seven Principles of Public Life adopted by the Nolan Committee in 1996, and which are attached at Appendix 1.

Confidentiality

30. Governors will always observe the confidential nature of the proceedings of the Local Governing Body in meetings and visits to the academy as Governors.
31. Governors will observe complete confidentiality when required or asked to do so by the Local Governing Body, especially regarding matters concerning individual staff or pupils both inside and outside the academy.
32. Governors will keep discussions about decisions confidential even when decisions themselves are made public through the minutes of the meetings.
33. Governors will exercise the greatest prudence if a discussion of a potential issue affecting the academy arises outside the Local Governing Body.
34. Governors will not reveal the details of any Local Governing Body vote.

Training

35. Induction training is considered essential for all Governors joining the Local Governing Body.
36. Undertaking regular training in aspects of the role of a Governor is considered desirable throughout the term of office.
37. Training for specific roles and responsibilities e.g. Chair, finance, performance management of the Headteacher, is strongly recommended.

Structures

38. Governors acknowledge that the Trust will, where appropriate, in full consultation with the Local Governing Body, employ a Clerk with a view to their efficient functioning.
39. Governors must have regard to advice from the Clerk (who will undertake regular training/updating) as to the nature of the Local Governing Body's function and to the operation of good governance practices. A copy of the Six Principles of Good Governance is attached at Appendix 2.
40. The Local Governing Body will work efficiently and effectively in the best interests of the academy and the Trust by:
 - utilising the skills and strengths of the Governors
 - appointing individuals to appropriate roles and responsibilities
 - forming Committees and working groups when desirable and
 - fulfilling its statutory responsibilities
41. Parent Governors will abide by this Code for the good of the pupils and the academy and will not take advantage of the role for personal reasons.
42. Governors will declare, on an annual basis, any pecuniary or business interests to be recorded in the Register of Business Interests and such declaration will be displayed on the academy's and the Trust's website.
43. Governors will also declare at meetings any personal interests which could be deemed as a conflict of interest.
44. If an interest of any kind (including an interest of a spouse or partner of a Governor or of a close relative of the Governor or his or her partner or spouse) is likely or would, if publicly known, be perceived as being likely to interfere with the exercise of a Governor's independent judgement, then:-
 - the interest, financial or otherwise, should be reported to the Clerk;
 - the nature and extent of the interest should be fully disclosed to the Local Governing Body before the matter giving rise to the interest is considered;
 - if the Governor concerned is present at a meeting of the Local Governing Body, or any of its Committees, at which such supply, contract or other matter constituting the interest is to be considered, he or she should:-
 - (a) not take part in the consideration or vote on any question with respect to it and shall not be counted in the quorum for that meeting; and
 - (b) withdraw from that Local Governing Body or Committee meeting where required to do so.
45. For the purposes of clause 40 "close relative" includes but is not limited to a father, mother, brother, sister, child, grandchild and step-father/mother/ brother/sister/child.

46. Governors must not receive gifts, hospitality or benefits of any kind from a third party which might be in breach of the Bribery Act 2010 and be seen to compromise their personal judgement or integrity. Any offer or receipt of such gifts, hospitality or benefits should immediately be reported to the Clerk.
47. The Academy will maintain a Register of Governor's Interests which will be open for public inspection. Governors must disclose routinely to the Local Governing Body all business interests, financial or otherwise, which they may have, and the Clerk will enter such interests on the Register. Governors must give sufficient details to allow the nature of the interests to be understood by enquirers. Governors should inform the Clerk whenever their circumstances change and interests are acquired or lost.

Complaints

48. In order to ensure that the affairs of the Local Governing Body are conducted in an open and transparent manner and that it is accountable for its use of public funds but also to its employees, its pupils and the community it serves, it is important for there to be appropriate complaints procedures in place and for these to be well publicised.
49. Governors are reminded of their specific responsibility to make rules specifying:
- the procedures in accordance with which employees may seek redress of any grievances relating to their employment, of the importance of having formal complaints procedures in place to handle issues raised by pupils, former pupils and third parties and of the legal requirement to have a whistleblowing procedure in place.
 - Pupils, employees and other third parties have a right to make a complaint to the Trust, Ofsted or the Education Funding Agency in respect of the any of the Local Governing Body's decisions. Governors in particular are reminded that under the Agency's Procedure for dealing with complaints about Providers of Education and Training (April 2011) the Agency:
 - must investigate all allegations of irregularity (unlawful or unethical conduct, financial malpractice, equality and diversity issues and health and safety risks to staff, learners or the public);
 - can investigate quality or management of learning provision, undue delay or non-compliance with published procedures, poor administration by the Provider, equality and diversity issues (except where there is a more appropriate mechanism



for dealing with the matter through the court or tribunals or other organisations), health and safety concerns and complaints made by learners.

Breach of this Code

50. If any Governor believes that this Code has been breached they are required to raise the issue with the Chair of the Local Governing Body who will investigate the allegations.
51. The Trust will only use the suspension/recommend removal of a Governor as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
52. Should a Governor have concerns regarding the breach of the Code by the Chair then the matter should be raised with the Chief Executive Officer of the Trust who will arrange to have the complaint investigated.

APPENDIX 1

THE TEN PRINCIPLES OF PUBLIC LIFE

The following is an extract from the Second Report of the Nolan Committee on Standards in Public Life, May 1996 and added to by Corporation on 20 July 2010.

SELFLESSNESS

Holders of public office should take decisions 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.

HONESTY & INTEGRITY

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. Furthermore holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties. 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.

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.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.



RESPECT FOR OTHERS

Holders of public office should promote equality by not discriminating unlawfully against any person and by treating people with respect regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the management of the College and its other employees.

PERSONAL JUDGEMENT

Holders of public office may take account of the views of others, but should reach their own conclusions on the issue before them and act in accordance with those conclusions.

STEWARDSHIP

Holders of public office should do whatever they are able to do to ensure that the College use their resources prudently and in accordance with the law.

DUTY TO UPHOLD THE LAW

Holders of public office should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

APPENDIX 2

Six Core Principles of Good Governance

The following is an extract from the Good Governance Standard for Public Services published by the Independent Commission on Good Governance in Public Services, January 2005

1. **Good governance means focusing on the organisation's purposes and on outcomes for citizens and service users**
 - 1.1 Being clear about the organisation's purposes and its intended outcomes for citizens and service users;
 - 1.2 Making sure that users receive a high quality service;
 - 1.3 Making sure that taxpayers receive value for money.
2. **Good governance means performing effectively in clearly defined functions and roles**
 - 2.1 Being clear about the functions of the Local Governing Body;
 - 2.2 Being clear about the responsibilities of the non-executives and the executive, and making sure that those responsibilities are carried out;
 - 2.3 Being clear about relationships between the Governors and the public.
3. **Good governance means promoting values for the whole organisation and demonstrating the values of good governance through behaviour**
 - 3.1 Putting organisational values into practice;
 - 3.2 Individual Governors behaving in ways that uphold and exemplify effective governance.
4. **Good Governance means taking informed, transparent decisions and managing risk**
 - 4.1 Being rigorous and transparent about how decisions are taken;
 - 4.2 Having and using good quality information, advice and support;
 - 4.3 Making sure that an effective risk management systems is in operation.
5. **Good governance means developing the capacity and capability of the Local Governing Body to be effective**

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- 5.1 Making sure that appointed and elected Governors have the skills, knowledge and experience they need to perform well;
 - 5.2 Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group;
 - 5.3 Striking a balance, in the membership of the Local Governing Body, between continuity and renewal.

6. **Good governance means engaging stakeholders and making accountability real**

- 6.1 Understanding formal and informal accountability relationships;
- 6.2 Taking an active and planned approach to dialogue with accountability to the public;
- 6.3 Taking an active and planned approach to responsibility to staff;
- 6.4 Engaging effectively with institutional stakeholders.