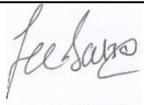


Epping Forest Schools Partnership Trust

*Unlocking the Potential of Collaboration*

# Code of Conduct Policy for Governors and Trustees

This Policy was ratified by the Board of Trustees in:	September 2019
Signed by the Chair of Trustees:	
This Policy will be reviewed by the Trust on an annual basis. Next review date:	September 2020

The Epping Forest Schools Partnership Trust has adopted the following principles and procedures for its Local Governing Bodies and Trustees:

### **Trustees**

The Trustees should focus on the three core functions of governance:

- ensuring clarity of vision, ethos and strategic direction
- holding executive leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff
- overseeing and ensuring effective financial performance

### **Purpose of the Local Governing Body**

The Local Governing Body shall exercise the powers, responsibilities and duties delegated by the Trustees as set out in the Terms of Reference and Scheme of Delegation. Raising achievement is at the heart of a Local Governing Body's strategic role; every child has the right to attend a good school.

### **The Local Governing Body has the following core functions:**

Upholds the Trust's strategic direction by:

- carrying forward the Trust's vision, ethos, values and principles in ways that are appropriate to the school's status, students, pupils, staff and community
- governing the school in line with the Scheme of Delegation, Terms of Reference, Governance Planning Calendar and other guidance agreed by the Board of Trustees
- agreeing the school improvement strategy with priorities and targets
- meeting statutory duties

Ensures accountability by:

- holding to account the school leadership for the academic performance of the school, the quality of provision and the quality of care of the children
- recommending the appointment of the Headteacher to the Board of Trustees
- monitoring progress towards agreed targets
- performance managing the Headteacher
- engaging with stakeholders (including parents & pupils)
- contributing to school self-evaluation

Ensuring financial probity by:

- recommending the budget to the Trust Board for approval
- monitoring spending against the budget
- ensuring value for money is obtained
- ensuring risks to the organisation are managed

For Local Governing Bodies and Trustees to carry out their roles effectively, they must be:

- prepared and equipped to take their responsibilities seriously
- committed to the key characteristics and behaviours expected of the role, as set out in [A Competency Framework for Governance](#) (DfE 2017)
- acknowledged as the accountable bodies by the lead professionals
- supported by the appropriate authorities in that task
- willing and able to monitor and review their own performance

This issue: September 2019

Last issue:

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### **The role of a Governor/Trustee:**

In law, the Local Governing Body/Board of Trustees is a corporate body which means:

- No Governor/Trustee can act on his/her own without proper authority from the full Local Governing Body/Trust Board
- All Governors/Trustees carry equal responsibility for decisions made
- Although appointed through different routes, the overriding concern of all Governors/Trustees has to be the welfare of the school as a whole. Local Governing Bodies/Trustees should be alert to the risk of becoming dominated by one particular mind-set or strand of opinion

### **As individuals on the Local Governing Body/Trust Board, we agree to the following:**

#### **Role & Responsibilities**

- We understand the purpose of the Local Governing Body/Trust Board and the role of the Headteacher/CEO
- We are aware of and accept the Seven Nolan Principles of Public Life (see Appendix 1)
- We accept that we have no legal authority to act individually, except when the Local Governing Body/Trust Board has given us delegated authority to do so, and therefore we will only speak on behalf of the Local Governing Body/Trust Board when we have been specifically authorised to do so
- We accept collective responsibility for all decisions made by the Local Governing Body/Trust Board or its delegated agents. This means that we will not speak against majority decisions outside the Local Governing Body/Trust Board meeting
- We understand that where responsibility has been delegated, the Local Governing Body/Trust Board as a whole remains accountable, and therefore will ensure that important decisions are made by the full Local Governing Body/Trust Board.
- 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 government and will act appropriately
- We will consider carefully how our decisions may affect the community and other schools
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/Trust. Our actions within the school/Trust and the local community will reflect this
- We will always use social networking sites responsibly and ensure that neither our personal/professional reputation, nor the school/Trust's reputation is compromised by inappropriate postings
- We will promote tolerance of and respect for those of different faiths and beliefs, races, genders, ages, disability and sexual orientation
- We understand the distinction between the role and responsibilities of the Local Governing Board/Trust Board and those of executive leaders and we will avoid involvement in operational issues
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the Local Governing Body/Trust Board
- We will support the Headteacher and senior leadership team/CEO, but challenge their expectations and hold them to account for school performance

#### **Commitment**

- We acknowledge that accepting office as a Governor/Trustee involves the commitment of significant amounts of time and energy
- We will each involve ourselves actively in the work of the Local Governing Body/Trust Board and accept our fair share of responsibilities, including monitoring visits and 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 get to know the school/Trust well and respond to opportunities to involve ourselves in school/Trust activities
- We will visit the school, with all visits to school arranged in advance with staff and undertaken within the framework established by the Local Governing Body and agreed with the Headteacher
- We will demonstrate commitment to continually developing our knowledge and skills and keeping them up to date. This includes our ability to understand and interpret educational and financial data
- We accept that in the interests of openness and transparency, our full names, date of appointment, term of office, roles on the Local Governing Body/Trust Board, attendance records, relevant business and pecuniary interests, category of governor and the body responsible for appointing us will be published on the school/Trust's website and in the Trust's annual accounts. We accept that personal information will also be published on DfE [Get Information about Schools](#) (GIAS) system. This is to help increase transparency on who governs our schools. As Trustees, we accept that our details as company directors will be published to Companies House
- We accept that the school/Trust is required to carry out the following checks on us within 21 days of our appointment: Enhanced DBS check; Section 128 Direction Check and right to work in the UK checks

### **Relationships**

- We will strive to work as a team in which constructive working relationships are actively promoted
- We will express views openly, courteously and respectfully in our communications with other Governors/Trustees
- We will support the Chair in their role of ensuring appropriate conduct both at meetings and at all times
- We are prepared to answer queries from other Governors/Trustees 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 our Headteacher, staff and parents, Trustees and other relevant agencies and the community

### **Communication**

- We will strive to uphold the reputation of the school/Trust at all times.
- We will express views openly, courteously and respectfully in our communications with other Governors/Trustees.
- We will seek to develop effective working relationships with our Headteacher, staff and parents, the local authority, and other relevant agencies and the community.
- We will maintain a professional presence online and consider the impact that any personal views that we post online could have on the school.
- We will carefully consider how we interact with the school and wider community, both online and in person.
- We will review our online privacy settings at least annually so that we know what information the public can see about us and then consider this information when we are posting online.
- We will carefully consider the impact of joining any private parent groups associated with the school or any memberships that we already have of such groups when we become governors. Membership of private parent groups may mean that we are aware of parental concerns outside of the school's complaints procedure and this may put us in a difficult situation.

- If we know or become aware of any private parent, staff, or student groups bearing the school/Trust's name, we will report this to the Local Governing Body/Trust.
- We will not post anything inappropriate, offensive, or political on social media, including our personal opinions that may bring us or the school/Trust into disrepute.

### **Confidentiality**

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside and outside the school/Trust
- We will exercise the greatest prudence at all times when discussions regarding school/Trust business arise outside a Local Governing Body/Trust Board meeting.
- We will not reveal the details of any Local Governing Body/Trust Board vote
- We will not disclose any information which is deemed confidential by the Local Governing Body/Trust or would breach the Data Protection Act 2018
- We will not make comments about any members of the Local Governing Body/Trust Board or school community, either face to face or online

### **Data Protection**

Under the Data Protection Act 2018, accountability is a data protection principle, which makes Local Governing Bodies/the Trust responsible for complying with the GDPR and states that Governors/Trustees must be able to demonstrate compliance.

- We will strive to ensure the school/Trust's overall compliance with the data protection regulations
- We will ensure that appropriate technical and organisational measures are in place across the school/Trust to protect any data that it holds
- We will monitor compliance with the GDPR in the following ways:
  - Implementing internal data protection policies
  - Conducting staff training
  - Regularly reviewing internal HR policies
  - Maintaining relevant documentation on processing activities
  - Appointing a Data Protection Officer (DPO)
  - Implementing measures that meet the principles of data protection by default, including data minimisation and transparency
  - Using data protection impact assessments (DPIAs) where appropriate (e.g. if you are using new technologies and the processing is likely to result in a high risk to the rights and freedoms of individuals)
  - Taking a 'data protection by design and default' approach
- We will be familiar with, and act in accordance with, the school's Data Protection Policy, conducting reviews with the assistance of the Headteacher and the DPO

### **Conflicts of Interest**

- We will declare and record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the Local Governing Body/Trust Board'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/Trust'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/Trust as a whole and not as a representative of any group, even if elected to the Local Governing Body
- We will declare the giving or receipt of any gift or hospitality above the value of £50.

#### **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 under the Trust's procedure for dealing with complaints about Governors and Trustees. Only the Trustees have the power to remove a Governor; the Trust will only use 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 Governor, such as the vice chair, will investigate
- Any elected or appointed Trustee can be removed from the office by ordinary resolution of the Members in accordance with the [Companies Act 2006](#) and is disqualified from holding or continuing to hold office as a Trustee of that school

Governors/Trustees will sign the Code of Conduct at the first Local Governing Body/Trust Board meeting of each school year.

**The Local Governing Body of [insert school name]/Trust Board adopted this Code of Conduct on [insert date].**

#### **Undertaking:**

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

**Signed:**

**Printed Name:**

**Date:**

## Appendix 1

### **The Seven Principles of Public Life**

(Originally published by the Nolan Committee)

**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

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.

## Appendix 2

### **Legal framework**

The Code of Conduct has due regard to all relevant legislation including, but not limited to, the following:

- a) The Children Act 1998
- b) The Children Act 2004
- c) The Education Act 2011
- d) The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018
- e) The Childcare Act 2006
- f) Protection of Freedoms Act 2012
- g) The Data Protection Act 2018
- h) The General Data Protection Regulation (GDPR)
- i) The School Governance (Constitution) (England) Regulations 2012 (and amendments 2016)
- j) The Charities (Protection and Social Investment) Act 2016

The Code of Conduct also has due regard to guidance including, but not limited to, the following:

- a) DfE Governance Handbook (2019)
- b) Keeping Children Safe in Education (2019)
- c) Charity Commission CC3 – The essential trustee: what you need to know, what you need to do