



# Solihull Governor Services

Model code of conduct for school governors – Forest Oak and Merstone Schools

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## Introduction

For a number of years it has been recommended that governing boards adopt a code of practice which sets out the purpose of the governing board and describes the appropriate relationship between individual governors, the whole board and the leadership team.

We all have different experiences, backgrounds and perspectives which mean that we often see the world in different ways. As a result, we can all react differently to situations within our boards' work, which can also affect the relationships we have. This diversity of experience and thought is a good thing, but on occasions, it can also lead to misunderstanding and conflict between individuals, which need effective resolution strategies. We would encourage boards to consider how such issues will be resolved and have added a number of suggested statements into the Code of Conduct to reflect this.

## Changes to this document

Where we have updated this document in 2022, changes are indicated in a blue font.

\*Denotes that the statement has been added or updated in 2023.

We know that many governing boards do already have a code of practice or code of conduct. This document provides a starting point for those that do not yet have such a document in place, and a helpful checklist to ensure that existing codes address the key areas.

The following code of conduct is our suggestion but each governing board may wish to tailor it to suit their own school. We recommend that once amended, the code should be discussed so that the whole governing board has ownership of it. Once adopted all governors should be asked to sign it. Ideally, this should be reviewed and signed by the whole board on an annual basis.

# Code of conduct for the governing board of Forest Oak and Merstone Schools

This code sets out the expectations on and commitment required from governors in order for the governing board to properly carry out its work within the school and its community.

The code will apply to all governors/trustees/academy committee members/associate members.

*The code should be read in conjunction with the relevant law and, for academies, their articles of association and agreed scheme of delegation. It should be adapted as appropriate depending on the governance setting and level of delegation. However, its guiding principles should be retained regardless of the governance setting and level of delegation afforded to it.*

## The purpose of the governing board

The governing board is the school's accountable board. It is responsible for the conduct of the school and for promoting high standards. The governing board aims to ensure that children are attending a successful school which provides them with a good education and supports their well-being.

The governing board has the following three strategic functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding executive leaders to account for the educational performance of the school and its pupils, and the performance management of staff;
- Overseeing the financial performance of the school and making sure that its money is well spent, including the pupil premium.

SMBC are in agreement with the National Governance Association (NGA) and recognise the following as the fourth core function of governance.

Ensuring that key players with a stake in the organisation get their voices heard by:

- Gathering the views of pupils, parents and staff and reporting on the results;
- Reaching out to the school's wider community and inviting them to play their part;
- Using the views of stakeholders to shape the school's culture and the underpinning strategy, policies and procedures.

**As individuals on the board we agree to the following:**

## Role and responsibilities

In law the governing body is a corporate board, which means:

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This document has been prepared in line with the NGA and The Key guidance notes.

- No governor can act on her/his own without proper authority from the full governing board;
- All governors carry equal responsibility for decisions made;
- Although appointed through different routes (i.e. parents, staff, local authority community, foundation), the overriding concern of all governors has to be the welfare of the school as a whole.
- We shall fully cooperate with individual requests that are necessary to ensure organisational compliance, such as disclosure and barring checks.

## General

- We understand the purpose of the governing board and its strategic role.
- We understand how the role of the board differs from and works with others including the headteacher and where appropriate, executive leaders, trust boards and academy committees.
- We are aware of and accept the Nolan principles of public life and the framework for ethical leadership (see annex).
- We accept that we have no legal authority to act individually, except when the governing board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.
- 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 accept collective responsibility for all decisions made by the governing board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- 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. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing board.
- We will actively support and challenge the executive leaders.
- We will accept and respect the difference in roles between the board and staff, ensuring that we work collectively for the benefit of the organisation.
- We will respect the role of the executive leaders and their responsibility for the day to day management of the organisation 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 board as set out by the relevant governing 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 consistently be mindful of and strive to uphold the reputation of the organisation.

- 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 board.

## 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 board, 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 in full why we are unable to.
- We will get to know the school well and respond to opportunities to involve ourselves in school activities.
- Our visits to school will be arranged in advance with the senior executive leader/headteacher and undertaken within the framework established by the governing board.
- We will consider seriously our individual and collective needs for training and development, and will undertake relevant training.
- \*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 government and as required by the Department for Education, our names, terms of office, roles on the governing board, category of governor and the body responsible for appointing us, membership of committees and attendance records will be published on the school's website.
- In the interests of transparency we accept that information relating to governors/trustees/academy committee members will be collected and logged on the DfE's national database of governors (Get Information About Schools) as well as the local authority database (*maintained schools only*).

## 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 all our communications with other governors/trustees/academy committee members/associate members, the clerk to the governing board and school staff both in and outside the meetings. This includes on Governor Hub and other platforms.
- We recognise differences in culture, attitudes, and social signals can be misinterpreted as bullying/harassment and may be perceived by others as offensive.
- We will be sensitive to the feelings and reactions of others and adjust and/or moderate behaviour as necessary.
- If an issue arises, we will let the chair/vice chair/ identified governor know the nature of the complaint and issues promptly, entering into discussions in good faith and with the aim of resolving matters at the earliest opportunity.

- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times on and offline.
- 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 Nolan principles and the framework for ethical leadership (see annex) or which may place pupils at risk.
- We are prepared to answer queries from other board members 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 executive leaders, headteacher, staff and parents, the trust, 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.

## 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, including on any social media sites.
- We will exercise the greatest prudence at all times when discussions regarding school business arise outside a governing board meeting.
- During virtual meetings we will be mindful of our surroundings and ensure that our usual confidentiality expectations are not compromised.
- We will not copy or take screen shots of any speaker slides or presentations, any messaging or chat activity that takes place.
- We will not reveal the details of any governing board 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 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 **or withdraw from voting if applicable**. 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 board.
- We understand that the requirements relating to confidentiality will continue to apply after a governor/trustee/academy committee member leaves office.

## Breach of this code of practice

- If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board should only use suspension 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.
- We understand that any allegation of a material breach of this code of practice by any governor shall be raised at a meeting of the governing board, and, if agreed to be substantiated by a majority of governors, shall be minuted and can lead to consideration of suspension from the governing board.
- We understand that, should an investigation be deemed necessary, access to our governor school-based email address will be permissible. This will be conducted under strict guidelines outlined in the school's policy.

The governing board of *name of school/academy* adopted this code of practice on *date*.

### **Undertaking:**

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

Signed .....

Printed name .....

Date: .....

## Annex

### 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. 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 Framework for Ethical Leadership in Education

The Ethical Leadership Commission has developed the following Framework for Ethical Leadership to help school leaders take difficult decisions. As important as the language is, these aren't just fine words, they are meant to support a culture in which ethical decision making can flourish.

### **Selflessness**

School and college leaders should act solely in the interest of children and your people.

### **Integrity**

School and college leaders must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. Before acting and taking decisions, they must declare and resolve openly any perceived conflict of interest and relationships.

### **Objectively**

School and college leaders must act and take decisions impartially and fairly, using the best evidence and without discrimination or bias. Leaders should be dispassionate, exercising judgment and analysis for the good of children and young people.

### **Accountability**

School and college leaders are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **Openness**

School and college leaders should expect to act and take decisions in an open and transparent manner. Information should not be withheld from scrutiny unless there are clear and lawful reasons for so doing.

### **Honesty**

School and college leaders should be truthful.

### **Leadership**

School and college leaders 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. Leaders include both those who are paid to lead schools and colleges and those who volunteer to govern them.

Schools and colleges serve children and young people and help them grow into fulfilled and valued citizens. As role models for the young, how we behave as leaders is as important as what we do. Leaders should show leadership through the following personal characteristics or virtues:

### **Trust: leaders are trustworthy and reliable**

We hold trust on behalf of children and should be beyond reproach. We are honest about our motivations.

### **Wisdom: leaders use experience, knowledge and insight**

We demonstrate moderation and self-awareness. We act calmly and rationally. We serve our schools and colleges with propriety and good sense.

**Kindness: leaders demonstrate respect, generosity of spirit, understanding and good temper**

We give difficult messages humanely where conflict is unavoidable.

**Justice: leaders are fair and work to the good of all children**

We seek to enable all young people to lead useful, happy and fulfilling lives.

**Service: Leaders are conscientious and dutiful**

We demonstrate humility and self-control, supporting the structures, conventions and rules which safeguard quality. Our actions protect high-quality education.

**Courage: leaders work courageously in the best interests of children and young people**

We protect their safety and their right to a broad, effective and creative education. We hold one another to account courageously.

**Optimism: leaders are positive and encouraging**

Despite difficulties and pressures, we are developing excellent education to change the world for the better.