



National Governors' Association's

Model Code of Practice for Academy School Governors 2012/13

Version 3

Introduction

The National Governors' Association has for a number of years recommended that governing bodies adopt a code of practice which sets out the purpose of the governing body and describes the appropriate relationship between individual governors, the whole governing body and the leadership team of the school. We know that many governing bodies do already have a code of practice or code of conduct and indeed ours was based on a number of codes already in use. However there are also many governing bodies which do not yet have a code of practice and the NGA wants to help spread this good practice.

This code of practice has been slightly modified so as to be more suitable for academy governing bodies, but as with any charitable company, it must be read in conjunction with the articles of association which every academy will have. The composition of the governing body will vary depending upon the articles of association as well as whether the academy followed the multi-academy model or the single academy model. **This model code may need to be modified for your academy in the light of its articles.**

We offer the following code as a starting point built on the best practice from around the country, and would like to thank all who have contributed to its development. Each governing body may want to tailor this recommended code to their own situation. We recommend that such a code should be thoroughly discussed so that the whole governing body has ownership of it. Once it has been adopted, the governors should be asked to review it and sign it on an annual basis, ideally at the first meeting in the autumn term.

Kirby Muxloe Primary School Academy Trust

Code of Practice for Governors

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

The purpose of the Trust Board

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

The Trust Board:

- Sets the strategic direction of the school by:
 - Setting the values, aims and objectives for the school
 - Agreeing the policy framework for achieving those aims and objectives
 - Setting targets
 - Agreeing the school improvement strategy which includes approving the budget and agreeing the staffing structure
- Challenges and supports the school by monitoring, reviewing and evaluating:
 - The implementation and effectiveness of the policy framework
 - Progress towards targets
 - The implementation and effectiveness of the school improvement strategy
 - The budget and the staffing structureAnd Conducts self-evaluation
- Ensures accountability by:
 - Responding to Ofsted reports when necessary
 - Holding the principal to account for the performance of the school
 - Ensuring parents and pupils are involved, consulted and informed as appropriate
 - Making available information to the community
- Appoints and performance manages the principal who will deliver the aims (through the day to day management of the school, implementation of the agreed policy framework and school improvement strategy, and delivery of the curriculum) and report appropriately to the Trust Board.

For the Trust Board to carry out its role effectively, governors must be:

- Prepared and equipped to take their responsibilities seriously;
- Acknowledged as the accountable body by the lead professionals;
- Supported by the appropriate authorities in that task; and

- Willing and able to monitor and review their own performance.

The role of a governor

The Trust Board is a corporate body, which means:

- No governor can act on her/his own without proper authority from the Trust Board;
- All governors carry equal responsibility for decisions made, and
- Although appointed through different routes (i.e. parents, staff, co-opted, member, appointed), the overriding concern of all governors has to be the welfare of the school as a whole.

General

- We understand the purpose of the Trust Board and the role of the Principal as set out above.
- We are aware of and accept the Nolan seven principles of public life: see appendix.
- We accept that we have no legal authority to act individually, except when the Trust Board has given us delegated authority to do so, and therefore we will only speak on behalf of the Trust 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 Trust Board or its delegated agents. This means that we will not speak against majority decisions outside the Trust 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 Trust 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 Trust Board, and accept our fair share of responsibilities, including service on committees or working groups.
- If acting as directors, we will not go beyond our duties or act outside of the powers of authority conveyed on us, and acknowledge that were we to do so we could be held liable to the school and/or third parties.
- If acting as members of the Academy Trust, we accept that we may be held responsible up to the limit in the articles of association, were the school/trust to go bankrupt.

- 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 staff and undertaken within the framework established by the Trust Board and agreed with the principal.
- We will consider seriously our individual and collective needs for training and development, and will undertake relevant training
- We are committed to actively supporting and challenging the principal.

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.
- 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 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 recognise that the roles of governor, staff member and volunteers in school are different. Where I am also a staff member and/or volunteer in school I will maintain the separation of my roles.
- We will seek to develop effective working relationships with the principal, staff and parents, the local authority and other relevant agencies and the community.

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 any Trust Board, committee, panel or working group meetings.
- We will not reveal the details of any vote at Trust Board or subsidiary meetings.

Conflicts of interest

- We will record any pecuniary or other business interest that we have in connection with the Academy Trust's business in the Register of Business Interests.
- We will declare any pecuniary interest - or a personal interest which could be perceived as a conflict of interest - in a matter under discussion at a meeting and offer to leave the meeting for the appropriate length of time.
- 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 Trust Board.

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 Trust Board should seek to resolve any difficulties or disputes constructively;
- 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 Trust Board, and, if agreed to be substantiated by a majority of governors, shall be minuted and can lead to consideration of suspension or in some circumstances removal from the Trust Board.
- In taking the decision to suspend we will follow a process as set out in Annex A.

The Trust Board of Kirby Muxloe Primary School adopted this code of practice on 9th July 2014. Governors will sign the Code at the first Trust Board meeting of each school year.

Undertaking:

As a member of the Trust 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, the Trust Board, the principal or staff.

Signed

Printed name

Date:

Appendix: 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.

Annex A

Process for governor suspension

Subject to the following paragraphs the Trust Board may by resolution suspend a governor for all or any meetings of the Trust Board, or of a committee, for a fixed period of up to 6 months on one or more of the following grounds—

- (a) that the governor, being a person paid to work at the school, is the subject of disciplinary proceedings in relation to his employment;
- (b) that the governor is the subject of proceedings in any court or tribunal, the outcome of which may be that he is disqualified from continuing to hold office as a governor under the articles of association;
- (c) that the governor is in breach of any of the provisions of this code of practice which the Trust Board believes has, or could, bring the office of school governor into disrepute;
- (d) that the governor has acted in a way that is inconsistent with the ethos or with the religious character of the school and has brought or is likely to bring the school or the Trust Board or his office into disrepute; or
- (e) that the governor is in breach of his duty of confidentiality to the school or to any member of staff or to any pupil at the school.

A resolution to suspend a governor from office shall not have effect unless the matter is specified as an item of business on the agenda for the meeting of which notice has been given in accordance with the articles of association.

Before a vote is taken on a resolution to suspend a governor, the governor proposing the resolution shall at the meeting state his reasons for doing so. The governor who is the subject of the resolution shall then be given the opportunity to make a statement in response before withdrawing from the meeting.

Nothing in this regulation shall be read as affecting the right of a governor who has been suspended to receive notices of, and agendas and reports or other papers, for meetings of the Trust Board during the period of his suspension.