

Sutton Coldfield Grammar School for Girls

Governing Board Code of Conduct

Approved by the Full Governing Board on 6 September 2018

Contents:

Statement of intent

1. Legal framework
2. Roles and responsibilities
3. Confidentiality
4. Data protection
5. Commitment
6. Behaviour of governors
7. Conflicts of interest
8. Access to the school
9. Breaching the code
10. Monitoring and review

Appendices

Appendix 1 – Code of Conduct Acknowledgement Form

Statement of intent

At Sutton Coldfield Grammar School for Girls, we recognise and value the effort taken by members of the governing board who contribute towards our school. We encourage your assistance and acknowledge that many school 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 governing board is productive and enjoyable.

Governing boards must ensure that they meet the following core strategic functions:

- Certifying the strategic direction of the school by:
 - Setting and ensuring a clear vision, values, and objectives.
 - Establishing the school improvement strategy, determining priorities and setting targets.
 - Complying with all statutory duties.
- Ensuring accountability by:
 - Appointing a headteacher who is fit for purpose.
 - Monitoring the school's educational performance and progress towards set targets.
 - Reviewing the performance of the headteacher.
 - Communicating with stakeholders.
 - Contributing to school self-evaluation.
- Managing financial performance by:
 - Establishing the budget and monitoring spending against this budget.
 - Ensuring money is well spent and represents value for money.
 - Managing risks to the school.

This policy outlines what is expected from members of the governing board, including associate governors, and sets out the code of conduct which all members are required to comply with.

1. Legal framework

1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:

- The Children Act 1989
- The Children Act 2004
- The Education Act 2011
- The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018
- The Childcare Act 2006
- Protection of Freedoms Act 2012
- The Data Protection Act 2018
- The General Data Protection Regulation (GDPR)
- The School Governance (Constitution) (England) Regulations 2012

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

- DfE (2017) 'Governance handbook'
- DfE (2018) 'Keeping children safe in education'
- DfE (2018) 'Disqualification under the Childcare Act 2006'
- DfE (2017) 'The constitution of governing bodies of maintained schools'

1.3. This policy operates in conjunction with the following school policies:

- Safeguarding and Child Protection Policy
- Equal Opportunities Policy
- Inclusion Policy
- Health and Safety Policy
- Behaviour for Learning Policy
- Whistle-blowing Policy
- GDPR Data Protection Policy
- Staff Disciplinary Policy and Procedures
- Grievance Policy and Procedures

2. Roles and responsibilities

- 2.1. The governing board is responsible for determining, monitoring and keeping under review the policies, plans and procedures of the school.
- 2.2. The governing board has three core strategic functions; to ensure accountability, establish the strategic direction of the school and to ensure financial probity.
- 2.3. Members of the governing board accept that they have no legal authority to act individually, except when they have been given delegated authority to do so.
- 2.4. Governors will only speak on behalf of the governing board when they have been specifically authorised to do so.
- 2.5. Governors will not speak against majority decisions outside the governing board meeting.
- 2.6. Members of the governing board will:
 - Act fairly and without prejudice.
 - Encourage open governance.
 - Accept collective responsibility for decisions made by the governing board.
 - Be mindful of their responsibility to maintain and develop the ethos and reputation of the school.
 - Consider how decisions may affect the community.
 - Actively support and challenge the leadership of the school.
 - Follow the procedures established by the governing board.
- 2.7. Under no circumstances will governors speak about discussions or decisions outside of governing board meetings.
- 2.8. The governing board will fulfil its duty as an employer, acting in a manner that is expected of a good proprietor.
- 2.9. Governors will respect the role of the executive leaders and their responsibility for the day to day management of the organisation, never acting in a way that could undermine such arrangements.
- 2.10. Governors will adhere to the school's rules and policies, and the procedures of the governing board in accordance with the relevant governing documents and law.
- 2.11. When formally speaking or writing in a governing role, governors will ensure their comments reflect current organisational policy even if they might be different to personal views.

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 school.
- 3.2. Members of the governing board partaking in discussions regarding school business outside of governing board meetings will exercise the greatest prudence at all times.
- 3.3. The details of a governing board vote will not be revealed under any circumstances.
- 3.4. Governors accept and consent that in the interests of open and transparent governance, their names, dates of appointment, terms of office, roles, attendance records and any business/pecuniary interests they have, will be published on the school website.
- 3.5. Governors understand that the requirements relating to confidentiality will continue to apply after a governor leaves office.
- 3.6. In the interests of transparency, governors accept and consent to information relating to them, as members of the governing board, being logged on Edubase; the DfE's national database. The requirements for trustees and local governing board members to comply with the information requested is set out in section 4.7.4 of the Academies Financial Handbook, which states: "The trust must notify the DfE of the appointment or vacating of the positions of:
 - Member, trustee and local governor
 - Chair of trustees, chairs of local governing boards, accounting officer and chief financial officer, including direct contact details

within 14 days of that change. Notification must be made through the governance section of Edubase which is accessed via Secure Access. All fields specified in Edubase for the named individuals must be completed."

4. Data protection

- 4.1. Under the Data Protection Act 2018, accountability is a data protection principle, which makes governing boards responsible for complying with the GDPR and states that governors must be able to demonstrate compliance.
- 4.2. To meet this requirement, the governing board will ensure that appropriate technical and organisational measures are in place across the school to protect any data that it holds.
- 4.3. The governing board is responsible for the school's overall compliance with the data protection regulations.

- 4.4. Compliance with the GDPR will be monitored 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 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
- 4.5. Governors will be familiar with, and act in accordance with, the school's GDPR Data Protection Policy, conducting reviews with the assistance of the Headteacher and the DPO, as appropriate.

5. Commitment

- 5.1. Members of the governing board will fully understand their role and are committed to the amount of time and energy the role involves.
- 5.2. Each member of the governing board will be actively involved in the role and accept their fair share of responsibilities within the governing board.
- 5.3. Full effort will be given to the attendance of meetings.
- 5.4. Papers circulated in advance of any meeting will be read, and, where specifically requested, any comments/queries raised within the specified time frame.
- 5.5. Where a governor cannot attend a meeting, they will contact the clerk in advance to give their apologies.
- 5.6. All relevant training and inductions will be undertaken in a prompt and efficient manner.
- 5.7. Governors will visit the school as appropriate, with visits being arranged beforehand with the headteacher.

6. Behaviour of governors

- 6.1. The chair of the governing board is responsible for ensuring the appropriate conduct and behaviour of governors at all times.

- 6.2. The governing board will seek to develop open, honest and effective working relationships with the headteacher, staff members and parents at the school, as well as any other relevant body.
- 6.3. Members of the governing board will continuously strive to work as a team.
- 6.4. Governors will always express their views openly, in a courteous and respectful manner.
- 6.5. The governing board will acknowledge the time, effort and skills demonstrated in the execution of delegated functions by other members of the board.
- 6.6. Governors will take into account any concerns expressed about their delegated function and will be prepared to answer queries from other governors regarding their role.
- 6.7. When making decisions, governors will carefully consider how their decisions and actions might affect those who are part of the school community and wider locality.
- 6.8. Governors will always act in the best interests of the school and its pupils; governors will not act in a manner that will bring disrepute to the school.

7. Conflicts of interest

- 7.1. Members of the governing board will act in the best interests of the school at all times and will not act in the interest of, or as a representative of, any group or individual.
- 7.2. Governors will record in the Register of Pecuniary Interests any pecuniary interests that they might have in connection to the governing board's business.
- 7.3. Interests of those related or closely connected to a governor will be declared on the Register of Pecuniary Interests Policy.
- 7.4. Members of the governing board 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.
- 7.5. Any conflict of loyalty will be declared at the start of any meeting, should the situation arise.

8. Access to the school

- 8.1. All members of the governing board will take an active interest in the school and its community.
- 8.2. Governors will actively participate in the school community and will respond to opportunities to be involved in school activities and events.

9. Breaching the code

- 9.1. If a member of the governing board breaches this code of conduct, the issue will be raised with the chair of the governing board, who will investigate the concern. In the event that it is believed the chair has breached this code of conduct, another member of the governing board will undertake the investigation.
- 9.2. The governing board will only suspend or remove a governor from their post as a last resort.
- 9.3. The governing board will attempt to resolve any difficulties or disputes in a constructive manner before suspension or removal is considered.
- 9.4. If the need arises to suspend a governor, the governing board will do so by following the established procedures as to ensure a fair and objective process.
- 9.5. In the event of a resolution being made to remove a governor from office, the following procedure will be implemented:
 - A resolution to remove a governor from office will be included on an agenda and circulated to all members of the governing board.
 - A meeting will be held and the resolution to remove the governor from office will be fully explained.
 - Governors 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 governing board, will be given the opportunity to make a statement in response to the resolution to remove them from office.
 - Within 14 days of the first meeting, a second meeting must be held and an item, specifying that the governing board will confirm their decision, included on the agenda.
 - Any elected staff or parent governor who has been disqualified from their role and removed from office will be disqualified from serving as a governor and holding office for a period of five years. This period is taken from the date immediately after the day they were disqualified from their elected role. Given the consequence of the five-year disqualification period, the governing board's power to remove an elected parent or staff governor will only be used in exceptional and serious circumstances which may include the following;
 - Serious misconduct

- Repeated serious incompetence
 - Engagement in conduct which aims to undermine fundamental British values
 - Actions that are significantly detrimental to the effective operation of the governing board
 - Actions that are significantly detrimental to the effective operation of the school
- 9.6. A governor who has been removed from the governing board has the right of appeal. The governor should exercise their right of appeal by writing to the clerk to governors within ten working days of their removal from the governing board; making clear the reasons for their appeal.
- 9.7. On receipt of an appeal, the governing board will establish an independent appeal panel. The appeal panel will comprise of a panel of three governors and membership may include a governor from another school or an appropriate representative from the LA.

10. Monitoring and review

- 10.1. This policy will be reviewed on an annual basis by the full governing board and any changes made will be communicated to all governors and relevant members of staff.
- 10.2. All governors are required to familiarise themselves with this policy as part of their induction programme.
- 10.3. The next scheduled review date for this policy is September 2019.

Code of Conduct Acknowledgement Form

Name of governor:	
Role in the governing board:	
Year of appointment:	
Length of appointment:	

Please ensure that you read and understand the following documents as soon as possible (policies available on the School Website):

Behaviour for Learning Policy	
Safeguarding and Child Protection Policy	
Health and Safety Policy	
Equal Opportunities Policy	
GDPR Data Protection Policy	
Complaints Policy	
Keeping Children Safe in Education (2018) Part one	

I hereby acknowledge the terms detailed within the Governing Board Code of Conduct and agree to abide by this code whilst I am an acting member of the governing board. I understand that the role is of a voluntary nature and, therefore, I will not receive payment for my duties. Any expenses which I claim will be in line with the Governors' Allowance Policy.

Signature: _____

Date: _____