



**Hertswood Academy**

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**HERTSWOOD ACADEMY  
CODE OF CONDUCT FOR GOVERNORS**

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Notes	



## **HERTSWOOD ACADEMY** **CODE OF CONDUCT FOR MEMBERS OF THE GOVERNING BODY**

1. This Code of Conduct provides guidelines for governors' standards and behaviours when acting on behalf of, or representing, the school. The term "governor" in this document also includes those co-opted by the Governing Body onto any of its committees. This document complements and should also be interpreted in the context of:
  - the school's Articles of Association, which is its governing document. In any conflict between this document and the Articles of Association, the Articles of Association take precedence.
  - Government guidance concerning the duties and responsibilities of governors, such as the Governors' Handbook and the Academies Financial Handbook
  - any agreed role descriptions for governors
  - the school's policy and procedures covering
    - conflicts of interest
    - anti-money laundering
    - anti-bribery
    - the declaration, acceptance and refusal of gifts and hospitality
  - the school's mission, vision and values
  - the policy for governor visits to the school

### **Why we have a Code of Conduct**

2. The Governing Body is determined to ensure it inspires confidence and trust among students, parents, staff, partners, funders, suppliers and other stakeholders. It wishes to demonstrate integrity and avoid any potential or real situations of undue bias or influence in the decision-making of the school.

### **Acting in the best interests of the school**

3. The Governing Body wishes to represent the interests of all the school's stakeholders. Each governor has a duty to act in the best interests of the school as a whole, and not necessarily the individual, organisation or constituency which appointed them.

### **Induction and training**

4. In order to prepare and support governors, Hertswood Academy will arrange an induction and ongoing development opportunities. Individual governors are invited to speak to the Chair of Governors or the Clerk to the Governing Body about any further information or training needs. Governors are also able to book themselves onto training courses provided by Herts for Learning on behalf of the Academy, and should be proactive in doing so. Governors are expected to attend induction and training programmes, given reasonable notice, in line with any individual or collective requirements identified.

### **Role and function of governors**

5. In fulfilling their general roles and responsibilities individual governors must:
  - adhere to the school's rules and policies, including the Articles of Association, and support its charitable objects



- act in the best interests of the school at all times, taking professional advice where necessary
- contribute to the work of the Governing Body in order for it to fulfil its role and functions as defined in the governing document and legislation
- recognise that their role is a collective one. Consequently:
  - any task or function delegated to an individual governor or governor committee does not relieve the other governors of the responsibility for that task or function.
  - Governors have no legal authority to act individually, except when the Governing Body has given them delegated authority to do so.
  - Governors should accept collective responsibility for all decisions made by the Governing Body or its delegated agents. This means that, outside governors' meetings, governors should not undermine decisions agreed by the majority.

## **Conflicts of interest**

6. Governors should not exert any influence to garner any preferential treatment for themselves or their family, or other connected persons or organisations. Governors should be aware of, and act in accordance with, the school's policy and procedures on identifying and managing conflicts of interest.

## **Standards of conduct**

7. Governors are required to adhere to the highest standards of conduct in the performance of their duties. This Code of Conduct respects and endorses the seven principles of public life promulgated by the Nolan Committee and all governors are expected to perform their duties in accordance with them. The seven principles are selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.
  - Governors should perform their duties in accordance with the vision, mission and values of the school. Governors are encouraged to:
    - value fellow governors, even when there are differences in opinion
    - adhere to the school's meeting etiquette
    - treat the school's stakeholders with respect and in accordance with the school's policies.
    - be mindful of conduct which could be deemed to be unfair or discriminatory
    - conduct themselves in a manner which reflects positively on the school when attending external meetings or any other events.
8. Parent governors and staff governors should always be clear to themselves and others whether they should be speaking or acting in their capacity as a parent, a member of staff, or as a governor in a particular situation. For example, where an issue solely affects a parent governor's child at the school, then it will normally be more appropriate for the governor to raise this via the school office in the same manner as other parents should, rather than raising it with the Governing Body.

## **Stakeholder engagement**

9. Governors are accountable to a range of interested parties for their actions and as such decision-making and governance issues should be as transparent as possible, except for when confidentiality is required or there is likely to be a breach of the school's data protection policy.

10. In order to demonstrate their accountability to the school's wider community, governors are encouraged to attend events and provide opportunities to meet, talk and listen to stakeholders, in order to best understand their views and concerns.
11. If presented with a complaint against the school, a governor should advise the complainant to contact the appropriate member of staff or the school office, because becoming personally involved could prejudice a governor's ability to consider that complaint if it is appealed to governors in a later part of the school complaints process.
12. Governors should not become personally involved in those operational matters that should rightly be handled by the appropriate member of staff or contractor.

### **Visiting the school**

13. For activities other than attending Governing Body or committee meetings, or events organised by the school, governors should follow the policy for governor visits to the school. Personal visits to the school, or other activities not related to a person's role as a governor, are not covered by the policy for governor visits, but governors must abide by the rules of the event.

### **Expenses**

14. The position of governor is unremunerated, though certain out-of-pocket expenses are paid. Governors should refer to the school's policy on governor expenses and how to claim for reimbursement for costs incurred on behalf of the school.
15. Governors must not receive any financial or non-financial benefit from the school that is not explicitly authorised by the Articles of Association.

### **Meetings**

16. Governors have a responsibility to attend meetings of the Governing Body and committees to which they have been appointed. When this is not possible, they should submit an apology to the Clerk to the Governing Body in advance of the meeting. Governors are expected to attend for the duration of each such meeting.
17. Governors should set aside sufficient time to read papers in advance of the meetings at which they will be discussed, and arrive ready to contribute to discussion on those papers.
18. If a governor wants to submit an item for inclusion in the Governing Body's agenda or the agenda of one of its committees, they should forward their request to the Clerk to the Governors at least 10 calendar days before the meeting. Late items of an urgent nature may be added to the list of any other business, at the discretion of the chair of the meeting, in discussion with the Clerk to the Governors.
19. Meetings of the Governing Body shall be held in private. The Governing Body or one of its committees may decide to invite named staff and other individuals to all or part of a meeting to discuss a particular item. All due consideration will be given to ensure that any confidential or sensitive items remain as such. Such invitations will be agreed by the chair of the relevant meeting and facilitated by the Clerk to the Governing Body.

### **Confidentiality**



20. All governors are required to respect the confidentiality of the information they are exposed to as a result of their membership of the Governing Body. All governors, when dealing with difficult and confidential issues, are required to act with discretion and care in the performance of their role.
21. Governors should only speak to the media with the express permission of the headteacher.
22. In situations concerning potential whistleblowing matters, governors are encouraged to adhere to the school's whistleblowing policy to resolve the matter, in the first instance.

### **Ceasing to be a governor**

23. Governors must continue to comply with the qualifications required to hold a governor position throughout their period of tenure. Any changes that would render the governor ineligible to serve must be notified to the Clerk to the Governing Body.
24. Governors may resign their office ahead of their full tenure by writing to the Clerk to the Governing Body. Depending on the reasons and circumstances of the resignation, the governors may decide to formally record those particulars in the minutes of the next Governing Body meeting.
25. The confidentiality requirements referred to above continue to apply after a governor leaves office.

### **Procedure for handling breaches of this Code of Conduct**

26. Ideally, this procedure will never need to be applied. The purpose of this procedure is to cover allegations made against governors that appear to breach the spirit of this Code of Conduct. It relates only to the role that someone has in relation to their membership of the Governing Body or any of its committees.
27. Where a staff governor is subject to staff disciplinary or capability procedures, or has raised a matter under the school's grievance procedure, or there is a similar staff-related matter that may later be appealed to the Governing Body, the relevant procedure must be exhausted first, before the same issue can be made the subject of a complaint in this procedure.
28. Non-compliance with the Code of Conduct may result in action being taken as follows:
  - The Governing Body will only seek removal of a governor as a last resort, after seeking to resolve any difficulties or disputes in more constructive ways.
  - If a person believes this code has been breached, he or she should raise this issue with the Chair of Governors who will investigate. This also includes complaints against a governor initially made under the school's Complaints Procedure, which should instead be considered under this Code of Conduct. Should it be the Chair of Governors that a person believes has breached this code, the matter should be raised with the Vice-Chair of Governors who will investigate or, where this is not practical, shall ask another governor to investigate.
  - The governor investigating the alleged breach shall inform the subject of the complaint in writing of the nature of the allegation of the breach, detailing the



specific action or behaviour considered to be detrimental to the school, and inviting and considering their response within a reasonable defined timescale.

- If the matter cannot be satisfactorily resolved, the subject of the complaint shall be given the opportunity to address the Governing Body in person, and this matter shall appear on the agenda of the relevant meeting. Following this, the governors may decide by a simple majority of those present and voting, whether to uphold the charge of the breach and conduct detrimental to the school. The governor who is the subject of the complaint may not participate in this vote.
- If the complaint is upheld, the Governing Body may impose such sanctions as may be deemed appropriate, provided that they are permitted by the Articles of Association. Sanctions may include issuing a written warning as to the governor's future conduct, removing a co-opted governor from office, or seeking removal of the governor from office by the individual or body that appointed him or her.
- A person making a complaint against a governor under this Code of Conduct, shall be informed of the outcome of the complaint.