

Model code of conduct

For governing boards in local authority maintained schools

The NGA model code of conduct is anchored in the Seven Nolan Principles of Public Life. The code is also aligned with the Framework for Ethical Leadership in Education which outlines principles that support ethical decision-making and challenge unethical behaviour.

How to use the model code

This model code of conduct should be adapted to reflect relevant policies and your specific context.

Reviewing your code of conduct

Boards should review and approve their code of conduct annually, normally at the first meeting of the autumn term. When reviewing your code, reflect on the events of the previous year and consider if any changes are required.

NGA recommends that boards publish their code of conduct on their school website.

Using your code to support induction and development

When recruiting new volunteers, we recommend that boards refer candidates to their code of conduct (and role description) to ensure that potential new members have a good understanding of expectations before being appointed. New members should agree to the board's code of conduct on being appointed as part of their induction programme.

Chairs may also use their code of conduct to support discussions such as annual governor performance reviews. In doing so, the code of conduct becomes a tool to help boards and individuals develop their governance practice.

Using your code of conduct to support effective teamwork

Effective governance requires effective teamwork: working collaboratively as colleagues with understanding and respect for each other's roles.

NGA's Effective teamwork guidance sets out an approach to dealing with conflict or tension using a measured and conciliatory approach. The guidance advises that the most direct way to clarify the expectations of those governing is through a code of conduct.

NGA model code of conduct

Once this code has been adopted by the governing board, all members agree to faithfully abide by it.

We agree to abide by the Seven Nolan Principles of Public Life:

Selflessness

We will act solely in terms of the public interest.

Integrity

We will avoid placing ourselves under any obligation to people or organisations that might try inappropriately to influence us in our work. We will not act or take decisions in order to gain financial or other material benefits for ourselves, our family, or our friends. We will declare and resolve any interests and relationships.

Objectivity

We will act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

We are accountable to the public for our decisions and actions and will submit ourselves to the scrutiny necessary to ensure this.

Openness

We will act and take decisions in an open and transparent manner. Information will not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

We will be truthful.

Leadership

We will exhibit these principles in our own behaviour. We will actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

We will focus on our core governance functions:

1. ensuring there is clarity of vision, ethos and strategic direction
2. holding executive leaders to account for the educational performance of the organisation and its pupils and the performance management of staff
3. overseeing the financial performance of the organisation and making sure its money is well spent

NGA recognises the following as the fourth core function of governance:

4. ensuring the voices of stakeholders are heard

As individual board members, we agree to:

Fulfil our role & responsibilities

1. We accept that our role is strategic and so will focus on our core functions rather than involve ourselves in day-to-day management.
2. We will develop, share and live the ethos and values of our school.
3. We agree to adhere to school policies and procedures as set out by the relevant governing documents and law.
4. We will work collectively for the benefit of the school.
5. We will be candid but constructive and respectful when holding senior leaders to account.
6. We will consider how our decisions may affect the school and local community.
7. We will stand by the decisions that we make as a collective.
8. Where decisions and actions conflict with the Seven Principles of Public Life or may place pupils at risk, we will speak up and bring this to the attention of the relevant authorities.
9. We will only speak or act on behalf of the board if we have the authority to do so.
10. We will fulfil our responsibilities as a good employer, acting fairly and without prejudice.
11. When making or responding to complaints we will follow the established procedures.
12. We will strive to uphold the school's reputation in our private communications (including on social media).
13. We will have regard to our responsibilities under The Equality Act and will work to advance equality of opportunity for all.

Demonstrate our commitment to the role

1. We will involve ourselves actively in the work of the board, and accept our fair share of responsibilities, serving on committees or working groups where required.
2. We will make every effort to attend all meetings and where we cannot attend explain in advance why we are unable to.
3. We will arrive at meetings prepared, having read all papers in advance, ready to make a positive contribution and observe protocol.
4. We will get to know the school well and respond to opportunities to involve ourselves in school activities.
5. We will visit the school and when doing so will make arrangements with relevant staff in advance and observe school and board protocol.
6. When visiting the school in a personal capacity (for example, as a parent or carer), we will continue to honour the commitments made in this code.
7. We will participate in induction training and take responsibility for developing our individual and collective skills and knowledge on an ongoing basis.

Build and maintain relationships

1. We will develop effective working relationships with school leaders, staff, parents and other relevant stakeholders from our local community/communities.
2. We will express views openly, courteously and respectfully in all our communications with board members and staff both inside and outside of meetings.
3. We will work to create an inclusive environment where each board member's contributions are valued equally.
4. We will support the chair in their role of leading the board and ensuring appropriate conduct.

Respect confidentiality

1. We will observe complete confidentiality both inside and outside of school when matters are deemed confidential or where they concern individual staff, pupils or families.
2. We will not reveal the details of any governing board vote.
3. We will ensure all confidential papers are held and disposed of appropriately.
4. We will maintain confidentiality even after we leave office.

Declare conflicts of interest and be transparent

1. We will declare any business, personal or other interest that we have in connection with the board's business, and these will be recorded in the register of business interests.
2. We will also declare any conflict of loyalty at the start of any meeting should the need arise.
3. If a conflicted matter arises in a meeting, we will offer to leave the meeting for the duration of the discussion and any subsequent vote.
4. We accept that the Register of Business Interests will be published on the school's website.
5. We will act as a governor; not as a representative of any group.
6. We accept that in the interests of open governance, our full names, date of appointment, terms of office, roles on the governing board, attendance records, relevant business and pecuniary interests, category of governor and the body responsible for appointing us will be published on the school website.
7. We accept that information relating to board members will be collected and recorded on the DfE's national database (Get Information about Schools), some of which will be publicly available.

We understand that potential or perceived breaches of this code will be taken seriously and that a breach could lead to formal sanctions.

Adopted by: The Governing Board in Autumn Term 2022

Signed: **Chair of the Board.**

We agree that this code of conduct will be reviewed annually and it will be endorsed by the full governing board.

Governor Behaviour Protocol

When Governors join the governing board of any school they give an undertaking to always have the achievement and well-being of the pupils and the reputation of the school at heart. They also undertake to strive to be an ambassador for the school; publicly supporting its aims, ethos and values. The Governor Code of Conduct details the expectation that they would never say or do anything that would embarrass the school, the governing body, the headteacher or the staff, this includes through any use of social media.

Problems can occur when Governors lose sight of these undertakings and other specific expectations around the role of Governance, relationships, confidentiality and conflicts of interest. Unfortunately, dealing with such concerns and the resultant breakdowns in relationships can be both difficult and time consuming.

In trying to encourage compliance with the School's Code of Conduct; it is good practice to consider how adherence to the expectations in the code of conduct might be supported. Individuals rarely intend to act in inappropriate or unhelpful ways and failure to tackle issues at an early stage can result in behaviours becoming embedded when a "quiet word" might have prevented circumstances building up into a more serious situation.

This protocol will try to help Governors manage both expectations and behaviours by highlighting trigger points for action and determining the right set of steps to tackle particular concerns. A graduated approach to dealing with issues and infractions will be appropriate with minor issues being dealt with in a swift and supportive manner and more serious infractions with appropriate rigour.

This protocol has been adopted by the Governing Board and will be applied at need - review date to be 3 years from adoption or when significant amendments are required by changes to legislation or statute.

Associated Documents:

- Governor Code of Conduct
- Nolan Principles
- Examples

LEVEL 1

This first level of concern might include:

- Misunderstanding of role - acting without mandate in a particular issue
- Failure to maintain confidentiality

- Pursuit of personal agenda through the Governing Board

The appropriate steps to address such issues would be:

Conversation with the Chair (Vice-Chair if the Chair is the subject)

If actions are being taken that are inappropriate but that might be due to a misunderstanding of the role of Governor and how issues should be brought forward then it might be appropriate for the Chair, Vice-Chair or a more long standing Governors to have a “quiet word” with the subject. The Chair (or Vice) should decide or agree an approach and notes kept of the conversation. Training should be offered if this is deemed to be an issue in the matter.

Informal Mediation / Facilitated Discussion

It can be difficult to initiate discussions and if the Chair (or Vice) does not feel confident of achieving an appropriate outcome without support then the Clerk could be commissioned to facilitate the initial discussion and act as a moderator for the conversation.

LEVEL 2

This second level of concern would include:

- Behaviours being continued even after having been drawn to the attention of the individual
- A serious breach of confidentiality (including breaches in Data Protection)
- Conduct in public or via social media likely to bring the school’s reputation into question

This elevated level of concern would require more serious sanctions, including:

Letter of censure from the Chair (Vice)

Should inappropriate actions continue or become more serious, a formal letter of censure might be appropriate - it is likely that this would refer to the inappropriate behaviour and act in the same way as a “drawing the line” letter in staff management. The subject should be warned that further action and sanctions could follow should the inappropriate behaviour continue.

Record in the Minutes

If the behaviour were to continue the behaviour should be mentioned without reference to an individual in the minutes to ensure an understanding of required norms. This may reference code of conduct and general expectations. This may be instigated by the Chair or Vice-Chair but also by any other Governor who is witness to inappropriate behaviour and who has tried to

address this through the Chair/Vice without success. The individual would not be identified in the record at this stage.

Mandatory Training

Should behaviour still not be moderated and concerns continue, then an agreement from the Governing Body to require that the individual (or the Governing Board as a whole) attend training that they themselves should deem mandatory. Governors identified the need for all/individual Governors to undertake training in respect of a specific issue. It was agreed that this would be within 2/4/6 months].

LEVEL 3

This third level of concern, leading to the more formal consideration of behaviour might include:

- Serious misuse of position to either bully or intimidate individuals
- Aggressively pursuing a personal agenda or viewpoint
- Becoming party to or leading a campaign against the school or a member of staff
- Repeated concerns at level1 and/or level 2 having to be addressed

This, higher, level of concern would lead to more serious and more formal actions being taken, for example:

Investigation

If the behaviour being exhibited is particularly egregious then an investigation should be instigated - the Chair might ask the Vice Chair to investigate and draw up a report for consideration by the Governing Body - the subject and other witnesses should be interviewed, statements drawn up & signed and a report with conclusions and recommendations should be prepared. This report may be considered by the Chair (or Vice) and an outcome letter drawn up. One possible recommendation is that a meeting of full Governors should consider the appropriate sanction, if any, that should be imposed on the subject. The subject must have the opportunity to address the allegations.

Formal Mediation

Governors may wish to consider offering a formal mediation stage following the investigation and outcome letter to see if an agreement can be reached before the need to call a full Governors meeting to consider any formal sanction. It would be appropriate to commission a mediator without a current connection to the school.

Suspension

Suspension for a period of time from the Governors could be an appropriate sanction and would need to be made by the full board of Governors. The Governing Board would need to consider the appropriate length of time that any suspension might be applied for.

Dismissal

Dismissal from the Governing Body, This would be likely to be appropriate in extreme and rare cases only. A full meeting of the Governing Board would need to be called to determine this sanction and a second meeting to confirm the decision.
