

Model Code of Conduct for Governing Boards (Updated: September 2016)

1) Introduction

Birmingham City Council (BCC) is committed to improving educational outcomes for all children in Birmingham and believes that all effective and safe schools have strong governance at their heart. Governing boards and trusts are responsible for standards in their organisations, and are held to account for this by the Local Authority (in relation to maintained schools), Ofsted and the Department for Education (DfE).

The following Code of Conduct applies to all levels of school governance and promotes effective working practices that are mutually supportive and respectful of roles and responsibilities.

BCC commends this model code of conduct for adoption by maintained school and academy governing boards.

2) General

School governors make an invaluable contribution to the lives of our children. The DfE handbook for governors says that to build an effective governing board schools should aim to recruit, induct and continuously develop high calibre governors with relevant skills and experience. Being a governor involves significant amounts of time and energy. The handbook says that all governors should demonstrate the following competences:

- a strong commitment to the role and to improving outcomes for children;
- the inquisitiveness to question and analyse;
- the willingness to learn;
- good inter-personal skills;
- appropriate levels of literacy in English (unless a governing board is prepared to make special arrangements), and
- sufficient numeracy skills to understand basic data.

Where a prospective governor has been or is already a governor of another school, the Chair should speak to the Chair of the other Governing Board to discuss both the skills of the individual and, where appropriate, their capacity to commit sufficient time to serve effectively on another governing board.

BCC expects schools and academies to monitor and account for the circumstances within which it is genuinely appropriate for any individual to be a governor of more than one school in Birmingham at any one time and supports the view of the National Governors Association (NGA) that unless there are genuinely exceptional circumstances, **it is not good practice for a governor to serve on more than two governing boards at any one time.**

BCC will not approve the nomination of an applicant currently serving on two governing boards to serve as a Local Authority representative governor, or recommend them for appointment by the Governing Board as a co-opted governor.

BCC agrees with the Department for Education (DfE) that with effective succession planning in place, it can be beneficial for strong governors and chairs in particular to move on to another school after a reasonable time (e.g. two terms of office). It encourages governing boards to adopt the position of the NGA that all governors should be restricted to two terms of office (eight years) at the same school. BCC will only nominate individuals to serve as Local Authority governors on governing boards where they have served for eight years or more when the governing board has demonstrated that there are exceptional circumstances

BCC encourages governing boards to adopt the position taken by the NGA that **the Chair should hold office for no more than six years at the same school.**

3) Standards of conduct, behaviour and practice

As individual governors we will play our part in setting an ethos of professionalism and high expectations of the governor role. We will:

3.1) Abide by the Seven Principles of Public Life

The principles are included as an appendix to this Code of Conduct.

3.2) Support the elimination of discrimination and advance equality of opportunity

We recognise that Birmingham is, outside of London, the UK's most diverse city, made up of a wide range of cultural, faith and other communities. The city benefits from positive community cohesion within this diversity. We share the equality objectives of BCC and will support the school or academy in meeting its Public Sector Equality Duty under The Equality Act 2010, which extends to all protected characteristics - race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity, gender reassignment, marriage and civil partnership.

3.3) Ensure that the school or academy follows all relevant policies and procedures to ensure that young people in need of protection are effectively safeguarded

3.4) Remain focused on our three core strategic functions of:

- Ensuring clarity of vision, ethos and strategic direction.
- Holding the Headteacher to account for the educational performance of the school.
- Overseeing the financial performance of the school and making sure its money is well spent.

3.5) Attend meetings and take a full part in the Governing Board

Accepting office as a governor involves the commitment of significant amounts of time and energy. We will make full efforts to attend all meetings, get to know the school well and respond to opportunities to involve ourselves in school activities.

3.6) Demonstrate a professional attitude

By attending regularly, being punctual, reading all relevant paperwork before meetings, arriving prepared to make an informed and positive contribution and by observing meeting protocols.

3.7) Work as members of a team and promote effective working relationships

We will seek to develop effective working relationships with the Headteacher, staff and parents, the Local Authority and other relevant agencies and the community. We will always be mindful of our responsibilities to maintain and develop the ethos and reputation of the school/academy. Our actions within the school/academy and the local community will reflect this. In making or responding to criticism or complaints affecting the school/academy, we will follow the procedures established by the Governing Board or Trustees.

3.8) Express views courteously and be respectful in all communication

3.9) Respect lines of demarcation and the role of the Headteacher to manage the school

As governors we accept that our role is strategic and focused on the three core functions referred to in 3.4 of this code. We will not involve ourselves in the day-to-day management of the school/academy or attempt to micromanage senior leaders. Any visits that we undertake at the school/academy will be arranged in advance with relevant staff, be agreed by the Headteacher and be within the framework established by the Governing Board.

3.10) Acknowledge majority decisions, except those that conflict with the Nolan principles of public office, the core functions of the governing board and which may fail to ensure the safety of pupils

We will confront malpractice by speaking up against and bringing to the attention of the relevant authorities' decisions and actions that conflict with the Nolan principles of public office and place pupils at risk.

3.11) Respect the duty of confidentiality to the school, any member of staff or pupil at the school

When asked to do so by the Governing Board especially in relation to matters concerning individual staff, pupils or parents.

3.12) Undertake induction training as a minimum and any other training that is required to be effective in the role

We will request, and attend induction training as soon as is reasonably practicable following appointment as new governors. We will continually evaluate our performance as individual governors and undertake any training that is required to be effective in our role.

3.13) Declare conflicts of interest

We recognise that a conflict of interest can arise when an individual's personal or family interests conflict with those of the school. We will declare any business, personal or other interest that we have in connection with the Governing Board or the school in general for recording in the register of business interests including the following:

- links with individuals, businesses, contractors etc;
- directorships, shareholdings or other appointments where the school may purchase goods or services from or who are directly employed by the school, and
- interests of related persons such as parent, spouse, co-habitee, child or business partners where influence could be exerted by that person over a governor or a member of staff.

Our governors will withdraw for an appropriate length of time from any meeting or discussion of the Governing Board when our governor colleagues agree that there is a conflict of interest.

3.14) Be transparent

As the Governing Board our first line of accountability is to parents, the wider school and local community. We will demonstrate transparency by publishing on the school website up to date details of the structure of the Governing Board and any committees, together with the names of our governors and their particular roles and responsibilities within that structure. We will also publish on the school website the register containing the relevant business interests of our governors and details of any other educational establishments they govern.

We are committed to publishing an annual statement setting out the key issues that have been faced and addressed by the Governing Board over the last year, including an assessment of the impact of the Governing Board on the school.

4) Breach of this Code of Conduct

If following investigation it is deemed that this Code of Conduct has been breached by a member of our Governing Board and the matter cannot be resolved in a constructive way, then the Governing Board will consider their suspension or, in some circumstances, removal from the Governing Board.

BCC accepts that, first and foremost, responsibility for good governance rests with schools themselves – and individual governors should be looking to themselves when it comes to accountability for standards of conduct and behavior. However, in addition to this, the Council, the DfE and Ofsted have an obligation to ensure that a robust assurance system exists to support and challenge – including intervening in – schools to ensure they fulfil their responsibilities.

BCC will not hesitate to exercise its statutory powers or refer concerns to the Regional Schools Commissioner in response to governing boards who, in its view, have not acted robustly or decisively to address issues of governor conduct or a breach of this Code of Conduct.

Adopted by the Governing Board of (insert name)

on(insert date)

Signed by (Chair of Governors) Date

For clarification or any queries please contact: governors@birmingham.gov.uk

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.