



# Code of Conduct for the Governing Body

## Hazelmere Junior School

The governing board has adopted the following principles and procedures:

### **Purpose of the governing board**

The governing board is the key strategic decision making body in the school, setting the strategic framework and ensuring it meets all its statutory duties. Raising achievement is at the heart of a governing board's strategic role; every child has the right to attend a good school.

### **The governing board has the following core strategic functions:**

Establishes the strategic direction by:

- setting the vision, values, and objectives for the school
- agreeing the school improvement strategy with priorities and targets
- meeting statutory duties

Ensures accountability by:

- appointing the headteacher
- monitoring progress towards targets
- performance managing the headteacher
- engaging with stakeholders (including parents & pupils)
- contributing to school self-evaluation

Ensuring financial probity by:

- setting the budget
- monitoring spending against the budget
- ensuring value for money is obtained
- ensuring risks to the organisation are managed

## **For governing boards to carry out their roles effectively, governors must:**

- prepared and equipped to take their responsibilities seriously
- committed to the key characteristics and behaviours expected of the role, as set out in A Competency Framework for Governance (DfE 2017)
- acknowledged as the accountable body by the lead professionals
- supported by the appropriate authorities in that task
- willing and able to monitor and review their own performance

## **The role of a governor:**

In law, the governing board is a corporate body which means:

- No governor can act on his/her own without proper authority from the full governing board.
- All governors carry equal responsibility for decisions made.
- Although appointed through different routes, the overriding concern of all governors has to be the welfare of the school as a whole. Governing boards should be alert to the risk of becoming dominated by one particular mind-set or strand of opinion

## **As individuals on the governing board, we agree to the following:**

### **Role & Responsibilities**

- We understand the purpose of the governing board and the role of the headteacher
- We are aware of and accept the Seven Nolan Principles of Public Life (see Appendix 1)
- We accept that we have no legal authority to act individually, except when the governing board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so
- We accept collective responsibility for all decisions made by the governing board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting
- 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 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
- We will always use social networking sites responsibly and ensure that neither our personal/professional reputation, nor the school's reputation is compromised by inappropriate postings

- We will promote tolerance of and respect for those of different faiths and beliefs, races, genders, ages, disability and sexual orientation
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing board
- We will support the headteacher and senior leadership team but challenge their expectations and hold them to account for school performance

## **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 governing board and accept our fair share of responsibilities, including service on committees or working groups
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to do so
- We will get to know the school well and respond to opportunities to involve ourselves in school activities
- We will visit the school, with all visits to school arranged in advance with staff and undertaken within the framework established by the governing board and agreed with the headteacher
- We will demonstrate commitment to continually developing our knowledge and skills and keeping them up to date. This includes our ability to understand and interpret educational and financial data
- We accept that in the interests of openness and transparency, our full names, date of appointment, term 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's website. We accept that personal information will also be published on DfE EduBase or replacement Get Information about Schools (GIAS) system. This is to help increase transparency on who governs our schools
- We accept that we are required to hold an Enhanced Criminal Records Certificate (ECRC)

## **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 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 will seek to develop effective working relationships with our headteacher, 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 and outside the school
- We will ensure that we are familiar with, and adhere to, the data protection principals set out in the Data Protection Act (DPA) 1998 and its replacement the Data Protection Act 2018. (see Appendix 2)
- We will exercise the greatest prudence at all times when discussions regarding school business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote

### **Conflicts of Interest**

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time. We accept that the Register of Business Interests will be published on the school's website
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise
- 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 governing board

### **Breach of this Code of Conduct**

- If we believe this Code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board will only use suspension as a last resort after seeking to resolve any difficulties or disputes in more constructive ways
- Should it be the chair that we believe has breached this Code, another governor, such as the vice chair will investigate

**Maintained schools:** Any elected governor removed from office in accordance with the grounds and procedures laid down in Regulations 2024A and 25 of [The School Governance \(Constitution and Federations\) \(England\) Regulations 2016 \(as amended 2017\)](#) is disqualified from holding or continuing to hold office as a governor of a school until the date immediately after the fifth anniversary of the date of their removal

**Adapted from the NGA Model Code of Conduct, 2015**

Reviewed by EES Governance Support September 2017

Governors will sign the Code of Conduct at the first governing board meeting of each school year.

Once approved by the governing board the Code of Conduct will apply to all governors, trustees and governors of local governing boards.

**The Governing Board of Hazelmere Junior School adopted this  
Code of Conduct on 29<sup>th</sup> November 2017.**

**Undertaking:**

As a member of the governing board I will always have the achievement and wellbeing 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 governing board, the headteacher or staff.

*See next page for signed undertakings.*



## Appendix 1

### **The Seven Principles of Public Life**

(Originally published by the Nolan Committee)

**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

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.

## Appendix 2

### **Data Protection and Information Security – Personal Data**

The governing board has a collective and individual responsibility regarding confidentiality in respect of school business. In exercising their functions, governors will on occasion, have access to sensitive personal information about staff and pupils. This may, for example, relate to safeguarding, exclusion, health or conduct issues.

In addition, the nature of a governor's role means that they will often receive, access and process information outside of the school premises – at home or at work. Under the Data Protection Act 1998\* it is particularly important that personal and sensitive information is held and handled securely.

We will ensure that we are familiar with, and adhere to, the data protection principals set out in the Data Protection Act (DPA) 1998\*.

We will ensure that personal data:

- is processed fairly and lawfully
- is obtained only for lawful purposes, and is not further used in any manner incompatible with those original purposes
- is accurate and, where necessary, kept up to date
- is adequate, relevant and not excessive in relation to the purposes for which it is processed
- is not kept for longer than is necessary for those purposes;
- is processed in accordance with the rights of data subjects under the DPA;
- is protected by appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction or damage and
- is not transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection of the personal information

### **Contact details**

We will:

- ensure that our correct contact details (home address, phone number and email address) are held by the school to avoid misdirected communications
- ensure that our email addresses are professional and where possible, personal (ie not shared with family members)
- take appropriate steps to prevent others, including family members, from accessing confidential information

\*The DPA 2018 replaces the DPA1998 - compliance is mandatory from 25/05/18. Like the DPA 1998, the DPA 2018 applies to 'personal data'; in most cases, you can assume that if you hold information that falls within the scope of the DPA 1998, it will also fall within the scope of the DPA 2018.

### **Electronic personal data**

We will:

- use encryption software/strong passwords on all electronic devices which may contain personal data. This includes mobile phones, laptops, tablets and USB devices
- password protect files containing personal data
- take all reasonable steps to keep such devices secure (eg not leaving them in cars)
- ensure that family members/work colleague who share devices, cannot access personal data

We will:

- keep all paper based files securely
- dispose of paper records in a secure manner

## Appendix 3

### Key Changes to 2017 EES for Schools Code of Conduct template

This updated version of the Code of Conduct revises and replaces the 2016 edition.

Here are the key changes to the 2017 edition of the EES Governance Support Code of Conduct:

#### For governing boards to carry out their role effectively, governors must be:

- committed to the key characteristics and behaviours expected of the role, as set out in [A Competency Framework for Governance](#) (DfE 2017)

This has been reworded to emphasise that governing boards should be clear about the skills, behaviours and knowledge needed for effective governance and be willing to learn new skills to improve board effectiveness. Although the Competency Framework for Governance is non-statutory guidance, it is a good practice document, setting out the competencies and behaviours needed by high performing boards in maintained schools, academies and multi-academy trusts. For maintained schools, see also [updated statutory guidance on the constitution of governing bodies](#), p10 (23).

#### Commitment

- We accept that personal information will be published on DfE EduBase, or replacement Get Information About Schools (GIAS) system

DfE is developing a replacement for EduBase called Get Information about Schools (GIAS). [A test version can be accessed here](#) but please note that data is not live and users should continue to rely on the data in [EduBase](#) until advised otherwise.

#### Confidentiality

- We will ensure that we are familiar with, and adhere to, the data protection principles set out in the Data Protection Act (DPA) 1998 and its replacement The Data Protection Act (DPA) 2018

The DPA 2018 replaces the DPA 1998 – compliance is mandatory from 25/05/18. The General Data Protection Regulation (GDPR) will form the core of the new Data Protection Act 2018.

#### Breach of this Code of Conduct

- **Maintained schools:** Any elected governor removed from office in accordance with the grounds and procedures laid down in Regulations 2024A and 25 of [The School Governance \(Constitution and Federations\) \(England\) Regulations 2016 \(as amended 2017\)](#) is disqualified from holding or continuing to hold office as a governor of a school until the date immediately after the fifth anniversary of the date of their removal

DfE have published [statutory guidance for the amended School Governance \(Constitution\) \(England\) Regulations 2012, as amended in 2017](#).

From 1 September 2017, the amendment gives governing boards of maintained schools the power to remove elected parent or staff governors in the same way as they can for appointed parent governors, co-opted governors and partnership governors. Elected governors removed from office are disqualified from holding or continuing to hold office as a governor of a school until five years after the date of their removal.

Please note that governing boards are expected only to exercise the power to remove an elected governor in exceptional and serious circumstances, where the actions or behaviour of the elected governor warrants removal rather than suspension. Governing boards are also expected to provide an appeals procedure to enable any removed governor to test the reasonableness of the governing board's decision to remove them.

- **Academies:** Any elected or appointed governor/trustee removed from the office by ordinary resolution of the members in accordance with the [Companies Act 2006](#) is disqualified from holding or continuing to hold office as a governor/trustee of that school

A trustee shall cease to hold office if he is removed by the person or persons who appointed or elected him, or otherwise by ordinary resolution of the Members in accordance with the Companies Act 2006. You need a good reason to remove a trustee, such as if they have done something that damages your charity's reputation. Check your articles of association to see if it has a procedure for removing trustees.

You also have the right to remove a director, providing you follow the correct procedures. You have this right under the [Companies Act 2006](#) (168-169), regardless of what else is written in your articles of association.

## **Data Protection and Information Security – Personal Data (Appendix 1)**

The governing board has a collective and individual responsibility regarding confidentiality in respect of school business. This new section highlights the importance of ensuring that personal and sensitive information is held and handled securely under the Data Protection Act 1998

The DPA 2018 will replace the DPA1998. Compliance is mandatory from 25 May 2018.

Like the DPA 1998, the DPA 2018 applies to ‘personal data’. However, the DPA 2018’s definition is more detailed and makes it clear that information such as an online identifier – eg an IP address, or biometric data such as finger prints – can be personal data. The more expansive definition provides for a wide range of personal identifiers to constitute personal data, reflecting changes in technology and the way organisations collect information about people.

The DPA 2018 applies to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. This is wider than the DPA 1998’s definition and could include chronologically ordered sets of manual records containing personal data.

Personal data that has been pseudonymised – eg key-coded – can fall within the scope of the DPA 2018 depending on how difficult it is to attribute the pseudonym to a particular individual.

### **Sensitive personal data**

The DPA 2018 refers to sensitive personal data as “special categories of personal data” (see Article 9). These categories are broadly the same as those in the DPA 1998, but there are some minor changes.

For example, the special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual.