



Code of Conduct and Practice for Governors

Introduction

The House of Commons Education and Employment Committee's Report on The Role of School Governors including among its recommendations 'that governing bodies adopt a code of practice outlining the purpose of the governing body which describes the appropriate relationship between individual governors, the whole governing body and the school etc'

Governors might find useful, as a starting point, the following examples. It is important that any such Code should be thoroughly discussed so the whole governing body has ownership of it. It is good practice for the governing body to re-adopt the code of practice at its first full governing body meeting of each year or whenever new governors are appointed.

Where a Code has been adopted our experience is that it has contributed to team building within the governing body and has served as a valuable lever in cases where individual governors have failed to observe protocol. Further examples are available through school or local authority specific websites.

The governors' code of conduct and practice:

How it works

Every governor agrees to accept a specific code of behaviour so that they clearly understand what is expected of them:

- A. when becoming a governor first – so that they understand what they are taking on. A code should be included in the school governing body induction for new governor template.

and

- B. when working as part of the governing body – so that they are able to practice good governance. It should therefore be approved by the full governing body and included in the school based Induction for New Governors.

Example:-

Governors' code of conduct

The key principles

Governors should:

- support the aims and objectives of the school in the wider community
- work co-operatively with other governors in the best interest of the school
- attend the meetings of the governing body and its committees
- promote the interest of the school in the wider community
- have an equal right to participate and to state their views whilst respecting the views of others
- be loyal to the decisions made by the governing body
- respect the confidentiality of those items of business that have been designated as confidential, do not disclose what individuals have said or how they have voted
- withdraw from meetings where they have any direct personal interest in the business being discussed
- participate in training.

Example:-

Code of Practice for Governors

We believe that the ability of our governing body to work together for the good of the school depends essentially on trust and an understanding of our common purpose.

The Governing Body has therefore adopted the following principles and procedures:

General

- We have responsibility for determining, monitoring and keeping under review the broad policies, plans and procedures within which the school operates
- We recognise that the headteacher is responsible for the implementation of policy, day to day management of the school and the implementation of the curriculum
- We accept that all governors have equal status, and although appointed by different groups(parents, staff, LA, Community) our overriding concern will be the welfare of the school as a whole
- We have no legal authority to act individually, except when the governing body has given us delegated authority to do so
- 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 other schools

Commitment

- We acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy
- We will involve ourselves actively in the work of the governing body, attend regularly, and accept our fair share of responsibilities, including service on committees or working groups
- We will get to know the school well and respond to opportunities to involve ourselves in school activities
- We will consider seriously our individual and collective needs for training and development

Relationships

- We will strive to work as a team
- We will seek to develop effective working relationships with the head, staff and parents, the LA and other relevant agencies and the community

Confidentiality

- We will observe complete confidentiality when required or asked to do so by the governing body, especially regarding matters concerning individual staff or students
- We will exercise the greatest prudence if a discussion of a potentially contentious issue affecting the school arises outside the governing body

Conduct

- We will encourage the open expression of views at meetings, but accept collective responsibility for all decisions made by the governing body or its delegated agents. This means that we will not speak out against majority decisions in public (or private) outside the governing body
- We will only speak or act on behalf of the governing body when we have been specially authorised to do so
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing body
- Our visits to school will be undertaken within the framework established by the governing body and agreed with the head teacher

- In discharging our duties we will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school

Date adopted

Signed by the chair of governors

Example:-

Model Code of Practice for Governing Bodies

GENERAL

All governors have equal status. Although governors are appointed and elected by different groups, their common concern is the welfare of the school as a whole.

Governors have a general duty to act fairly and without prejudice at all times.

Governors should consider carefully how their own decisions might affect other schools.

Governors do not act alone but as members of a corporate team. Individual governors have power only when it is delegated specifically to them by the whole governing body.

COMMITMENT

All governors will involve themselves actively in the work of the governing body and accept a fair share of responsibilities, including service on committees.

Regular attendance at meetings of both the full governing body and committees is essential.

Governors should know the school well and take opportunities to visit it and become involved in school activities.

RELATIONSHIPS

Governors will strive to operate as a team in which constructive working relationships are actively promoted.

Governors will develop effective working relationships with the headteacher, staff, parents, Local Authority and local community.

CONFIDENTIALITY

Governors will observe complete confidentiality when asked to do so by the governing body, usually in relation to matters concerning individual staff, pupils or parents.

Although decisions reached at governors' meetings are normally made public through the minutes or otherwise, the discussions on which decisions are based will be regarded as confidential.

Governors will exercise the highest degree of prudence when discussion of potentially contentious issues arises outside the governing body.

CONDUCT

Governors will express their views openly within meetings but accept collective responsibility for all decisions.

Governors will only speak or act on behalf of the governing body when they have been specifically authorised to do so.

All formal visits to the school will be undertaken within a framework, established by the governing body and agreed with the headteacher.

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In responding to criticism or complaints relating to the school, governors will refer to the school's 'Complaints Policy' for the correct procedure to be followed and advise the complainant accordingly.

Governors will record any pecuniary interest they may have in connection with the governing body's business in the register of pecuniary interests.

Governors will withdraw from any meeting, or part of a meeting, when they have a direct or indirect pecuniary or personal interest in the item under discussion. (A person who is paid to work at the school is not regarded as having a pecuniary interest if his/her interest is no greater than that of other persons paid to work at the school.)

MEETINGS

Individual governors do not have authority in the school. It is the decisions of all the governors together that carry authority. The activities governors undertake outside meetings can be seen as preparation for the times when the governing body 'goes live' – in a meeting.

It follows that if a governing body is to carry out its functions well, its meetings are crucial. Below is a suggested 'Meetings Charter'. If the Chair, the Head, the Clerk and all the governors subscribe to a charter such as this, the governing body will be giving itself the best chance of coming to informed, collective decisions.

Meetings Charter

As a governor I expect:

- people to attend regularly and be punctual
- an agenda and relevant documents to reach me at least seven days before every meeting
- an agenda that makes clear the purpose of each item
- a Chair who keeps to the agenda, paces the meeting so that time is given to each matter in proportion to its importance, draws on all members for contributions and keeps discussions to the point
- my contribution to be heard and others to contribute to the discussion
- the decision-making process to be quite clear
- governors to work together and not to be stubbornly partisan
- governors to take collective responsibility for decisions
- minutes that summarise views succinctly, record decisions accurately and are made available, in draft form, soon after each meeting.

Others can expect me to:

- attend regularly and be punctual
- read the agenda, minutes and other papers before the meeting and note items I want to say something about
- bring my papers to the meeting
- make relevant and positive contributions
- listen carefully to what others say
- accept my share of collective responsibility, even for those decisions I do not personally agree with.

Training & Development

Governor training is important. It develops effective teamwork and increases governors' knowledge and understanding of their role.

In the light of this, all governors agree to attend the Local Authority's induction course for new governors and participate in a programme of training and development planned annually by the governing body.

Sanctions in the event of serious breaches of codes

It is hoped that governing bodies will only need to consider this option as a last resort, for having understood and agreed a code of conduct it is assumed that governors would not knowingly breach it.

The suspension of governors

In certain prescribed circumstances the governing body can decide to suspend a governor for a period of up to six months. The governing body can only suspend a governor if one or more of the following grounds apply.

- The governor is paid to work at the school and is the subject of disciplinary proceedings in relation to his or her employment.
- The governor is the subject of any court or tribunal proceedings, the outcome of which may be that he or she is disqualified from continuing to hold office as a governor under Schedule 6 of the Constitution Regulations.
- The governor has acted in a way that is inconsistent with the school's ethos or religious character and has brought, or is likely to bring, the school, the governing body or his or her office of governor into disrepute.
- The governor is in breach of his or her duty of confidentiality to the school, the staff or to the pupils.

A governing body can vote to suspend a governor on any of the above grounds but does not have to do so. The governing body should only use suspension as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.

Any motion to suspend must be specified as an agenda item of a meeting for which at least seven clear days' notice must be given. Before the governing body votes to suspend a governor, the governor proposing the suspension must give the reasons for doing so. The governor who is proposed for suspension must be given the opportunity to make a statement in response before withdrawing from the meeting and a vote then takes place.

A governor who has been suspended must be given notice of any meetings and must be sent agendas, reports and papers for any meetings during his or her suspension.

A governor who has been suspended cannot be disqualified from holding office for failure to attend meetings under Paragraph 5 of Schedule 6 of the Constitution Regulations.

Removal from Office

The governing body may remove from office:

- community governors or partnership governors;
- any parent governor who has been appointed, but not an elected parent governor. (A parent governor is considered to be elected if he or she stood for election for parent governorship. whether or not a ballot took place is not relevant to this issue);
- any sponsor governors. (It may also do so at the request of the nominating body);
- any associate member.

Authority and foundation governors may be removed from office by the person who appointed them. The person who appointed them must give written notice to the clerk to the governing body, and the governor in question, of the governor's removal.

The governing body may not remove any staff governors.

Procedure for Removal

Reasons for proposed removal of any community governor, partnership governor, appointed parent governor or sponsor governor must be given by the governor(s) proposing the removal. The governor in question must be given the opportunity to make a statement in response before a vote is taken on a resolution to remove him or her.

In the case of the removal of a community governor nominated by a voluntary organisation, primary care trust, NHS trust, NHS foundation trust, or sponsor governor proposed for removal at the request of the nominating body, the nominating body proposing the removal must inform the clerk to the governing body. The governor in question must also be notified in writing of the reasons for proposing his or her removal. The clerk to the

governing body must give the reasons for the proposed removal to the governing body, and the governor proposed for removal must be given the opportunity to make a statement in response, before a vote is taken on a resolution to remove him or her.

The same procedure applies to the removal of an ex officio foundation governor, except that it is the person requesting the removal of the ex officio foundation governor who must inform the clerk and the governor in question.

A governing body's decision to remove any community, partnership, sponsor or appointed parent governor must be confirmed at a second meeting not less than 14 days after the first meeting. At both meetings the removal of the governor in question must be specified as an item of business on the agenda.

The removal of an ex officio foundation governor must follow the procedure outlined in the above paragraph.