

# EAST BARNET SCHOOL



*"I want to learn"*

## Governors' Code of Conduct

Version 6.2

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Reviewer:	Chair of Chairs
Governor Link:	Chair of Governors

# GOVERNORS' CODE OF CONDUCT

East Barnet School, Chestnut Grove, East Barnet, Herts EN4 8PU

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This Code sets out the expectations on and commitment required from governors at East Barnet School in order for the Governing Body to properly carry out its work within the school and the community. It is not a definitive statement of responsibilities but covers the common understanding of broad principles and requirements by which the Governing Body and individual governors will operate.

## B. Purpose of the Governing Body

The Governing Body has been established in law to oversee how the school is carrying out its role and duties and to hold the school and Headteacher to account. It is responsible for the conduct of the school and for promoting high standards. The Governing Body aims to ensure that children are attending a successful school which provides them with excellent education and supports their well-being.

East Barnet School is an 'Academy' school, independent of the local authority and publicly funded. Academies don't have to follow the national curriculum. The school is run by an Academy Trust, which is a charitable company limited by guarantee. Governors of the school are Directors of this company and can set pay and conditions for their staff and also change the length of their terms. Three members of the Governing Body are 'Members of the Academy Trust' with additional powers and duties, including amending the constitution and Articles of Association.

### The Governing Body:

1. Acts in accordance with East Barnet School's constitution as set out in the Articles of Association as established by the School's Academy Trust.
2. Sets the vision, ethos and strategic direction of the school by:
  - a. Setting the values, aims and objectives for the school;
  - b. Agreeing the policy framework for achieving those aims and objectives;
  - c. Setting statutory targets as required;
  - d. Agreeing the school improvement strategy which includes approving the budget and agreeing the staffing structure.
3. Challenges and supports the school by monitoring, reviewing and evaluating:

- a. The implementation and effectiveness of the policy framework;
  - b. Progress towards targets;
  - c. The implementation and effectiveness of the school improvement strategy;
  - d. Objective educational performance and financial data.
  - e. The effective deployment of teachers and support staff.
4. Ensures accountability by:
- a. Contributing to the school's Self Evaluation Form in order to identify and address the school's strengths and weaknesses;
  - b. Responding to Ofsted reports when necessary;
  - c. Holding the Headteacher to account for the performance of the school;
  - d. Ensuring parents and students are involved, consulted and informed as appropriate;
  - e. Making information available to the community and Government Agencies.
5. Ensures financial probity by:
- a. Setting the budget;
  - b. Monitoring spending against the budget;
  - c. Ensuring value for money is obtained;
  - d. Ensuring risks to the organisation are managed.
6. Appoints and performance manages the Headteacher who will deliver the aims (through the day to day management of the school; implementation of the agreed policy framework and school improvement strategy; and delivery of the curriculum) and report appropriately to the Governing Body.

**For governing bodies to carry out their role effectively, governors must be:**

- 1. Prepared and equipped to take their responsibilities seriously and ask the right questions;
- 2. Acknowledged as the accountable body by the lead professionals;
- 3. Supported by the appropriate authorities in that task; and
- 4. Willing and able to monitor and review their own performance.

**The Role of a Governor**

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

- 1. No governor can act on their own without proper authority from the full governing body;

2. All governors carry equal responsibility for decisions made, and
3. Although appointed by different groups (e.g. parents, staff or the Governing Body), all have equal status and the overriding concern of each governor has to be the welfare of the school as a whole.

### **C. Statement of Principle**

1. We understand the purpose of the Governing Body and the role of the Headteacher as set out above.
2. We have responsibility for determining, monitoring and keeping under review the broad policies, plans and procedures within which the school operates.
3. We are aware of and accept the Nolan 'seven principles of public life' (*see Appendix 1*).
4. We accept that we have no legal authority to act individually, except when the governing body has given us delegated authority to do so, and therefore we will only speak on behalf of the governing body when we have been specifically authorised to do so.
5. 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.
6. We will encourage open government and act appropriately and shall be seen to be doing so.
7. We accept collective responsibility for all decisions made by the governing body or its delegated agents. This means that we will not speak against majority decisions outside the governing body meeting.
8. We will consider carefully how our decisions may affect the community and other schools.
9. 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.
10. In making or responding to criticism or complaints affecting the school we will follow the procedures established by the Governing Body.

### **D. Requirements and Procedures**

#### **Commitment**

1. We acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.
2. We will each 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.

3. If acting as directors, we will not go beyond our duties or act outside of the powers of authority conveyed on us, and acknowledge that were we to do so we could be held liable to the school and/or third parties.
4. If acting as members of the Trust Body, we accept that we may be held responsible up to the limit in the Articles of Association, were the school to go bankrupt.
5. We will make every effort to attend all meetings and where we cannot attend explain in advance and in full why we are unable to.
6. To avoid inquorate meetings, we will notify the Clerk & meeting Chair as soon as we know we are unable to attend. This will allow dates to be changed if necessary.
7. We will be fully prepared to participate and contribute, having read all relevant papers in advance of meetings and undertaken research to gain a better understanding of the issues under discussion.
8. We will get to know the school well and respond to opportunities to involve ourselves in school activities.
9. We are committed to both actively supporting as well as challenging the Headteacher.
10. We will consider seriously our individual and collective needs for training and development and will participate in governor review sessions.

## **Transparency**

1. We accept that, in the interests of open government, 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's website.
2. In the interests of transparency, we accept that information relating to governors/trustees/academy committee members will be collected and logged on the DfE's national database of governors ('Get Information about schools').

## **Relationships**

1. We will strive to work as a team in which constructive working relationships are actively promoted.
2. We will seek to develop effective working relationships with our Headteacher, staff, parents, the Local Authority, other relevant agencies, other schools and the wider community.

3. We will express views openly, courteously and respectfully in all our communications with other governors.
4. We will support the Chair in their role of ensuring appropriate conduct both at meetings and at all times.
5. 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.

## **Confidentiality**

1. We will observe appropriate confidentiality regarding proceedings of the Governing Body in meetings and from our visits to school as governors.
2. We will observe complete confidentiality, both inside or outside school, when required or asked to do so by the Governing Body, especially regarding matters concerning individual staff or students.
3. We will exercise the greatest prudence at all times when discussions regarding school business arise outside a governing body meeting, particularly if the subject is contentious.
4. Unless a vote is unanimous, the details of how votes were cast will not be revealed outside of the Governing Body.
5. Where a governor attends a meeting remotely, they must only do so from a place, or using technology, whereby the meeting cannot be overheard or otherwise observed, and must be prepared to satisfy the chair of the meeting that this is the case. It should be exceptional for a governor to attend remotely with their camera turned off. If Part 2 items are to be discussed, the chair of the meeting will decide if remote attendees are allowed to take part or not. OR If Part 2 items are to be discussed remote attendees will be required to log out of the meeting.

## **Exceptional Duties**

1. When a Governor is required to lead or assist with an investigation, inquiry, disciplinary or complex legal matter, that Governor shall discuss with Chair of Governors how the workload will be managed.
2. The Chair of Governors must take steps to ascertain how long the case may take to resolve and whether it would be appropriate to hire a professional to deal with the matter either in whole or in part.

3. The affected Governor(s) shall keep the Chair updated with progress on the case and shall make the Chair aware of any difficulties / adverse developments.
4. Where the Chair is the affected Governor, he/she shall discuss the case with either the Headteacher or another experienced Governor who is not involved in the matter.

## **Conflict of Interest**

A conflict of interest is any situation in which a Governor's personal interests, those of any 'related parties' (including their family members), or interests that they owe to another body, may (or may appear to) influence or affect the Governor's decision making.

It is inevitable that conflicts of interest occur. The issue is not the integrity of the Governor concerned, but the management of any potential to profit from a person's position as Governor, or for a Governor to be influenced by conflicting loyalties. Even the appearance of a conflict of interest can damage the School's reputation, so conflicts need to be managed carefully.

1. We will record any pecuniary or other business interest that we or related parties have in connection with the Governing Body's business in the Register of Business Interests, which should be updated and signed at the first Full Governing Body meeting of each academic year and again should circumstances change. We accept that the Register of Business Interests will be published on the school's website.
2. We will declare any pecuniary, personal or beneficial interest (which could be perceived as a conflict of interest) in any matter under discussion at a meeting and offer to leave the meeting for an appropriate length of time. This could be for the entirety of the meeting, only for the agenda item, or just for the vote.
3. If a governor is aware of an on-going or long-term conflict of interest which affects, or could be perceived as affecting a Governor's ability to carry out their duties in full, it may be appropriate for the Governor to resign from the Governing Body. (See also Para F 3.)
4. If a governor is aware of a short-term conflict of interest which affects, or could be perceived as affecting a Governor's ability to carry out their duties in full, it may be appropriate for the Governing Body to agree for the Governor to absent themselves from all meetings for an agreed period of time. If this happens, they would not be disqualified due to non-attendance at meetings during the duration of the absence as per Para F 2.h (see also Para F 3).

## **Conduct**

1. We acknowledge that Governing Body meetings are not the forum for raising personal complaints or issues relating to ourselves or our children, nor to promote any business interests or 'own agendas'.
2. In making or responding to criticism or complaints affecting the school we will follow the School's Complaints Policy.
3. 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 we will not speak out against decisions, in public or private, outside the Governing Body.
4. We will act professionally at meetings and challenge inappropriate behaviour.
5. We will only speak or act on behalf of the Governing Body when we have been specifically authorised to do so.
6. Our visits to school will be undertaken within the framework established by the Governing body, in agreement with the Headteacher and staff.
7. In discharging our duties, we will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school and the integrity of the Governing Body.

## **Suspension or Removal**

1. We recognise that removing a governor from office is a last resort, but that the Governing Body and Members of the Academy Trust have this right, subject to the Articles of Association of East Barnet School Academy Trust and any relevant legislation detailed in the DfE's Governance Handbook.
2. If the need arises to use the sanction of suspending or removing a governor, we will do so by following the Procedures Regulations (as currently set out in [The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013]) so as to ensure a fair and objective process:
  - a. Subject to sub-paragraphs (b), (c) and (d) below, the Governing body may by resolution suspend a governor for all or any meetings of the Governing body, or of a committee, for a fixed period of up to 6 months on one or more of the following grounds:
    - i. that the governor, being a person paid to work at the school, is the subject of disciplinary proceedings in relation to his or her employment;



- ii. that the governor is the subject of proceedings in any court or tribunal, the outcome of which may be that the governor is disqualified from continuing to hold office as governor under Schedule 6 to the Constitution Regulations 2007 or Schedule 4 to the Constitution Regulations 2012;
  - iii. that the governor has acted in a way that is inconsistent with the ethos of the school and has brought or is likely to bring the school or the Governing Body or the office of governor into disrepute; or
  - iv. that the governor is in breach of the duty of confidentiality to the school or to any member of staff or student at the school.
- b. A resolution to suspend a governor from office does not have effect unless the matter is specified as an item on the agenda for the Governing Body meeting, circulated at least seven days in advance of the meeting.
- c. The governor proposing the suspension or removal should state the reasons why they believe suspension or removal is necessary.
- d. The governor who is the subject of the proposed suspension or removal must be given the opportunity to respond (including being given specific details of the alleged misconduct at least seven days in advance of the meeting) to the proposal.
- e. Both the governor proposing the removal and the governor who is the subject of the proposal should withdraw from the meeting and not vote.
- f. If the governor who is the subject of the proposal is not present or is unable to attend, the item should not proceed. A further meeting should be arranged with the requisite notice of seven days. The governor should then be advised that if they are unable to attend, they may wish to present a written response as the matter will proceed in their absence.
- g. Nothing in this regulation may be read as affecting the right of a governor who has been suspended to receive notices of, and agendas and reports or other papers, for meetings of the Governing body during the period of their suspension.
- h. A governor may not be disqualified from continuing to hold office under paragraph 5 of Schedule 6 to the Constitution Regulations 2007 or paragraph 9 of Schedule 4 to the Constitution Regulations 2012 for failure to attend any meeting of the Governing body while suspended under this regulation.

3. If a Governor or an 'interested party', including a member of their family is in a dispute or challenge with the school in any matter, including legal, financial, disciplinary, complaint or exclusion of student, which has become formally raised (i.e. in writing) it may be appropriate for the Governor to either resign; or to enter into a period of voluntary suspension from the Governing Body until the matter is resolved. In the case of such a suspension, the Chair (or Vice-chair) would convene a Discipline Committee meeting, where the matter would be discussed and sanctions or actions agreed. The outcome must be reported back to the Governing Body. In the case of voluntary suspension, the governor involved would not be disqualified as per paragraph F 2.h above.
4. If information submitted on the 'Eligibility as A School Governor' form is inaccurate, or if a Governor's circumstances change in relation to any of the statements made during their term of office, the governor will be immediately disqualified from governorship (*See Appendix 3*).

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

1. If we believe this Code has been breached, we will raise this issue with the Chair and the Chair will investigate; the Governing Body should only use suspension as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
2. Should it be the Chair that we believe has breached this Code, another governor, such as the Vice-chair will investigate.
3. After any investigation, should the matter require a formal recommendation for action or resolution of the issue, a meeting of either the Chairs Committee, or Discipline Committee will be convened.
4. We understand that any allegation of a material breach of this Code of Conduct by any governor shall be raised at a meeting of the Full Governing Body, and, if agreed to be substantiated by a majority of governors, shall be minuted and can lead to consideration of suspension from the Governing Body.

### **Undertaking:**

Governors will sign this declaration at the start of each term of office:

*As a member of the Governing Body of East Barnet School, I agree to abide by the Governor's Code of Conduct; I will always have the well-being 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. Excepting*

*that I have a duty to uphold the law and should the need arise of ‘whistleblowing’, I will never say or do anything publicly that would embarrass the School, the Trust, the Governing Body, the Headteacher, the staff or any student. (See Appendix 4.)*

Once changes to this Code are adopted by the Governing Body, such approval to the modifications will also be considered an agreement to abide by the updated Code.

## **E. Other Information**

Appendix 1: Seven Principles of Public Life

Appendix 2: Information for Prospective Governors

Appendix 3: Declaration for Eligibility as a School Governor

Appendix 4: Declaration

## The Seven Principles of Public Life

*Originally published by the Nolan Committee - set up in 1994 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.

## Information for Prospective Governors

### ROLES AND RESPONSIBILITIES OF THE GOVERNORS OF EAST BARNET SCHOOL

East Barnet School is an Academy Trust and a registered charitable company - governors are directors of the company and three governors are also 'Members of the Academy Trust'.

The Governing Body plays a vital role in ensuring that the school maintains its current high standards and excellent reputation. It also serves as a crucial link between the school and the local community. Becoming a governor is your chance to bring the views and experience of a parent to bear directly on the education being offered at East Barnet School. It is especially useful to have a variety of outlooks reflective of our multi-cultural society.

The Governing Body works closely with the Headteacher to achieve high standards for all students, building on the school's reputation for academic excellence and care for the individual child.

The Governing Body works with, not for the school. Its responsibilities and powers are exercised in conjunction with the Headteacher and staff. Governors do not intervene in the day to day management of the school unless there is something seriously wrong. If there is a weakness in the school they will take action, otherwise their role is to monitor and give advice. It is not easy to maintain an appropriate and beneficial balance between monitoring and advising but it is often likened to that of a 'critical friend'.

The day to day management of the school is the responsibility of the Headteacher and staff. However developing the philosophy and future plans for the school are shared responsibilities - usually proposed by the Headteacher and Senior Leadership of the school and agreed by the Governors. Governors govern rather than manage, they give direction and focus and this could be seen as a vital strategic role but they should not be expected to be 'hands on'.

Individual governors have no power or responsibility. It is only the full Governing Body and the Academy Trust which have legal duties and powers and all governors share in that corporate responsibility. No Governor should promote a 'personal agenda'. This is especially so for Parent Governors. The role of the Governing Body is to achieve the best for all students, not just the children of Governors.

The Governing Body will offer support and constructive advice; be a sounding board for ideas and a second opinion on proposals; and will offer help where needed. They may also challenge; ask questions and seek information; improve proposals and so seek to arrive at the best solution.

### **The Role**

The Governing Body's main role is to help raise standards of achievement, so it should:

- guide the strategic direction of the school, setting annual targets and ensuring that high quality education is provided for all students;
- monitor all aspects of provision and performance;
- achieve and maintain improvement of East Barnet School;
- ensure that all the statutory and legal requirements pertaining to the school are met and that it meets the requirements of regulators such as Ofsted;
- monitor all aspects of the financial management of the school;
- be aware of current risks associated with running the school and monitor the mitigating actions;
- appraise the current Headteacher's performance each year and appoint any new Headteacher;
- focus at all times on the students and the educational and life experiences they are offered.

### **The Commitment**

Being a governor is a responsible and sometimes time-consuming job. The role includes:

- attending meetings of the full Governing Body four or five times a year. These meetings start at 6.45pm and usually finish before 9pm;
- attending meetings of at least one of the sub-committees - Resources, Learning or People. Each committee meets at least twice a term in the evening;
- reading reports and background papers prior to meetings;
- visiting the school, if possible, during the day to gain familiarisation and understanding of its work;
- attending other events such as concerts, open evenings, art exhibitions or guest lectures;
- offering support and expertise;
- keeping up to date with local and national developments in education;
- attending governor training sessions or undertaking online training modules;

- taking part in staff appointment panels, student exclusion panels and more rarely staff discipline and grievance hearings.

### **The Skills Requirement**

Governors are expected to contribute to the success and smooth running of the school. They should have knowledge, skills or experience which can be used to inform debate, give a new perspective or provide solutions to problems. The school manages a publicly funded budget of over £8m, so commercial experience or specialist skills (such as in project management, finance or legal departments, contract negotiation, systems analysis, PR, HR, planning law) is very useful.

The overall skillset of the Governing Body is closely monitored and 'Community Governors' are chosen so that there is an appropriate range of skills and expertise required. No specific skills are required from 'Parent Governors', but it is expected that all governors will be able to:

- Work co-operatively and creatively with others;
- Be critical and evaluative;
- Use their personal qualities and expertise in the interest of the school, its students and staff;
- Follow the principles of Public Life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership).

Governors should be at the heart of how East Barnet School operates, so it is important they get things right. How they do their job may affect the interests and life chances of students, staff morale and how the school is seen by parents and others in the community.

Governors are responsible for how the school is performing, so they have to be prepared to support and challenge the Headteacher by gathering views from interested parties, evaluating situations, asking challenging questions and guiding the staff in their decisions about what is best for the students. Governors are not there to merely rubber stamp decisions - their opinions will be considered and their expertise and experience fully utilised.

Being a governor may have no financial reward, but the benefits come from knowing that what they do is having a positive and beneficial impact on the school and its staff; and from the knowledge that they are helping provide the next generation with the opportunities and skills needed to prepare them for adulthood.

## Declaration for Eligibility as a School Governor and Company Director

**I declare that I am not disqualified from serving as a school governor or associate member and that:**

- I am aged over 18;
- I have not had my estate sequestrated and the sequestration order has not been discharged, annulled or reduced;
- I am not subject to a bankruptcy restriction order, an interim bankruptcy restriction order, a debt relief order or an interim debt relief order;
- I am not subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986;
- I am not subject to a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002;
- I am not subject to an order made under section 492(2)(b) of the Insolvency Act 1986;
- I have not been removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from participating in the management or control of anybody;
- I am not included in the list of people considered by the Secretary of state as unsuitable to work with children;
- I am not disqualified from working with children or subject to a direction under section 142 of the Education Act 2002;
- I am not disqualified from registration for child-minding or providing day care;
- I am not disqualified from registration under Part 3 of the Childcare Act 2006;
- I have not received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine) in the five years before becoming a governor or since becoming a governor;
- I have not received a prison sentence of two and a half years or more in the 20 years before becoming a governor;
- I have not at any time received a prison sentence of five years or more;
- I have not been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor;



- I agree to allow an application to the Disclosure and Barring Service for a criminal records certificate.

Surname:		Title:	
First Name(s):			
Other names held:			
Date of Birth:			
Signature:		Date:	

**If information submitted on this form is inaccurate, the named person will be immediately disqualified from governorship. If the named person’s circumstances change in relation to any of the statements above, the Headteacher should be informed immediately**

**DECLARATION:**

As a member of the Governing Body of East Barnet School, I agree to abide by the Governor’s Code of Conduct; I will always have the well-being 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. Excepting that I have a duty to uphold the law and should the need arise of ‘whistleblowing’, I will never say or do anything publicly that would embarrass the School, the Trust, the Governing Body, the Headteacher, the staff or any student.

Printed name: .....

Signed:.....

Date: .....