



# The Linden Centre

## Management Committee Code of Conduct

Signed by:		
	Headteacher	Date:
	Chair of Management Committee	Date

Last Updated	04 <sup>th</sup> January 2021
Review Due:	04 <sup>th</sup> January 2022

## **Contents:**

Statement of intent

1. Legal framework
2. Roles and responsibilities
3. Confidentiality
4. Data protection
5. Commitment
6. Behaviour of Members
7. Conflicts of interest
8. Access to the school
9. Breaching the code
10. Monitoring and review

## **Appendices**

Appendix 1 – Code of Conduct Individual Acknowledgement Form

Appendix 2 – Code of Conduct Group Acknowledgement Form

## Statement of intent

At **The Linden Centre**, we recognise and value the effort taken by members of the Management Committee who contribute towards our school. We encourage your assistance and acknowledge that many school activities and processes would be at risk if it were not for your help. As a result, we want to make sure that your time spent as part of the Management Committee is productive and enjoyable.

Management Committees must ensure that they meet the following core strategic functions:

- Certifying the strategic direction of the school by
  - Setting and ensuring a clear vision, values, and objectives.
  - Establishing the school improvement strategy, determining priorities and setting targets.
  - Complying with all statutory duties.
- Ensuring accountability by:
  - Appointing a headteacher who is fit for purpose.
  - Monitoring the school's educational performance and progress towards set targets.
  - Reviewing the performance of the headteacher.
  - Communicating with stakeholders.
  - Contributing to school self-evaluation.
- Managing financial performance by:
  - Establishing the budget and monitoring spending against this budget.
  - Ensuring money is well spent and represents value for money.
  - Managing risks to the school.

This policy outlines what is expected from members of the Management Committee, including associate Members, and sets out the code of conduct which all members are required to comply with.

## 1. Legal framework

- This policy has due regard to all relevant legislation including, but not limited to, the following:

- Children Act 1989
- Children Act 2004
- Education Act 2011
- The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018
- Childcare Act 2006
- Protection of Freedoms Act 2012
- Data Protection Act 2018
- The General Data Protection Regulation (GDPR)
- The School Governance (Constitution) (England) Regulations 2012

1.1. This policy also has due regard to guidance including, but not limited to, the following:

- DfE (2019) 'Governance handbook'
- DfE (2020) 'Keeping children safe in education'
- DfE (2020) 'Academies financial handbook 2020'
- DfE (2018) 'Disqualification under the Childcare Act 2006'
- DfE (2017) 'The constitution of governing bodies of maintained schools'

- This policy operates in conjunction with the following school policies:

- **Child Protection and Safeguarding Policy**
- **Equal Opportunities and Dignity at Work Policy**
- **Health and Safety Policy**
- **Behaviour for Learning Policy**
- **Whistleblowing Policy**
- **Assessment Policy**
- **Data Protection Policy**
- **Disciplinary Policy and Procedures**
- **Complaints Policy**

- **Grievances Policy**
- **Governor Visit Policy**
- **Members' Allowance Policy**
- **Business and Pecuniary Interests Policy**

## 1. **Roles and responsibilities**

- 1.2. The Management Committee is responsible for determining, monitoring and keeping under review the policies, plans and procedures of the school.
- 1.3. The Management Committee has three core strategic functions: to ensure accountability, establish the strategic direction of the school and to ensure financial probity.
- 1.4. Members of the Management Committee accept that they have no legal authority to act individually, except when they have been given delegated authority to do so.
- 1.5. Members will only speak on behalf of the Management Committee when they have been specifically authorised to do so.
- 1.6. Members will not speak against majority decisions outside the Management Committee meeting.
- 1.7. Members of the Management Committee will:
  - Act fairly and without prejudice.
  - Encourage open governance.
  - Accept collective responsibility for decisions made by the Management Committee.
  - Be mindful of their responsibility to maintain and develop the ethos and reputation of the school.
  - Consider how decisions may affect the community.
  - Actively support and challenge the leadership of the school.
  - Follow the procedures established by the Management Committee.
- 1.8. Under no circumstances will Members speak about discussions or decisions outside of Management Committee meetings.
- 1.9. The Management Committee will fulfil its duty as an employer, acting in a manner that is expected of a good proprietor.

- 1.10. Members will respect the role of the headteacher and senior leaders and their responsibility for the day-to-day management of the organisation, never acting in a way that could undermine such arrangements.
- 1.11. Members will adhere to the school's rules and policies, and the procedures of the Management Committee in accordance with the relevant governing documents and law.
- 1.12. When formally speaking or writing in a governing role, Members will ensure their comments reflect current organisational policy even if they might be different to their personal views.

## **2. Confidentiality**

- 1.13. When matters discussed between Members are deemed confidential, or where they concern specific members of staff or pupils, complete confidentiality will be observed both inside and outside of the school.
- 1.14. Members of the Management Committee partaking in discussions regarding school business outside of Management Committee meetings will exercise the greatest prudence at all times.
- 1.15. The details of a Management Committee vote will not be revealed under any circumstances.
- 1.16. Members accept and consent that in the interests of open and transparent governance, their names, dates of appointment, terms of office, roles, attendance records and any business/pecuniary interests they have, will be published on the school website.
- 1.17. Members understand that the requirements relating to confidentiality will continue to apply after a governor leaves office.
- 1.18. In the interests of transparency, Members accept and consent to information relating to them, as members of the Management Committee, being logged on Get information about schools (GIAS) – the DfE's national database. This information will be given by Members on a voluntary basis but in doing so Members should understand that any information provided to the Management Committee must be shared with the Secretary of State via GIAS.

## **3. Data protection**

- 1.19. Members will adhere to data protection legislation and trust policy at all times.

- 1.20. The Management Committee will ensure that appropriate technical and organisational measures are in place across the school to protect any data that it holds.
- 1.21. The Management Committee is responsible for the school's overall compliance with the data protection regulations.
- 1.22. All Members will receive comprehensive data protection training at least **annually**.
- 1.23. Members will be familiar with, and act in accordance with, the school's **Data Protection Policy**, conducting reviews with the assistance of the **headteacher** and the **DPO**.

#### **4. Commitment**

- 1.24. Members of the Management Committee will access training and support available to fully understand their role and are committed to the amount of time and energy the role involves.
- 1.25. Each member of the Management Committee will be actively involved in the role and accept their fair share of responsibilities within the Management Committee.
- 1.26. Full effort will be given to the attendance of meetings.
- 1.27. Where a governor cannot attend a meeting, they will contact the clerk in advance to give their apologies and the reason for their non-attendance.
- 1.28. All relevant training and inductions will be undertaken in a prompt and efficient manner.
- 1.29. Members will visit the school to undertake agreed monitoring or participate in school events, with visits being arranged beforehand with the **headteacher** and undertaken within the framework established by the Management Committee.

#### **2. Behaviour of Members**

1. The school is committed to the highest standards of ethical leadership as set out in 'The 7 principles of public life'. All Members will pay due regard to their position of public office and adhere to the following principles:
  - Selflessness
  - Integrity
  - Objectivity

- Accountability
- Openness
- Honesty
- Leadership

- 2.1. The **chair of the Management Committee** is responsible for ensuring the appropriate conduct and behaviour of Members at all times.
- 2.2. The Management Committee will seek to develop open, honest and effective working relationships with the headteacher, staff members and parents at the school, as well as any other relevant body, such as the LA.
- 2.3. Members of the Management Committee will continuously strive to work as a team.
- 2.4. Members will always express their views openly, in a courteous and respectful manner.
- 2.5. The Management Committee will acknowledge the time, effort and skills demonstrated in the execution of delegated functions by other members of the board.
- 2.6. Members will take into account any concerns expressed about their delegated function and will be prepared to answer queries from other Members regarding their role.
- 2.7. When making decisions, Members will carefully consider how their decisions and actions might affect those who are part of the school community and wider locality.
- 2.8. Members will always act in the best interests of the school and its pupils; Members will not act in a manner that will bring the school into disrepute.

### **3. Conflicts of interest**

- 3.1. Members of the Management Committee will act in the best interests of the school at all times and will not act in the interest of, or as a representative of, any group or individual.
- 3.2. Members will record in the **Register of Pecuniary Interests Policy** any pecuniary interests that they might have in connection to the Management Committee's business.
- 3.3. Interests of those related or closely connected to a governor will be declared on the **Register of Pecuniary Interests Policy**.



- 3.4. Members of the Management Committee will declare any interest they may have in an item of business on the agenda and will immediately remove themselves from the meeting while it is under discussion.
- 3.5. Any conflict of interest will be declared at the start of any meeting, should the situation arise.

#### **4. Access to the school**

- 4.1. All members of the Management Committee will take an active interest in the school and its community.
- 4.2. All governor visits to the school will be undertaken in line with the **Governor Visit Policy**.
- 4.3. Members will strive to actively participate in the school community and will respond to opportunities to be involved in school activities and events.

#### **5. Breaching the code**

- 5.1. If a member of the Management Committee breaches this code of conduct, the issue will be raised with the **chair of the Management Committee**, who will investigate the concern. In the event that it is believed the chair has breached this code of conduct, another member of the Management Committee will undertake the investigation.
- 5.2. The Management Committee will only suspend or remove a governor from their post as a last resort.
- 5.3. The Management Committee will attempt to resolve any difficulties or disputes in a constructive manner before suspension or removal is considered.
- 5.4. If the need arises to suspend a governor, the Management Committee will ensure a fair and objective process by implementing the following procedure:
  - A resolution to remove a governor from office will be included on an agenda and circulated to all members of the Management Committee.
  - A meeting will be held and the resolution to remove the governor from office will be fully explained.
  - Members will give due and careful consideration to the reasons given to remove the governor from office.

- The governor, whom it has been proposed to remove from the Management Committee, will be given the opportunity to make a statement in response to the resolution to remove them from office.
- Within 14 days of the first meeting, a second meeting must be held and an item, specifying that the Management Committee will confirm their decision, included on the agenda.
- Any elected staff or parent governor who has been disqualified from their role and removed from office will be disqualified from serving as a governor and holding office for a period of five years. This period is taken from the date immediately after the day they were disqualified from their elected role. Given the consequence of the five-year disqualification period, the Management Committee's power to remove an elected parent or staff governor will only be used in exceptional and serious circumstances which may include the following:
  - Serious misconduct
  - Repeated serious incompetence
  - Engagement in conduct which aims to undermine fundamental British values
  - Actions that are significantly detrimental to the effective operation of the Management Committee
  - Actions that are significantly detrimental to the effective operation of the school

5.5. A governor who has been removed from the Management Committee has the right of appeal. The governor should exercise their right of appeal by writing to the clerk to Members within **ten working days** of their removal from the Management Committee, making clear the reasons for their appeal.

5.6. On receipt of an appeal, the Management Committee will establish an independent appeal panel. The appeal panel will comprise a panel of three Members and membership may include a governor from another school or an appropriate representative from the LA.

## **6. Monitoring and review**

6.1. This policy will be reviewed on an **annual** basis by the **full Management Committee** and any changes made will be communicated to all Members and relevant members of staff.

6.2. All Members are required to familiarise themselves with this policy as part of their induction programme.

## Code of Conduct Individual Acknowledgement Form

<b>Name of Member:</b>	
<b>Role on the Management Committee:</b>	

<b>Please tick the appropriate box once you have read and understood the following documents:</b>	
<b><u>Behavioural Policy</u></b>	
<b><u>Child Protection and Safeguarding Policy</u></b>	
<b><u>Health and Safety Policy</u></b>	
<b><u>Equal Opportunities and Dignity at Work Policy</u></b>	
<b><u>Data Protection Policy</u></b>	
<b><u>Disciplinary procedures</u></b>	
<b><u>Complaints Policy</u></b>	
<b><u>Keeping Children Safe in Education</u></b>	

I hereby acknowledge the terms detailed within the Management Committee Code of Conduct and agree to abide by this code whilst I am an acting member of the Management Committee. I understand that the role is of a voluntary nature and, therefore, I will not receive payment for my duties. Any expenses which I claim will be in line with the Members' Allowance Policy.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



