

Model Code of Conduct for Academy Boards

The following Code of Conduct applies to those governing on Trust Boards and Local Academy Committees (LAC).

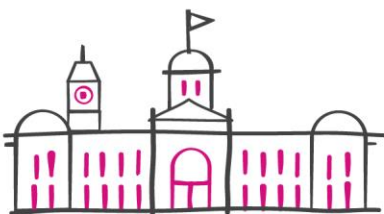
The code promotes effective working practices that are mutually supportive and respectful of roles & responsibilities.

Birmingham City Council (BCC) commends this model Code of Conduct for adoption by Trust Boards and Local Academy Committees.

For clarification or queries contact:

governanceoversight@birmingham.gov.uk or
governors@birmingham.gov.uk

September 2024



Code of Conduct for (insert name of Trust/LAC Board)

Standards of Conduct, Behaviour and Practice

Trustees and LAC members make an invaluable contribution to the lives of our children. A role in governance involves significant amounts of time and energy. Therefore, as individuals of (Name of Trust/LAC Board) we will play our part in setting an ethos of professionalism and high expectations of the trustee/LAC member role.

We will:

1) Conduct the Trust Board's/LAC's business in compliance with governance legislation:

We will fulfil our duties in line with:

- The Department for Education's (DfE) [Academy Trust Governance Guide](#).
- The Education and Skills Funding Agency (ESFA) [Academy Trust Handbook](#).
- Our Trust's Funding Agreement with the Secretary of State for Education, Articles of Association, Scheme of Delegation and Committee Terms of Reference.
- Other relevant [DfE guidance](#) and best practice.

Trustees of the academy will carry out and uphold charity trustee duties defined within charity law and company director duties under the Companies Act 2006 in accordance with the Academy Trust Governance Guide: [Section 4.4.4 Academy trustees](#).

2) Abide by the Seven Principles of Public Life:

[The Seven Principles of Public Life](#) outline the ethical standards those working in the public sector are expected to adhere to:

i) Selflessness

Holders of public office should act solely in terms of the public interest.



ii) Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

iii) Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

iv) Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

v) Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

vi) Honesty

Holders of public office should be truthful.

vi) Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

3) Remain focused on the purpose of governance to provide

- strategic leadership
- accountability and assurance
- strategic engagement



4) Support the elimination of discrimination and advance equality of opportunity:

We recognise that Birmingham is one of the UK's super-diverse cities, 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 are mindful of our responsibilities under equality legislation, including recognising and actively promoting equality and diversity.

5) Ensure that the trust/academy has in place and follows relevant policies and procedures to ensure that children and young people in our setting(s) are effectively safeguarded:

We will have strategic leadership responsibility for our trust/academy's safeguarding arrangements, and we will comply with our legislative responsibilities with a view to safeguarding and promoting the welfare of children.

We will have regard to statutory guidance, ensure that we read and follow [Keeping Children Safe in Education](#), undertake training and ensure this is regularly updated.

6) Attend meetings and fully participate in the work of the Trust Board/LAC:

We will make every effort to attend all meetings and send apologies for our absence if we cannot attend in line with the Trust Board's/LAC's agreed protocols.

We will get to know the trust/academy well and respond to opportunities to involve ourselves in trust/academy activities.

We will conduct ourselves in a manner that is considerate of both our own wellbeing and that of others, fostering a supportive and respectful environment for the entire academy community.

7) Demonstrate a professional attitude:

We will attend meetings regularly, being punctual and reading all relevant paperwork in advance.



We will arrive at meetings and visits prepared to make an informed and positive contribution.

We will observe visit/meeting protocols, including those agreed by the Trust Board/LAC where meetings are held virtually.

8) Work as members of a team, and promote effective working relationships that encourage a professional culture:

We will seek to develop effective working relationships and engage with our governance colleagues, the Headteacher and/or Chief Executive Officer (CEO), staff, parents/carers, BCC, other relevant agencies and the community.

We will always be mindful of our responsibilities to maintain and develop the ethos and reputation of the trust/academy. Our actions within the trust/academy and the local community will reflect this.

In making or responding to criticism or complaints affecting the trust/academy, we will follow the procedures established by the Trust Board.

We will ensure that we will only speak or act on behalf of the whole Trust Board/LAC if we have been given authority to do so.

Where we hold alternative roles within the trust/academy (ie, parent, carer, other voluntary role, staff member), we will ensure a clear delineation of roles and continue to uphold our commitment to the Trust Board's/LAC's Code of Conduct.

9) Express views courteously and be respectful in all communications, both verbal and written:

This includes being mindful of upholding the trust/academy's reputation when communicating in a private capacity and avoiding, as far as possible, becoming involved in any communication which may lead to a conflict of interest with the role as a trustee/LAC member.

We will ensure we use social media responsibly and will not submit postings on networking sites which may bring the trust, academy, Trust Board or LAC into disrepute.

We will abide by the trust/academy's Acceptable Use Policy (if applicable).



10) Respect lines of demarcation and the role of the CEO and/or Headteacher to manage the trust/academy:

As trustees/LAC members we accept that our role is strategic and focused on the purpose of governance referred to in point 3) of this code.

We will not involve ourselves in the day-to-day operational management of the trust/academy or attempt to micro-manage senior leaders.

Any academy visits that we undertake will be arranged in advance with relevant staff, be agreed by the CEO and/or Headteacher as appropriate and be within the framework established by the Trust Board/LAC.

11) Acknowledge majority decisions, except those that conflict with the Seven Principles of Public Life, the purpose of governance or may fail to ensure the safety of pupils:

The Trust Board will ensure the trust/academy's scheme of delegation is clear on where the strategic decision-making responsibilities lie.

We will ensure decisions are made in the best interest of the trust/academy and where applicable, the Trust Board/LAC will involve stakeholders so that decision-making is supported by meaningful engagement.

We will confront malpractice by speaking up against and bringing to the attention of the relevant authorities any decisions and actions that conflict with the Seven Principles of Public Life or which may place pupils at risk.

12) Respect the duty of confidentiality to the school:

We will maintain complete confidentiality particularly when matters are deemed confidential or where they concern individual staff, pupils and families.

We understand that approved minutes are the formal record of meetings.

We will ensure that the Trust Board/LAC complies with the General Data Protection Regulation and the Data Protection Act 2018.

Should we leave the Trust Board/LAC we will continue to uphold confidentiality and ensure that paperwork relating to the Trust Board/LAC is returned or disposed of appropriately.



13) Abide by the trust's Articles of Association and best practice in respect of trustee and LAC recruitment and in the appointment of key governance roles:

We will recruit trustees/LAC members in line with their experience, skills and knowledge alongside the requirements of the academy.

The Trust Board will acknowledge the DfE recommendation that trustees serve on no more than two Trust Boards except in exceptional circumstances.

We will acknowledge the advice of the National Governance Association (NGA) that all those in governance roles should be restricted to two terms of office (eight years) at the same school, and that the Chair should hold office for no more than six years at the same school.

14) Commit to 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 trustees/LAC members.

We will continually evaluate our performance as a Trust Board/LAC and as individuals.

We will undertake any training that is required to enable us to fulfil our statutory duties and be effective in our role.

15) 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 trust/academy.

In compliance with [part 1 of the ESFA Academy Trust Handbook](#) we will declare any business, personal or other interest that we have in connection with the Trust Board/LAC, and/or the academy in general for recording in the register of business interests. We will ensure this is kept up-to-date at all times.

We will withdraw, for an appropriate length of time, from any meeting, discussion or vote of the board/LAC when it is agreed that there is a conflict of interest.



16) Be transparent

We will be transparent about our governance arrangements. We acknowledge that openness about governance arrangements and decisions helps parents, carers and wider communities understand and navigate the trust and creates a relationship based on trust.

We will comply with [part 1 of the ESFA Academy Trust Handbook](#), and in doing so will demonstrate transparency by providing details of our governance arrangements in the governance statement that is published with the annual accounts.

We will ensure up-to-date details of our governance arrangements are published on the website in a readily accessible format,

We will comply with the requirement to provide details about people involved in governance at our school, via the DfE website "*Get information about schools*" and ensure the information is kept up to date.

We therefore understand that our details as trustees/LAC members will be published. Should there be safety/safeguarding concerns regarding this we will seek advice and guidance.

We will keep Birmingham City Council informed of the membership of our Board including those in key roles such as Chair, Vice Chair, SEND Governor and Safeguarding Governor.

17) Breach of this Code of Conduct:

If, following investigation, it is deemed that this Code of Conduct has been breached and the matter cannot be resolved in a constructive way, the Trust Board/LAC will consider formal action in line with the trust's Articles of Association.

Adopted by (Name of Trust Board/LAC) on (date)

Signed (Chair of Trustees/LAC)

