

# The 3-18 Education Trust

## Governance Code of Conduct

*Every individual is in a great school.*

Approved: Spring Term 2023

[www.318education.co.uk](http://www.318education.co.uk)

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## Introduction

This Governance Code of Conduct (Code) for The 3-18 Education Trust (Trust) has been agreed by the Trust Board.

Trustees will agree to follow the [charity governance code](#)

Local Governors: Will recognise and support the principles set out in the [charity governance code](#)

For the purposes of this Code, Trustees and Local Governors will be referred to as 'we'.

## Seven Principles of Public Life

We will abide by the Seven Principles of Public Life:

### Selflessness

We will act solely in terms of the public interest.

### Integrity

We will avoid placing ourselves under any obligation to people or organisations that might try inappropriately to influence us in our work. We will not act or take decisions in order to gain financial or other material benefits for ourselves, our family, or our friends. We will declare and resolve any interests and relationships.

### Objectivity

We will act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### Accountability

We are accountable to the public for our decisions and actions and will submit ourselves to the scrutiny necessary to ensure this.

### Openness

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

### Honesty

We will be truthful.

### Leadership

We will exhibit these principles in our own behaviour. We will actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Standards

We will apply the highest standards and will:

- act within our powers
- promote the success of the Trust
- exercise independent judgement
- exercise reasonable care, skill and diligence

- avoid conflicts of interest
- not accept benefits from third parties
- declare interest in proposed transactions or arrangements

## **Governance Functions**

We will focus on our core governance functions:

- ensuring there is clarity of vision, ethos and strategic direction
- holding executive leaders to account for the educational performance of the Trust/school and its pupils and the performance management of staff
- overseeing the financial performance of the Trust/school and making sure its money is well spent
- ensuring the voices of stakeholders are heard.

## **Individually**

As individuals, we agree to:

### **Fulfil Our Role and Responsibilities**

We accept that our role is strategic and so will focus on our core functions rather than involve ourselves in day-to-day management.

- We will fulfil our role and responsibilities as set out in the Trust's Scheme of Delegation.
- We will develop, share and live the ethos and values of our trust.
- We agree to adhere to Trust policies and procedures.
- We will work collectively for the benefit of the Trust.
- We will be candid but constructive and respectful when holding senior leaders to account.
- We will consider how our decisions may affect the Trust and local community.
- We will stand by the decisions that we make as a collective.
- Where decisions and actions conflict with the Seven Principles of Public Life or may place pupils at risk, we will speak up and bring this to the attention of the relevant authorities.
- We will only speak or act on behalf of the Trust Board/Local Governing Body if we have the authority to do so.
- Trustees: We will fulfil our responsibilities as a good employer, acting fairly and without prejudice.
- When making or responding to complaints, we will follow the established procedures.
- We will strive to uphold the Trust's reputation in our private communications (including on social media).
- We will have regard to our responsibilities under [The Equality Act](#) and will work to advance equality of opportunity for all.
- Local Governors: We will act as the local ambassadors for our Trust.

### **Demonstrate Our Commitment to the Role**

- We will involve ourselves actively in the work of the Trust Board/Local Governing Body and accept our fair share of responsibilities, serving on committees or working groups where required.
- We will only use the Trust's allocated email address for all Trust email communications.

- We will make every effort to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will arrive at meetings prepared, having read all papers in advance, ready to make a positive contribution and observe protocol.
- We will get to know the schools well and welcome opportunities to be involved in school activities.
- We will visit the schools and when doing so will make arrangements with relevant staff in advance and observe school and Trust protocol.
- When visiting a school in a personal capacity (for example, as a parent or carer), we will continue to honour the commitments made in this code.
- We will participate in induction training and take responsibility for developing our individual and collective skills and knowledge on an ongoing basis.

### **Build and Maintain Relationships**

- We will develop effective working relationships with leaders, staff, parents and other relevant stakeholders from our local communities.
- Local Governors: We will champion the voices of our school community and stakeholders.
- Local Governors: We will establish effective working relationships with Trust Board.
- Trustees: We will establish effective working relationships with Local Governing Bodies.
- We will express views openly, courteously and respectfully in all our communications with Members, Trustees, Local Governors and staff both inside and outside of meetings.
- We will work to create an inclusive environment where each Member, Trustee, Local Governor's contributions are valued equally.
- We will support the Chair in their role of leading the Trust Board/Local Governing Body and ensuring appropriate conduct.

### **Respect Confidentiality**

- We will observe complete confidentiality both inside and outside of the Trust when matters are deemed confidential or where they concern individual staff, pupils or families.
- We will not reveal the details of any Trust Board/Local Governing Body vote.
- We will ensure all confidential papers are held and disposed of appropriately.
- We will maintain confidentiality even after we leave office.

### **Declare Conflicts of Interest and be Transparent**

- We will declare any business, personal or other interest that we have in connection with the Trust Board/Local Governing Body's business, and these will be recorded in the Register of Pecuniary and Personal Interests.
- We will also declare any conflict of loyalty at the start of any meeting should the need arise.
- If a conflicted matter arises in a meeting, we will offer to leave the meeting for the duration of the discussion and any subsequent vote.
- We accept that the Register of Pecuniary and Personal Interests will be published on the Trust's websites.
- We will act as a Trustee, or Local Governor, not as a representative of any group.
- We accept that in the interests of open governance, our full names, date of appointment, terms of office, roles on the Trust Board, attendance records, relevant business and pecuniary interests, category of Trustee/Local Governor and the body responsible for appointing us will be published on the Trust websites.

- We accept that information relating to board members will be collected and recorded on the DfE's national database (Get information about schools), some of which will be publicly available.

We understand that potential or perceived breaches of this Code will be taken seriously and that a breach could lead to formal sanctions. See Appendix A

### Data Protection

- We will follow the Trust's information security processes and measures and Data Protection Policy when using, storing, sharing and disposing of personal data.
- Our commitment to data protection does not overrule our duty to report child protection concerns to the appropriate channel where we believe a child is at risk of harm.

### Personal Data Breaches

- We will inform the Trust's Data Protection Officer immediately if we believe that there has been a personal data breach.

### Social Media

We will:

- Uphold the reputation of the Trust at all times.
- Maintain a professional presence online and carefully consider how we interact with our schools' communities.
- Review privacy settings regularly to make sure we are happy with the information about us that is publicly available.
- Report any incidents of harassment we experience, or see towards Members, Trustees, Local governors to the Chair of the Trust Board/Local Governing Body and the Chief Executive Officer.

We will not:

- Accept friend requests from pupils and not join any private parent groups associated with the Trust or any of our schools.
- Disclose any information which is confidential or would breach data protection principles.
- Make comments online about any Member, Trustees, Local Governors, or school communities.
- Post any inappropriate/offensive language, images or comments on social media that may bring us or the Trust into disrepute.

## Monitoring and Review

### Monitoring

The Trust Board Chair and Governance Professional will monitor the outcomes and impact of this policy on an annual basis.

### Review

Persons Responsible	Trust Board Chair Governance Professional
Relevant Guidance/Advice/Legal Reference	National Governance Association The Key
Policy Adopted By	Trust Board

Consultation	Local Governing Boards
Date of Policy	Spring Term 2023
Review Period	Annually
Date of Next Review	Autumn Term 2023

## Appendix A

### Breaches of the Code of Conduct

#### Trust Board:

If the Trust suspect a trustee has breached the Code of Conduct, the Trust will follow this procedure:

- A Member of the Trust will investigate.
- A Member of the Trust will hold a meeting with the Trustee to discuss the issue. The Trustee can bring a friend to the meeting. Another Trustee or Local Governor will attend to corroborate any decisions.
- If the situation does not improve, or there is another suspected breach, the Trust will take action to improve the issue. This may involve:
  - Further meetings with the Member to reset expectations, based on this Code of Conduct.
  - Support, mentoring or training for the Trustee.
  - Making sure the Trustee withdraws from votes connected to any disputes they have been involved in.
- If there is no improvement in the Trustee's behaviour, the Trust Board will vote on a motion to ask the Members or Trust Board (depending on which body appointed the Trustee) to remove them in accordance with sections 168 and 169 of the [Companies Act 2006](#) and the Trust's Articles of Association. This is a last resort and will not be used without the above steps being taken, except in exceptional circumstances.

#### Local Governing Body:

If the Trust suspect a Local Governor has breached the Code of Conduct, the Trust will follow this procedure:

- A Trustee will investigate.
- A Trustee will hold a meeting with the Local Governor to discuss the issue. The Local Governor can bring a friend to the meeting. Another Local Governor will attend to corroborate any decisions.
- If the situation does not improve, or there is another suspected breach, the Trust will take action to improve the issue. This may involve:
  - Further meetings with the Trustee to reset expectations, based on this Code of Conduct
  - Support, mentoring or training for the Local Governor.
  - Making sure the Local Governor withdraws from votes connected to any disputes they have been involved in.

- If there is no improvement in the Local Governor's behaviour, the Local Governing Body will vote on a motion to ask the Trust Board to remove them. This is a last resort and will not be used without the above steps being taken, except in exceptional circumstances.

### **Reasons for Removal of Trustees**

Trustees may be removed if they:

- Have acted in a way that is inconsistent with the professional ethos of the Trust Board (including failing to undertake training appropriate to the role, whether or not directed to do so by the Board).
- Have brought or is likely to bring the Trust or the office of the Trustee into disrepute.
- Have acted to undermine fundamental British values or the Trust Board's commitment or ability to deliver on its Prevent Duty.
- Have been involved in serious misconduct. The Trust will determine what counts as serious misconduct based on the facts of the case, but it will include any actions that compromise the Seven Principles of Public Life, if sufficiently serious.
- Have displayed repeated and serious incompetence.
- Have acted in a way that is significantly detrimental to the effective operation of the Trust, or their actions have interfered with the operational efficiency of the Trust/school.

### **Reasons for Suspending Local Governors:**

Local Governors may be suspended if they:

- Have acted in a way that is inconsistent with the professional ethos of the Local Governor Body (including failing to undertake training appropriate to the role, whether or not directed to do so by the Trust Board or Local Governing Body).
- Have brought, or is likely to bring the Trust or the office of the Local Governor into disrepute.
- Acted to undermine fundamental British values or the Trust Board's commitment or ability to deliver on its Prevent Duty.

### **Reasons for Removing Local Governors:**

Local Governors may be removed where:

- There have been repeated grounds for suspension.
- There has been serious misconduct. The Trust will determine what counts as serious misconduct based on the facts of the case, but it will include any actions that compromise the Seven Principles of Public Life, if sufficiently serious.
- They display repeated and serious incompetence.
- Their actions are significantly detrimental to the effective operation of the Local Governing Body, or their actions interfere with the operational efficiency of the school.

### **Trust Board and Local Governing Bodies:**

'Bringing the board into disrepute' may include, but is not limited to:

- Speaking out publicly against the Trust/school.
- Being disrespectful to members of the Trust/school community.
- Behaving inappropriately in a public forum, such as a PTA meeting or on social media.
- Persistently failing to undertake the training or development they need to contribute effectively to the Trust Board/Local Governing Body's operation.