



**South East Cornwall Multi Academy Regional Trust**

# **SMART Trustee Code of Conduct Policy**

<b>Date</b>	<b>Changes</b>
16/10/18	Adopted by the Trust Board
17/09/19	Final policy updated using NGC's 2019 model policy and circulated to LGCs
15/06/20	Circulated to the JCNC group, governors and Trustees for comments
21/07/20	Submitted to Trust Board for approval
25/09/20	Approved by Members

Adopted Date: 25/09/2020

Current Status: Approved

Review Date: Summer 2022

# Contents

Introduction	3
The SMART Board has the following strategic functions	3
As Trustees on the SMART Board we agree the following:	3
Roles and Responsibilities	3
Commitment	4
Relationships	5
Confidentiality	5
Conflicts of interest	5
Ceasing to be a Trustee	6
Breach of this code of conduct	6
The seven principles of public life	6
The Framework for Ethical Leadership in Education	6

## Introduction

Adapted from the 2019 version provided by the National Governance Association.

Once approved by the Trust Board and the Members, the Code will apply to all Trustees.

This Code should be read in conjunction with the relevant law and with the articles of association and agreed scheme of delegation.

## The SMART Board has the following strategic functions

### *Establishing the strategic direction, by:*

- Setting and ensuring clarity of vision, values, and objectives for the Trust
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties.

### *Ensuring accountability, by:*

- Appointing the CEO
- Monitoring the educational performance of the schools and progress towards agreed targets
- Performance managing the CEO
- Engaging with stakeholders
- Contributing to school and Trust self-evaluation.

### *Overseeing financial performance, by:*

- Setting the budget
- Monitoring spending against the budget
- Ensuring money is well spent and value for money is obtained
- Ensuring risks to the organisation are managed.

### *Engaging with our stakeholders and communities by:*

- Gathering the views our constituents and reporting on the results
- Reaching out to the Trust's wider community and inviting them to play their part
- Using the views of constituents to shape the Trust's culture and the underpinning strategy, policies and procedures.

## As Trustees on the SMART Board we agree the following:

### Roles and Responsibilities

- We understand the purpose of the SMART Board and its strategic role
- We accept that we have no legal authority to act individually, except when the Board has given us delegated authority to do so, and therefore we will only speak on behalf of the SMART Board when we have been specifically authorised to do so
- We accept collective responsibility for all decisions made by the SMART Board. This means that we will not speak against majority decisions outside the Board meeting
- 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 governance and will act appropriately

- We will consider carefully how our decisions may affect the community and other schools
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our group of schools. Our actions within the schools and the local community will reflect this
- In making or responding to criticism or complaints we will follow the procedures established by the SMART Board
- We will actively support and challenge the executive leaders
- We will accept and respect the difference in roles between the SMART Board and staff, ensuring that we work collectively for the benefit of the organisation
- We will respect the role of the executive leaders and their responsibility for the day to day management of the organisation and avoid any actions that might undermine such arrangements
- We agree to adhere to the Trust rules and policies and the procedures of the SMART Board as set out by the relevant governing documents and law
- When formally speaking or writing in our governing role, we will ensure our comments reflect current organisational policy even if they might be different from our personal views
- When communicating in our private capacity (including on social media) we will be mindful of and strive to uphold the reputation of the organisation and adhere to the SMART Acceptable Use Policy (which can be found on the SMART website)
- We will avoid, as far as possible, becoming involved in any communication which may lead to a conflict of interest with the role of the SMART Board.

## Commitment

- We acknowledge that accepting office as a Trustee involves the commitment of significant amounts of time and energy. This includes regularly checking and replying to emails
- We will each involve ourselves actively in the work of the SMART Board, and accept our fair share of responsibilities, including service on committees or working groups
- We will make full efforts to attend all meetings and where we cannot attend explain in advance to the clerk why we are unable to
- We will get to know our allocated school well and respond to opportunities to involve ourselves in school activities
- We will visit our allocated school, with all visits arranged in advance with the headteacher and undertaken within the framework established by the SMART Board
- When visiting the school in a personal capacity (e.g. as a parent or carer), we will maintain our underlying responsibility as a Trustee
- We will consider seriously our individual and collective needs for induction, training and development, and will undertake relevant training
- 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 and the body responsible for appointing us will be published on the Trust's website
- In the interests of transparency, we accept that information relating to Trustees will be collected and logged on the DfE's national database of governors (Get Information for Schools)
- At the end of our term of office, or when we resign if prior to that, we will return all related documentation to the Chair of the Trust Board and delete any electronic files.

## Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted
- We will respect individual differences and challenge discrimination or unfairness whenever it occurs in accordance with the Trust's Grievance Policy (which can be found on the SMART website)
- We will express views openly, courteously and respectfully in all our communications with other Trustees, the clerk to the governing board and Trust staff both in and outside of meetings
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times
- 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 (see below) or which may place pupils at risk in accordance with the Trust's Whistleblowing policy (which can be found on the SMART website)
- We are prepared to answer queries from other local governors and Trustees 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
- We will seek to develop effective working relationships with the executive leaders, staff and parents, the Trust, the local authority and other relevant agencies and the community.

## Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school
- We will exercise the greatest prudence at all times when discussions regarding school and SMART business arise outside a Trust Board meeting
- We will not reveal the details of any Trust Board vote
- We will ensure all confidential papers are held and disposed of appropriately in accordance with the Data Protection Act 2018.

## Conflicts of interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the multi academy Trust's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time
- We accept that the Register of Business Interests will be published on the Trust's website
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise
- We will act in the best interests of the Trust as a whole and not as a representative of any group, even if appointed to the SMART Board.

## Ceasing to be a Trustee

- We understand that the requirements relating to the confidentiality will continue to apply after a Trustee leaves office.

## Breach of this code of conduct

- If we believe this code has been breached, we will raise this issue with the Chair and the Chair will investigate and refer to Members if necessary
- Members will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways
- Should it be the Chair that we believe has breached this code, another Trust Board member, such as the Vice Chair will investigate and report to Members.

## The seven principles of public life

(Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, 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.

**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.

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

**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.

**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.

**Honesty** – Holders of public office should be truthful.

**Leadership** – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## The Framework for Ethical Leadership in Education

The Ethical Leadership Commission has developed the following Framework for Ethical Leadership to help school leaders take difficult decisions. As important as the language is, these aren't just fine words, they are meant to support a culture in which ethical decision making can flourish.

1. **Selflessness:** School and college leaders should act solely in the interest of children and young people
2. **Integrity:** School and college leaders must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. Before acting and taking decisions, they must declare and resolve openly any perceived conflict of interest and relationships
3. **Objectivity:** School and college leaders must act and take decisions impartially and fairly, using the best evidence and without discrimination or bias. Leaders should be calm, exercising judgement and analysis for the good of children and young people
4. **Accountability:** School and college leaders are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this
5. **Openness:** School and college leaders should expect to act and take decisions in an open and transparent manner. Information should not be withheld from scrutiny unless there are clear and lawful reasons for so doing
6. **Honesty:** School and college leaders should be truthful
7. **Leadership:** School and college leaders should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles, and be willing to challenge poor behaviour wherever it occurs. Leaders include both those who are paid to lead schools and colleges and those who volunteer to govern them.

Schools and colleges serve children and young people and help them grow into fulfilled and valued citizens. As role models for the young, how we behave as leaders is as important as what we do. Leaders should show leadership through the following personal characteristics or virtues:

- **Trust:** *leaders are trustworthy and reliable*  
We hold trust on behalf of children and should be beyond reproach. We are honest about our motivations and intentions
- **Wisdom:** *leaders use experience, knowledge and insight*  
We demonstrate moderation and self-awareness. We act calmly and rationally. We serve our schools and colleges with propriety and good sense
- **Kindness:** *leaders demonstrate respect, generosity of spirit, understanding and good temper*  
We give difficult messages humanely where conflict is unavoidable
- **Justice:** *leaders are fair and work for the good of all children*  
We seek to enable all young people to lead useful, happy and fulfilling lives
- **Service:** *leaders are conscientious and dutiful*  
We demonstrate humility and self-control, supporting the structures, conventions and rules which safeguard quality. Our actions protect high-quality education
- **Courage:** *leaders work courageously in the best interests of children and young people*  
We protect their safety and their right to a broad, effective and creative education. We hold one another to account courageously.
- **Optimism:** *leaders are positive and encouraging*  
Despite difficulties and pressures, we are developing excellent education to change the world for the better.