



TRUSTEE CODE OF CONDUCT

Adopted by Trust Board on behalf of all academies:

Review Timetable: May 2020

Review Date: May 2019

1 PURPOSE

- 1.1 This code sets out the expectations of and commitment required from Trustees in order for the Board of Trustees to properly carry out its work within the South York Multi-Academy Trust ('the Trust'), its schools and the community. It applies to all Trustees.

2 STRATEGIC FUNCTIONS OF THE BOARD OF TRUSTEES

- 2.1 The Trust's Scheme of Delegation outlines the Board of Trustees' strategic functions. Specific responsibilities may be altered or removed by the trustees in line with the Scheme of Delegation.

3 ROLES AND RESPONSIBILITIES

- 3.1 Trustees must always have the achievement and well-being of the children at heart.
- 3.2 Trustees have no legal authority to act individually, except when the Board of Trustees has given delegated authority to do so, and therefore will only speak on behalf of the Board of Trustees when specifically authorised to do so.
- 3.3 Trustees accept collective responsibility for all decisions made by the Board of Trustees or its delegated agents. Trustees will not speak against majority decisions outside the Board of Trustees meeting.
- 3.4 Trustees recognise that the Board of Trustees works as a collective body whose business must be clearly recorded, and therefore will always seek to conduct Board of Trustees business and formal decisions in properly constituted meetings, except where matters have been specifically delegated.
- 3.5 Trustees must act fairly and without prejudice, and in so far as they have responsibility for staff, will fulfil the obligations of a good employer.
- 3.6 Trustees will encourage open governance and will act appropriately.
- 3.7 Trustees will consider carefully how decisions may affect the Trust's schools and the community.
- 3.8 Trustees have a responsibility to maintain and develop the ethos and reputation of the Trust and its schools. Their actions within the Trust, its schools and the local community will reflect this.
- 3.9 In making or responding to criticism or complaints, Trustees will follow the relevant procedures.
- 3.10 Trustees will actively support and challenge the CEO.

- 3.11 Trustees will respect the difference in roles between the Board of Trustees, Local Governing Boards and staff, ensuring that all bodies work collectively for the benefit of the organisation.
- 3.12 Trustees will respect the role of the CEO, headteachers and senior leaders, and their responsibility for the day to day management of the organisation, and will avoid any actions that tend to undermine such responsibility.
- 3.13 Trustees will adhere to the Trust's rules and policies and the procedures of the Trust as set out by the relevant governing documents and law.
- 3.14 When formally speaking or writing in a governing role, Trustees will ensure their comments reflect current organisational policy even if this may be different from their personal views.
- 3.15 Trustees are representatives of the Trust and its schools. When communicating in either official or private capacity (including on social media), Trustees will be mindful of and strive to uphold the aims, values, ethos and reputation of the organisation.

4 COMMITMENT

- 4.1 Accepting office as a Trustee involves the commitment of significant amounts of time and energy.
- 4.2 Trustees will each involve themselves actively in the work of the Board of Trustees, and accept a fair share of responsibilities, including service on committees or working groups.
- 4.3 Trustees will make full efforts to attend all meetings and where they cannot attend will explain in advance why they are unable to. Trustees should ensure they attend a minimum of 65% of Board and Committee meetings on which they serve during each academic year (i.e. 1st September to 31st August).
- 4.4 Trustees will get to know the Trust and its schools well and respond to opportunities to involve themselves in Trust based activities.
- 4.5 Trustees will visit the Trust's schools, with all visits arranged in advance and undertaken within the framework established by the school's Local Governing Board.
- 4.6 When visiting the Trust's schools in a personal capacity (i.e. as a parent or carer), Trustees will maintain our underlying responsibility as a Trustee.
- 4.7 Trustees will consider seriously their individual and collective needs for induction, training and development, and will undertake relevant training.
- 4.8 Trustees accept that in the interests of open governance, their full names, date of appointment, terms of office, roles on the Board of Trustees, attendance records, relevant business and pecuniary interests, category of trusteeship and the body responsible for appointing them will be published on the Trust's website.
- 4.9 Trustees accept that information relating to them will be collected and logged on the DfE's national database.

5 RELATIONSHIPS

- 5.1. Trustees will strive to work as a team in which constructive working relationships are actively promoted.

- 5.2. Trustees will express views openly, courteously and respectfully in all communications with other Trustees and local governors, the Clerk to the Trust Board and school staff both in and outside of meetings.
- 5.3. Trustees will support the Chair in their role of ensuring appropriate conduct both at meetings and at other times.
- 5.4. Trustees will endeavour to answer queries from other Trustees in relation to delegated functions and take into account any concerns expressed, and will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- 5.5. Trustees will seek to develop effective working relationships with the executive leaders, staff and parents, Local Governing Boards, the Local Authority and other relevant agencies and the community.

CONFIDENTIALITY

- 6.1 Trustees will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- 6.2 Trustees will exercise prudence at all times when discussions regarding Trust or school business arise outside a Board of Trustees meeting.
- 6.3 Trustees will not reveal the details of any Board of Trustees vote.
- 6.4 Trustees will ensure all confidential documents and information are held and disposed of appropriately, and will take reasonable steps to preserve the confidentiality and integrity of any IT systems they use in connection with Trustees' business.
- 6.5 The requirements relating to confidentiality will continue to apply after a Trustee or a school's local governor leaves office

7 CONFLICTS OF INTEREST

- 7.1 Each Trustee will record any pecuniary or other business interest (including those related to people they are connected with) that they have in connection with the Board of Trustee's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting they will offer to leave the meeting for the appropriate length of time.
- 7.2 Trustees accept that the Register of Business Interests will be published on the Trust's website.
- 7.3 Trustees will also declare any conflict of interest at the start of any meeting where relevant.
- 7.4 Trustees will act in the best interests of the Trust as a whole and not as a representative of any group, even if elected to the Board of Trustees.

8 BREACH OF THIS CODE OF CONDUCT

- 8.1 If a Trustee believes this Code has been breached, they should raise this issue with the Chair who will investigate following the procedure set out in Appendix 2.
- 8.2 If the Chair is believed to have breached this Code, Trustees should refer the matter to the Vice-Chair of Trustees.
- 8.3 The process for addressing breaches of this code of conduct is set out in Appendix 2.

9 SIGNATURE

I have read, fully understand and agree to abide by this Code of Conduct.

Signed:

Printed Name:

Date:

APPENDIX 1 – THE SEVEN PRINCIPLES OF PUBLIC LIFE

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.

APPENDIX 2 – BREACHES OF THIS CODE OF CONDUCT

- 1.1 If a Trustee breaches the Code of Conduct during a meeting, the Chair of Trustees should inform that Trustee either immediately, or at the end of the meeting, as appropriate. The Clerk is responsible for alerting the Chair of Trustees to any breach of the Code of Conduct that may have occurred.
- 1.2 If any Trustee believes that a Trustee may have breached the Code of Conduct, they should alert the Chair. The Chair should investigate.
- 1.3 If the Chair has reason to believe that a Trustee has breached the Code of Conduct, they should in the first instance arrange to meet with that Trustee to explain the breach and ensure that the Trustee understands their duties and responsibilities. The Chair may recommend further training. If the Trustee does not make themselves available within 20 working days of the request for a meeting, or if they do not undertake the training within an agreed period of time, this will be deemed a further breach of the Code of Conduct and the matter will be escalated as per 1.4 below.
- 1.4 If a Trustee persistently breaches the Code of Conduct, or repeats a breach after it has been discussed informally, or the Chair of Trustees (in consultation with the Clerk/Governance Adviser) deems the breach to be particularly serious, the Chair should write to that Trustee formally warning them that they are in breach of the Code of Conduct. The letter should clearly state which sections(s) of the Code of Conduct the Trustee has breached, and the consequences of any further breaches. The Chair should offer to meet with the Trustee to explain the contents of the letter further, and may recommend training or other personal development.
- 1.5 If a Trustee breaches the Code of Conduct after receiving a written warning, or does not undertake any recommended training within an agreed period of time, the Chair of Trustees should write again to the Trustee and clearly state which sections(s) of the Code of Conduct has been breached, what actions the Chair has taken to address the breaches, and what the impact of the Trustee's behaviour has been on the Trust and/or its schools. The Chair of Trustees should submit all relevant evidence.
- 1.6 The Chair of Trustees will convene a panel of at least three Trustees within 15 days to consider the evidence, the severity of the breach(es) and the impact of the breach(es) on the Trust and its schools. If the Chair of Trustees has had prior involvement with the complaint at any stage, s/he should not sit on the panel. The Trustee in question should attend the panel to explain their actions. The panel may recommend suspension of the Trustee for a period of up to six months; they may recommend that the Trustee undertake a specified program of training or personal development; or they may recommend that the Members remove the Trustee (or any combination of these actions).
- 1.7 Any decision to remove a Trustee can only be taken by the Members. Where a Trustee is concerned that the Chair of Trustees may have breached the Code of Conduct, they should report this in confidence to the Vice-Chair of Trustees. The Vice-Chair of Trustees should investigate the

report. If the Vice-Chair of Trustees finds evidence that a breach has occurred, s/he should then follow this process as above, taking the role of the Chair of Trustees in the process.

- 1.8 Exceptional misconduct is misconduct of such a serious and fundamental nature that it breaches the relationship between the Trustee and the Trust. In the event that a Trustee commits an act of exceptional misconduct, the matter should be referred immediately to the Members, who may summarily suspend or remove the Trustee.
- 1.9 This process does not affect or limit the power of Members to remove any Trustee at any time under the Scheme of Delegation (A2:5), if they reasonably believe that that Trustee's conduct or presence is not in the best interests of the Trust or its schools.