BDMAT
Birmingham Diocesan
Multi-Academy Trust

Birmingham Diocesan Multi-Academy Trust Code of Conduct for Trustees on the Trust Board, Governors on Local Academy Boards and Executive Governing Boards

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Forward

The Trust is indebted to the voluntary service that is provided by our trustees and governors; they are an invaluable asset to our organisation. The Government expects all holders of public office to work to the highest personal and professional standards. In support of this, all non-executive board members of UK public bodies must abide by the principles set out in this Code of Conduct. The Code is based on the model provided by the Cabinet Office and sets out, clearly and openly, the standards expected from those who serve on the boards of UK public bodies and should form part of individual members' terms and conditions of appointment. It also makes clear that harassing, bullying or other inappropriate or discriminatory behaviour is not consistent with what is expected of a board member of UK public bodies and will not be tolerated. Any breach of the Code should be viewed as a breach of the terms of appointment. The principles set out in this code apply to all non-executive members on the board.

The Code complements BDMAT's governance documents (legislation, memorandum and articles of association) and any administrative documents (framework agreements, memoranda of understanding) which set out the responsibilities and obligations of its board members. The Code's provisions must be observed alongside the provisions set out in these other documents.

In the first instance any propriety and ethics issues should be raised with either the Chair of BDMAT or the Chief Executive Officer.

Introduction

As a public office holder, your behaviour and actions must be governed by the principles set out in this Code of Conduct. It is your responsibility to ensure that you are familiar with, and comply with, all the relevant provisions of the Code.

Key Principles of Public life

The key principles upon which this Code of Conduct is based are the Seven Principles of Public Life. These are:

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 role. 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.

These principles should inform your actions and decisions as a board member.

General Conduct

Use of Public Funds
You have a duty to ensure the safeguarding of public funds and the proper custody of assets which have been publicly funded.

You must carry out these obligations responsibly – that is, take appropriate measures to ensure that the body uses resources efficiently, economically and effectively, avoiding waste and extravagance. It will always be an improper use of public funds for public bodies to employ consultants or other companies to lobby Parliament, Government or political parties.

Allowances
You must comply with the rules set by the board and the Education and Skills Funding Agency regarding remuneration, allowances and expenses. It is your responsibility to ensure

compliance with all relevant HM Revenue and Customs' requirements concerning payments, including expenses.

Gifts and Hospitality

You must not accept any gifts or hospitality which might, or might reasonably appear to, compromise your personal judgement or integrity or place you under an improper obligation.

You must never canvass or seek gifts or hospitality.

You must comply with the rules set by the board on the acceptance of gifts and hospitality. You should inform the Chief Executive of any offer of gifts or hospitality and ensure that, where a gift or hospitality is accepted, this is recorded in a public register in line with the rules set by BDMAT.

You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring BDMAT into disrepute.

Use of Official Resources

You must not misuse official resources for personal gain or for political purposes. Deployment of such resources must be in line with BDMAT's rules on their usage.

Use of Official Information

You must not misuse information gained in the course of your public service for personal gain or for political purpose.

You must not disclose any information which is confidential in nature or which is provided in confidence without authority. This duty continues to apply after you have left the board.

Political Activity

In your public role, you should be, and be seen to be, politically impartial. You should not occupy a paid party-political post or hold a particularly sensitive or high-profile role in a political party. You should abstain from all controversial political activity and comply with the principles set out in Cabinet Office rules on attendance at party conferences and on conduct during the period prior to elections and referendums, whether local or national.

On matters directly related to the work of the body, you should not make political statements or engage in any other political activity.

You should inform the Chair and Chief Executive Officer before undertaking any significant political activity. Subject to the above, you may engage in political activity but should, at all times, remain conscious of your responsibilities as a board member and exercise proper discretion.

If you are an MP, member of the House of Lords, member of a devolved legislature, directly elected mayor, local councillor or police and crime commissioner, you are exempt from these requirements. There is no bar on such representatives taking a political party whip relating to their political role. You must exercise proper discretion on matters directly related to the work of BDMAT and recognise that certain political activities may be incompatible with your role as a board member. You should not allow yourself to become embroiled in matters of political controversy.

In your official capacity, you should be even-handed in all dealings with political parties.

Conflicts of Interests

When accepting an appointment to BDMAT board or one of its committees you should consider if any conflicts of interest arise from your private interests or by virtue of any other roles you hold. You should consider, with advice from the Chair how these should best be managed and agree these with the organisation.

You must ensure that no conflict arises, or could reasonably be perceived to arise, between your public duties and your private interests, financial or otherwise.

You must comply with the rules of BDMAT on handling conflicts of interests. As a minimum, these will require you to declare publicly, using BDMAT's register of interests, any private financial or non-financial interests of your own, or of close family members, which may, or may be perceived to, conflict with your public duties. The rules will also require you to remove yourself from the discussion or determination of matters in which you have a financial interest. In matters in which you have a non-financial interest, you should not participate in the discussion or determination of a matter where the interest might suggest a danger of bias.

It is your responsibility to ensure that you are familiar with BDMAT's rules on handling conflicts of interests, that you comply with these rules and that your entry in BDMAT's public register of members' interests is accurate and up to date.

Responsibilities as a board member, including non-executive chairs

You should play a full and active role in the work of the body. You should fulfil your duties and responsibilities responsibly and, at all times, act in good faith and in the best interests of the body.

You should promote an inclusive and diverse culture in the body and your actions should help create an environment where different perspectives and backgrounds are encouraged and valued.

You should deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability. You must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.

You must not harass, bully or act inappropriately towards or discriminate towards others. Such behaviour is not consistent with what is expected of you as a board member and will not be tolerated.

You must comply with any statutory or administrative requirements relating to your role.

You should respect the principle of collective decision-making and corporate responsibility. This means that once the board has made a decision, you should support that decision.

You must not use, or attempt to use, the opportunity of public service to promote your personal interests or those of any connected person, firm, business or other organisation.

You must inform the Chair of any bankruptcy, current police investigation, unspent criminal conviction or disqualification as a company director in advance of appointment or should any such instances occur during your appointment to the board.

You must also inform the Chair of any change in your circumstances which results in you becoming bankrupt, subject to a police investigation, convicted of a criminal offence or disqualified from being a company director.

The chair of the BDMAT board and chairs of Local / Executive Academy Boards have additional responsibilities in leading the board/body and in ensuring that the principles covered in the Codes of Conduct for Board Members and Staff (where applicable) are upheld.

Responsibilities towards employees

You will treat any staff employed by the body with courtesy and respect. It is expected that employees will show you the same consideration in return.

You will not ask or encourage employees to act in any way which would conflict with their own Code of Conduct.

Social Media

Social media is a public forum and the same considerations, including the provisions of this Code, apply as would speaking in public or writing something for publication, either officially or in a personal capacity. When engaging with social media you should at all times respect confidentiality, financial, legal and personal information.

Where any personal social media accounts used by you make reference or link to your public role, you should take care to ensure that it is clear in what capacity you are acting.

Raising concerns

You should ensure that BDMAT has an open, transparent and safe working environment where employees feel able to speak up and raise concerns, and complaints procedures are clearly communicated to them.

If you have a concern about a possible breach of this Code, a concern that you or any staff of the body are being asked to act in contravention of their own code of conduct, or a concern about misconduct or wrongdoing in any other areas, then you have a responsibility to raise that internally with the Chair of the LAB / EGB or Chair of the Board (whichever is relevant).

Vision and values

1. You will actively support BDMAT's Christian foundation.
2. You will endeavour to ensure our Church of England schools preserve, develop and promote their Christian distinctiveness of the school, working closely with Church of England representatives.
3. You will monitor the implementation of BDMAT's vision of 'life in its fullness for all', 'success for all' and 'positive well-being for all' and the Church of England's vision of education that allows for the development of wisdom, knowledge and skills; promotes dignity and respect; values community and living well together; and pupils having hope and aspiration.

Safeguarding

You must have regard to Keeping Children Safe in Education, ensuring policies, procedures and training in BDMAT schools are effective and comply with the law at all times.

Trustees and governors are required to receive safeguarding training at the point of induction to ensure their understanding of their important role, as well as their legislative responsibilities, and those set out by their local multi-agency safeguarding arrangements, and that this is regularly updated.

You should be aware of the board's obligations under the Human Rights Act 1998, the Equality Act 2010 Guidance for Schools, the Equality Act 2010 (including the Public Sector Equality Duty).

Financial probity

You must comply with the latest version of the Academies Handbook issued by the Department for Education.

Commitment

Being a member of the board or one of its committees:

- Involves participating fully in the work of the board so that individuals accept a fair share of the responsibilities and duties, including service on committees or subcommittees, working parties or taking on a particular responsibility such as safeguarding.
- Requires regular attendance at meetings of the full board, committees and sub committees.
- Requires getting to know our schools well and responding to opportunities to visit and get involved in school activities.
- Requires considering seriously individual and collective training and development needs and using any designated funds to address them.

Breach of the Code of Conduct

- Directors/Governors will sign the Code at the first Board meeting of each academic year.
- If we believe this code has been breached, then the procedures will be followed within the BDMAT Governance Plan to investigate the matter.
- Breaches of the Code of Conduct may lead to the removal of the member from the board.

Undertaking

- As a member of the Board, I will always have the well-being of the children and the reputation of the Trust at heart.
- I will do all I can to be an ambassador for the Trust, publicly supporting its Christian aims, values and ethos.
- I will never say or do anything publicly that would embarrass the Trust.

SIGNED .....

PRINTED NAME .....

DATE .....

Appendix Re-declaration of eligibility for existing LAB governors

I confirm that I:

1. Am aged 18 or over.
2. Am not a current pupil at the school.
3. Am not the subject of:

- A bankruptcy restrictions order or an interim bankruptcy restrictions order
- A debt relief restrictions order or an interim debt relief restrictions order
- A sequestration that has not been discharged, annulled or reduced

4. Have not been disqualified from being a company director.
5. Have not:

- Been removed as a trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of misconduct or mismanagement in the administration of the charity.
- Been removed, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body

6. Have not been removed from office as an elected governor within the last 5 years.
7. Am not included on the list of those unsuitable to work with children.
8. Am not disqualified from working with children, barred from regulated activity and/or disqualified from registering for childminding or providing daycare.
9. Am not disqualified from registration under Part 3 of the Childcare Act 2006
10. Am not subject to a direction of the Secretary of State under section 142 of the Education Act 2002, or to a section 128 direction.
11. Have not been disqualified from being an independent school proprietor, teacher or employee by the Secretary of State.
12. Have not been sentenced to 3 months or more in prison (without the option of a fine) in the 5 years before becoming a governor or since becoming a governor.
13. Have not received a prison sentence of 2 and a half years or more in the 20 years before becoming a governor.
14. Have not at any time received a prison sentence of 5 years or more.
15. Have not been fined for causing a nuisance or disturbance on school or educational premises during the 5 years before becoming a governor or since becoming a governor.
16. Have not refused a request by the clerk to make an application to the Disclosure and Barring Service (DBS).

If a **parent governor**, I also confirm that I am not:

17. An elected member of the local authority.
18. Paid to work at the school for more than 500 hours in a year.

If a **staff governor**, I also confirm that I work at the school.

I agree to alert the clerk in writing if any of the above criteria begin to apply to me during my time in office.

NOTE: If you're unsure whether any of the points above apply to you, please check with the clerk.

Governor name	
School name	
Governor signature	
Date	