



Battledown Centre for Children and Families

Governor Conduct Policy

The mission of the Governing Body is to continue to build a school that functions at the highest level. All Governors of Battledown subscribe to upholding Nolan's Seven Principles of Public Life and so acknowledge their responsibility to take whatever steps may be needed to avoid any conflicts of interest between their business, pecuniary and personal interests and their public role as a governor.

Nolan - The Seven Principles of Public Life

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence 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 for their decisions and actions and must submit themselves to whatever 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 doing so. .

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.



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Governors have a legal duty to act only in the best interests of their schools. Where a situation arises in which they cannot do this due to a personal interest they have, steps should be taken to identify, prevent and record the conflict. This ensures governors are acting in the best interests of the school.

The Nolan principles focus on behaviour and culture, rather than processes. In upholding these standards, the welcome side-effect is to create a Governing Body which has a tighter rein on processes and compliance, which leads to a win-win situation for everyone involved. If Governors are really practising accountability, integrity and leadership, they will ensure that they, and the school, have a strategic plan in place, with stakeholder involvement in the planning process and are spending public money wisely, which leads to the continuing delivery of exceptional outcomes for all the school's children and their families. Governors who are selfless and honest will be making decisions which are in the interests of the school, putting aside any personal interest, and acting objectively and independently.

Declaration of Interests

In making their annual declaration, all governors will provide details relating to:

- Their ownership or partnership of a company or organisation which may be used by the school to provide goods or services
- Goods or services they offer which may be used by the school
- Any close relation they have to someone who satisfies either of the above;
- Goods or services they procure from the school for personal/familial gain
- Any close relationship they have to someone who is employed by the school.
- Any close relationship they have to someone who is a pupil and so for whom they may wish to seek additional support to meet their needs

Declaring conflicts of interest is a legal requirement within the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 and for academies, in the Articles of Association and Academies Financial Handbook. However, making an annual declaration does not remove your requirement to make an oral disclosure of an interest and temporarily leave the meeting, where that interest is relevant to something being discussed.

Pecuniary interests

Governors should neither seek to gain pecuniary advantage for themselves or for anyone with whom they have a close relationship nor participate in any discussions in which they may directly or indirectly benefit from a pecuniary interest. A pecuniary interest is one, which has the potential for making you, your School or your relative or friend gain or lose financially.

Non-pecuniary or personal interests (Conflicts of loyalty)

Non pecuniary interests are just as important. Any potential for a good or a bad effect on the School, Governors, employees, their family, close relatives, friends, club or societies etc. any of those are associated with, will count. There may be a non-pecuniary interest whereby the governor does not stand to gain any benefit but a declaration should still be made. For example, this might be where a governor has a family member working in the school, or is a parent of a pupil in the school. While the governor might not benefit personally, their judgment could be impaired if something was brought up that would affect the family member.



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Handling the conflict

The governing board must make a decision as to whether or not they should take steps to remove the conflict by:

- Not pursuing the course of action it relates to; or
- Proceeding with it in an alternative way which does not give rise to conflict; or
- Not appointing the governor in question or seeking to secure their resignation.

In the minutes of a meeting, where a conflict of interest is declared, or becomes apparent, the following should be recorded:

- The nature of the conflict;
- Which governor(s) it relates to;
- Whether a declaration was made in advance of the meeting;
- A brief overview of what was discussed;
- Whether the governor(s) withdrew from the meeting;
- How the governors made the decision in the best interests of the school.

The School and Early Years Finance (England) Regulations 2013 provide for local authority financing schemes to keep a register of pecuniary interests for the trustees, governors and staff of schools. The register should be reviewed annually by the clerk to the governing body, or, in the absence of such a person being in post, by the Full Governing Body, but any new interest or ceased interest, should be reported as soon as it occurs. Upon completion, this signed form should be given to the clerk of governors, or to the Chair of Governors, whose responsibility it is to keep a register of all interests and review it annually.

The Register of Interests

Governing bodies control large amounts of public money and must be seen to be using it wisely. Governors and staff have a responsibility to avoid any conflict between business and personal interests and the interests of their school. To demonstrate transparency in achieving this responsibility and to meet legal requirements, all local authority-maintained schools must keep a Register of Interests.

Governors should declare all issues pertinent to the activities of the school, including:

- Employment, including the nature of job and employer, if there is a connection or potential connection with the school.
- A description of all contracts which are not fully discharged. For example, contracts for the supply of goods, services or works to any school.
- All companies or other bodies active in the school's area and in which they have an interest.
- Any other interest that in the view of any reasonable person may influence decisions made by a governor or member of staff on behalf of the school.

There may be a conflict of interest even where no pecuniary interest or advantage exists or accrues. This covers areas where relationships might be seen to influence judgments and convey the impression of personal motive.

The onus is on the individual to declare an interest. If there is any doubt on this issue, the individual should be advised to declare the possibility of a conflict of interest and to withdraw when the item comes up. If there is doubt over whether a governor should withdraw or not, the final decision rests with the governing body.



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The process of declaring personal or business interests is designed to prevent individuals from abusing their positions, protects them in the event of allegations of this nature and allows the school to manage such conflicts appropriately. Where Governors become involved in legal proceedings in a personal capacity, there may be implications for them in their official position.

General Conduct

The principle of collective responsibility requires that Governors should be able to express their views frankly, in the expectation that they can argue freely in private, whilst maintaining a united front when decisions have been reached. This in turn requires that the privacy of opinions expressed in Committees, including in e-mails and other correspondence, should be maintained. Likewise, the internal process through which a decision has been made, or the level of Committee by which it was taken, should not be disclosed. Decisions reached by the Full Governing Body or Governor Committees are binding on all members of the Full Governing Body. Governors should ensure that their statements about the school and its function outside Governor meetings are consistent with collective School and Governor policy.

N.B. Governors should be mindful that what is contained in e-mails may, at a future date be made public as a result of compliance with the freedom of Information Act.

All Governors are personally responsible for deciding how to act and conduct themselves in the light of the Code and for justifying their actions and conduct to the Governing Body and the school.

Governors who attempt to, or knowingly do, mislead, misinform, or otherwise deceive or hoodwink the Head, the Full Governing Body, or any committee on which they sit, will be expected to offer their resignation to the Chair of Governors, with immediate effect.

Governors have an obligation to ensure decisions agreed in FGB forum and/or in Committees are implemented.

Governors have a duty to hold the Head and the school to account for meeting the needs of the children in line with the School Development Plan and agreed policies and decisions.



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Governors' Declaration of Business, Pecuniary and Personal Interest

Name:

School:

As a Governor of Battledown I have read, and am committed to upholding, Nolan's Seven Principles of Public Life and therefore to avoiding having any conflict of interests between my public duty as a governor and any of my private interests, financial or otherwise.

I understand that the Governors of Battledown have a legal duty to maintain a Register of Interests, accordingly:

Ideclare as a Governor of Battledown Centre for Children and Families that I hold the following business, pecuniary or personal interest(s):

N.B. When considering whether there may be a conflict of interest think: "Would a reasonable member of the public knowing all the facts, think I might be influenced?" If the answer is yes, then the interest should be declared. If in doubt declare the interest.

Pecuniary interests	Please provide details of the interest
Current employment	
Businesses (of which I am a partner or sole proprietor)	
Company directorships – details of all companies of which I am a director	
Charity trusteeships – details of all companies of which I am a trustee	
Membership of professional bodies, membership organisations, public bodies or special interest groups of which I am a member and have a position of general control or management	
Gifts or hospitality offered to you by external bodies while acting in your position as a governor and whether this was declined or accepted in the last 12 months	



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Contracts offered by you for the supply of goods and/or services to the trust/school	
Any other conflict	

Personal interests	Name	Relationship to me	Organisation	Nature of the interest
Immediate family/close connections to governor				
Company directorships or trusteeships of family/close connections to governor				

If you are, or have been, a governor or trustee of any other schools and/or academies, please provide details below:

Name of school/academy: _____
Position held: _____
Date appointed/elected to post: _____
Date of termination to post: _____

To the best of my knowledge the information supplied above is correct and complete. I understand that it is my responsibility to declare any conflict of interest/loyalty, business or personal that relates directly or indirectly, to me, or any relation, in any contract, proposed contract or other matter when present at a meeting at the school where such contract or matter comes under consideration. I understand that I must withdraw from any meeting during the discussion of such contract or matter and must not vote in respect of it.

I agree to review and update this declaration annually and give consent for the information provided to be used in accordance with the Battledown's Governor Conduct Policy.

Signed: _____

Date: _____