

**THE EDUCATION VILLAGE ACADEMY
TRUST**



**GOVERNANCE
CODE OF CONDUCT**

EVAT Version Control Document

Version:	Date:	Policy Owner:	Amendments made by:	Details of amendments made:	Reviewed by:	Approved by:
V0.1	28.11.22	A Mackenzie	W Turpin	Separated from Staff Code of Conduct		
V0.2	09.01.22	A Mackenzie	W Turpin	Redraft for Members, Trustees and Governors		
V0.3	20.01.23	A Mackenzie	A. Mackenzie	Final QA and e-forms	W.Turpin / C.Knights	
V0.4	27.01.23	A Mackenzie	A. Mackenzie	Updated		
V1.0	10.02.23	A Mackenzie	Wendy Turpin	Final	BoT	09.02.23
V1.1	26.10.23	M Roe	M Roe	Updated	BoT	26.10.23

Monitoring and Review

This policy is reviewed **annually** by the Policy Owner: **Alana Mackenzie**.

The scheduled review date for this policy is **October 2024**.

Contents

Introduction	5
Background, vision, values and mission	5
General	6
Standards for conduct, behaviour and practice	6
Disqualification	10
The Seven Principles of Public Life.....	11
Breaching the code.....	12
Removal of Trustees or Governors	14
Personal Liability	15
Duties under Company and Charities Law	15
Gifts and Hospitality	16
Use of Social Media.....	17
Payments to Trustees, Members / Governors.....	19
Public Sector Equality Duty (Equality Act 2010)	21
Appendix 1: DECLARATION OF BUSINESS AND PERSONAL INTERESTS FORM	24
Appendix 2: Members', Trustees' and Governors' Allowances Claim Form	28
Appendix 3: Code of Conduct Confirmation Form	29

Values and Ethos

Our values and ethos are inclusive and child centred. Our Trust is founded on the principles of inclusivity, diversity and fairness, and they are fundamental to our delivery of exceptional learning experiences.

EVAT stands for:

- **E**xcellence and high standards
 - a can-do culture and no-excuses ethos
- **V**alues driven with a deep sense of purpose
 - putting children and young people first
 - behaving ethically
- **A**mbition and aspiration for all
 - irrespective of background or barriers – being truly inclusive
- **T**eamwork
 - we do more, better and faster, together

We are a village. We collaborate, with our learners, their families and our communities, to provide exceptional education so that all the children and young people we serve achieve the best possible outcomes.

Our Ethos is to:

- Create a nurturing and friendly atmosphere and provide an environment where everyone feels valued for who they are
- Bring out the best in every child and young person and meet the full range of their individual needs
- Provide different and unique experiences, challenges and activities
- Show tolerance and respect for each other
- Prepare our children and young people for lifelong learning
- Improve the life chances of every child and young person we serve.

Introduction

Members, Trustees, Governors, the Chief Executive, Chief Operating Officer, Executive Principal and Principals of the Trust have collective responsibility for ensuring the successful operation of the Education Village Academy Trust and for achieving and promoting the Trust's Vision, Ethos, Values, Mission, and Strategic Priorities.

Background, vision, values and mission

EVAT was founded on the principles of inclusivity, diversity and fairness, and in 2022, those principles continue to be fundamental to our delivery of exceptional learning experiences.

Our schools have diverse backgrounds and contexts and they all serve different cohorts of pupils, some of whom have very high levels of special needs. Being different is our strength, and it drives our success in improving provision across the Trust and beyond.

We use our diversity to blend and enrich the learning experiences we provide, share our learning environments, ideas and perspectives and work as one community and one team. We're proud that our children and young people are part of a truly inclusive Trust in which fairness in opportunity and acceptance of difference enhances their understanding of the world and prepares them for the future.

Our **vision** is simple:

The Education Village Academy Trust is a place where learning has no limits

Our mission is to deliver exceptional learning opportunities to all of our children and young people. We stretch aspirations and aim to inspire everyone who learns and works with us to reach high and achieve big.

Our **ethos** is inclusive and child centred. We work to:

- Create a nurturing and friendly atmosphere and provide an environment where everyone feels valued for who they are
- Bring out the best in every child and young person and meet the full range of their individual needs
- Provide different and unique experiences, challenges and activities
- Show tolerance and respect for each other
- Prepare our children and young people for lifelong learning
- Improve the life chances of every child and young person we serve

Our **priorities** for the next five years are to:

- Provide exceptional learning experiences and maximise outcomes for our children and young people

- Build an even stronger Trust – fit for the future, with firm financial foundations and scalable structures and systems
- Grow the Trust strategically and sustainably and with the core purpose of extending our reach to improve the educational outcomes and life chances of more children and young people in Darlington and beyond
- Be more aware of our impact on our natural environment and create a passion for its protection and sustainability in our pupils and staff; reduce our carbon footprint; and create more exciting spaces in which to learn and work

This Code of Conduct aims to set out the expectations for Members, Trustees and Local Governors to support them in their work.

General

Members, Trustees and Governors must always act in the best interests of the academies and their students. They must also be aware that, as Members, Trustees and Governors of a public institution, they have broader responsibilities to the wider community and should consider carefully how their decisions may affect other academies and organisations. They must also take into account the need to ensure public accountability for the actions of the Board of Trustees and Education Standards Committees (ESCs).

Academy trusts are founded by **Members** who have a general duty to exercise their powers, to further the academy trust's charitable purpose and have a strategic role in running the Trust and are responsible for appointing the majority of Trustees.

The **Trust Board** is the decision-making body of the academy trust and is accountable and responsible for all the academies in the academy trust.

Governors are responsible for the educational standards of their relevant academies.

The Chief Executive and Principals are responsible for the day-to-day organisation and management of the Trust and its academies; for implementing agreed policies, plans and procedures for delivering the curriculum, and for ensuring the Trust's strategic objectives are achieved. It is important that all parties are aware of their own and others' roles and responsibilities in contributing to the successful operation of the academies.

Standards for conduct, behaviour and practice

All Members, Trustees and Governors will agree to meeting the standards outlined in this section.

Undertake the roles and responsibilities of Members, Trustees and Governors

All Governors will:

- Accept that their role is strategic and, therefore, focus on the core functions of the governing board rather than the day-to-day management of the school.
- Respect the role of the principal and senior leaders and their responsibility for the day-to-day management of the school, never acting in a way that could undermine such arrangements.
- Accept that they have no legal authority to act individually, except when they have been given delegated authority in writing to do so.
- Act fairly and without prejudice.
- Apply the Equality Act 2010 in all governance matters.
- Ensure the board has a diverse composition which, as far as possible, reflects the composition of the local community.
- Encourage open governance.
- Accept collective responsibility for decisions made by the governing board.
- Stand by decisions that the governing board makes as a collective.
- Be mindful of their responsibility to maintain and develop the ethos and reputation of the school.
- Consider how decisions may affect the community.
- Where decisions and actions conflict with 'The 7 principles of public life' or may place pupils at risk, bring this to the attention of the relevant authorities.
- Actively support and challenge the leadership of the school.
- Follow the procedures established by the governing board.
- Only speak on behalf of the governing board when they have been specifically authorised in writing to do so.
- When formally speaking or writing in a governing role, ensure their comments reflect current school policy even if that may differ from their personal views.
- Fulfil their duties as an employer, acting in a manner that is expected of a good proprietor.
- Adhere to the school's rules and policies, and the procedures of the governing board in accordance with the relevant governing documents and law.
- Provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in the school are effective and support the delivery of a robust whole school approach to safeguarding.

Demonstrate commitment to the role

All Members, Trustees and Governors will:

- Undertake mandatory training and access the additional training and support available to fully understand their role, including safeguarding and child protection (including online) training at induction.
- Undertake further training appropriate to their area of monitoring or responsibility – this can be online.
- Be committed to the amount of time and energy the role involves.
- Be actively involved in the role and accept their fair share of responsibilities within the governing board.

- Give full effort to the attendance of meetings. Where a governor cannot attend a meeting, they will contact the Governance Professional in advance to give their apologies and the reason for their non-attendance.
- Attend and participate in meetings fully prepared, having accessed and read the paperwork prior to the meeting.
- Visit the school (s) to undertake agreed monitoring or participate in school events, with visits being arranged beforehand with the Executive Principal, Principal or Head of School and undertaken within the framework established by the board.
- Be prepared to support and to challenge when needed.

Behave appropriately

All Members, Trustees and Governors will:

- Pay due regard to their position of public office and adhere to 'The 7 principles of public life' detailed in Appendix 1:
 - Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
- Acknowledge the time, effort and skills demonstrated in the execution of delegated functions by other members of the relevant board or committee.
- Take into account any concerns expressed about their delegated function and be prepared to answer queries from other Trustees or Governors regarding their role.
- Act in the best interests of the Trust and its pupils; Members, Trustees and Governors will not act in a manner that will bring the Trust into disrepute.
- Accept collective responsibility for all decisions taken by the Board / Educational Standards Committee and should never speak out against decisions, in public or in private, outside the Board / Educational Standards Committee.
- Be aware that they do not have the legal authority to act or speak on behalf of the Trust, except when the Board of Trustees has given them delegated authority to do so. In such cases, the Board of Trustees will usually remain responsible for any decisions made.
- Engage fully in collective consideration of any issues and take into account all relevant factors, including the views of staff, parents, pupils, community and any other interested parties, as well as any guidance issued by relevant local and national government departments.
- Act fairly and without prejudice and the overall good of the Trust must be considered over any personal feelings or individual concerns.

- Never use his or her position to benefit himself or herself or other individuals or agencies. Members, Trustees and Governors should also bear in mind the potential for a perceived personal or financial conflict of interest and ensure that any conflicts of interest are declared as appropriate.
- Be aware of and act in accordance with appropriate legislation and Trust policies. In particular, Trustees and Governors should be aware of Freedom of Information requirements, complaints guidance and employment legislation.
- Members, Trustees and Governors should abide by the social media guidelines as set in Appendix 8.

Build relationships

All Members, Trustees and Governors will:

- Seek to develop open, honest and effective working relationships with the Chief Executive, Chief Operating Officer, Executive Principal, Principals, Head of School, Governance Support and Development Manager, staff and parents at the school, as well as any other relevant body.
- Continuously strive to work as a team.
- Express their views openly, in a courteous and respectful manner.

Maintain confidentiality

Every effort should be made to ensure open and transparent governance. All decisions reached at Board and Educational Standards Committee meetings will be made public through minutes and reports, unless there are clear and exceptional reasons for withholding information.

All Members, Trustees and Governors will:

- Maintain complete confidentiality both inside and outside the Trust when matters discussed are deemed confidential, or where they concern specific members of staff or pupils.
- Not reveal details of a board vote.
- Operate in line with the Data Protection Act 2018 and UK GDPR.
- Maintain confidentiality even after they leave the Trust.

Be transparent

All Members, Trustees and Governors will:

- Accept and consent that in the interests of open and transparent governance, their names, dates of appointment, terms of office, roles, attendance records and any conflicts of interest will be published on the Trust's website.
- Accept and consent to information relating to them, as Members, Trustees and Governors being logged on Get Information about Schools (GIAS). This information will be shared with the Secretary of State via GIAS.

Declare conflicts of interest

All Members, Trustees and Governors will:

- Act in the best interests of the Trust at all times, and not act in the interest of, or as a representative of, any group or individual.
- Declare any business, personal or other interests they have in connection to the Trusts interests and record these in the Business and Personal Interests Declaration either annually or immediately on change in circumstances in order that they can be recorded and published on the Trust's Register of Interests.
- Declare any interest they may have in an item of business on meeting agendas and immediately remove themselves from the meeting while it is under discussion. Any conflict of interest should be declared at the start of any meeting, should the situation arise. **SEE APPENDIX 1 – DECLARATION OF BUSINESS AND PERSONAL INTERESTS FORM**

Relationships

Trustees and Governors should operate as a team and actively promote constructive working relationships. They should listen to and respect the views of others and must always be loyal to collective decisions made by the Board and / or Educational Standards Committee. Every Trustee / Governor has a right to express their views openly within meetings but should ensure that they relate to matters appropriate for discussion by the Board or the ESC.

Every Trustee / Governor has equal status, irrespective of their appointing body (i.e. parents, staff or members) and should be supported to play a full and active part in the work of the Board or Educational Standards Committee.

Members, Trustees and Governors should develop effective working relationships with the Chief Executive, Chief Operating Officer, Executive Principals, Principals, Senior Leadership Team, Governance Support and Development Manager, teachers, support staff, parents, other schools and academies, the Department for Education, the Local Authority, other relevant agencies and the local community and should explore any appropriate partnership or collaboration arrangements.

Disqualification

In line with section 128 of the Education and Skills Act 2008, Trusts must ensure that members, Trustees and governors are not currently subject to a direction made under section 128 of the Education and Skills Act 2008 which prohibits individuals from taking part in academy trust management, and that they do not appoint as a member, a person who is currently subject to a section 128 direction. A prohibited person is where the individual has:

- has been convicted of a relevant offence;
- has been given a caution in respect of a relevant offence
- is subject to a relevant finding in respect of a relevant offence; or

- has engaged in relevant conduct; and because of that conviction, caution, finding or conduct, the appropriate authority [Secretary of State] considers that the person is unsuitable to take part in the management of an independent school/Trust.

Members, Trustees and Governors may become disqualified from continuing to hold office in accordance with the Trust's Articles of Association. Some people are disqualified by law from acting as charity trustees, subject to waiver provisions. It is normally an offence to act as a trustee while disqualified unless the Charity Commission has given a waiver.

It is the responsibility of individuals who hold, or are applying for Members, Trustees, and Governors positions, to declare that they are not disqualified from holding that position. If they are disqualified, they need to apply for a waiver and will not be able to act in that position until a waiver is granted. The Charity Commission's guidance on the disqualification rules can be viewed at <https://www.gov.uk/guidance/automatic-disqualification-rule-changes-guidance-for-charities>.

Further guidance on the safeguarding arrangements covering governors and the safeguarding responsibilities of governing bodies and proprietors is provided in Keeping Children Safe in Education (KCSIE as amended).

Members, Trustees and Governors may be removed from office by the body that appointed them but this will always be used as a last resort.

Members, Trustees and Governors are asked to complete the Annual Self Declaration relating criminal conviction(s) and caution(s) they may have incurred since their previous criminal record check.

The information requested below falls under the provisions of the Rehabilitation of Offenders Act 1974 and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 which exempts Education Professionals from the original Act's non-disclosure of spent convictions.

All Governors will be asked to complete an annual declaration to confirm any changes in their DBS status. The e-form link below MUST be completed: <https://forms.office.com/Pages/DesignPageV2.aspx?subpage=design&id=FHs7YnXfp0--pFmQdeCNQyZLjcWCh9dHtrBhdHcpDyRUQ0szWTdZTKIDU0tBODIKT1dNSjNCOVVXQi4U>

The Seven Principles of Public Life

The Seven Principles of Public Life outline the ethical standards those working in the public sector are expected to adhere to. They were first set out by Lord Nolan in 1995 in the first report of the Committee on Standards in Public Life. Members, Trustees,

Governors and employees 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.

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. 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.

3. Objectivity

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

4. 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.

5. 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.

6 Honesty

Holders of public office should be truthful.

7. 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.

Breaching the code

The Members of the Trust may suspend a Trustee and the Board of Trustees may suspend an ESC member (Governor) for all or any meetings of the Trustees, Educational Standards Committee or other committee or sub-committee, for a fixed period of up to 6 months on one or more of the following grounds:

- (a) that the Trustee / Governor is paid to work at the Trust / school and is the subject of disciplinary proceedings in relation to his employment;
- (b) that the Trustee / Governor is the subject of proceedings in any court or tribunal, the outcome of which may be that he is disqualified from continuing to hold office as a Trustee / Governor in accordance with Items 68 to 79 of the Articles of Association;

- (c) that the Trustee / Governor has acted in a way that is inconsistent with the ethos of the Trust and has brought or is likely to bring the Trust, Board of Trustees, Educational Standards Committee into disrepute; or
- (d) that the Trustee / Governor is in breach of his duty of confidentiality to the Trust or to any member of staff or to any pupil at the Trusts;
- (e) that the Trustee / Governor has infringed either seriously, or persistently, the expectations set out in the Code of Conduct.

A proposal to suspend a Trustee or Governor from office must be specified as an item of business on an agenda for Board or Educational Standards Committee meeting and notice of this meeting must be given in accordance with Item 111 of the Articles of Association.

Every effort will be made to ensure that the meeting is scheduled at an appropriate time for both the Trustee / Governor proposing the suspension and the Trustee / Governor that is the subject of the proposal. Ultimately however, the date and time of the meeting will be agreed by the Chair of the Board or Educational Standards Committee. If the Trustee / Governor proposing the suspension and/or the Trustee / Governor that is the subject of the proposal are unable to attend the meeting, they will be invited to submit a written response.

If the Trustee / Governor proposing the suspension and/or the Trustee / Governor that is the subject of the proposal fail to attend the meeting, the matter may still be considered (at the discretion of the Chair and provided the meeting is quorate).

Before a vote is taken on a resolution to suspend a Trustee / Governor, the Trustee / Governor proposing the suspension shall state his reasons for doing so, and the Trustee / Governor who is the subject of the resolution shall be given the opportunity to make a statement in response. Where a written statement has been submitted, this shall be read out by the governance professional. The Trustee / Governor that is the subject of the resolution shall then withdraw from the meeting.

The Board/Educational Standards Committee will decide whether to suspend a Trustee / Governor and the length of time that the suspension will last. This must be appropriate to the circumstances. As an example, a Trustee / Governor may be suspended until an investigation has been completed.

Where a decision is made to suspend a Trustee / Governor, the Trustee / Governor will be entitled to continue receiving notices of, and agendas and reports or other papers, for meetings of the Board/Educational Standards Committee or committee during the period of his or her suspension.

A Trustee / Governor shall not be disqualified from continuing to hold office under Item 70 of the Articles of Association for failure to attend any meeting of the Board / Educational Standards Committee while suspended.

Removal of Trustees or Governors

Any Trustee / Governor that has become ineligible to hold office in accordance with the Articles of Association will be automatically removed from the Board / Educational Standards Committee. The Trust's governance professional will be responsible for managing this process. Only Members of the Trust have this power in relation to the Board of Trustees. The Board of Trustees has this power in relation to Governors.

In any other situation, only an appointing body has the authority to remove a Trustee / Governor from the Board / Educational Standards Committee. The Trust may remove a governor it has appointed but recognises that removal of a Trustee / Governor is an extremely serious step and one that will only be used as a last resort. The Chair, with the support of the Chief Executive, Executive Principal or the Principal where appropriate, will always attempt to resolve issues by informal means in the first instance. Suspension of a Trustee / governor may be used as an interim measure to allow evidence to be collated.

It is anticipated that the removal procedures would be used only where there is clear evidence of one or more of the following:

- (a) that the Trustee / Governor has acted in a way that is inconsistent with the ethos of the academies and has brought or is likely to bring the academies or the Board / Educational Standards Committee or his office into disrepute;
- (b) that the Trustee / Governor is in breach of his duty of confidentiality to the Trust, to any member of staff or to any pupil at the academies; or
- (c) that the Trustee / Governor has infringed either seriously, or persistently, the expectations set out in the Code of Conduct.

Any request to remove a Trustee / Governor should be made in writing to the Governance and Compliance Manager, who will liaise with the Chair. If informal action does not achieve an effective resolution, a proposal to remove a Trustee / governor will be taken to a meeting of the members, Trustees, as appropriate.

The proposal to remove a Trustee / Governor from office must be specified as an item of business on an agenda for the relevant meeting and notice of this meeting must be given in accordance with the Articles of Association.

Every effort will be made to ensure that the meeting is scheduled at an appropriate time for the Trustee / Governor that is the subject of the proposal. Ultimately however, the date and time of the meeting will be agreed by the Chair. If the Trustee / governor that is the subject of the proposal is unable to attend the meeting, he or she will be invited to submit a written response. If the Trustee / governor that is the subject of the proposal fails to attend the meeting, the matter may still be considered (at the discretion of the Chair and provided the meeting is quorate).

Before a vote is taken on a resolution to suspend a Trustee / Governor, the reasons for the proposal to remove a Trustee / governor shall be stated and the Trustee / Governor who is the subject of the proposal shall be given the opportunity to make a statement in response. Where a written statement has been submitted, this shall be read out by the governance professional. The Trustee / Governor that is the subject of the proposal shall then withdraw from the meeting.

The members, Trustees or ESCs will decide whether to remove the Trustee / Governor and the date that the removal will take effect. The Trustee / Governor that is the subject of the resolution will be entitled to continue to receive notices of agendas and reports or other papers for meetings of the Board / Educational Standards Committee and to attend meetings until the removal becomes effective.

The Trustee / Governor may return to the meeting to be notified of the decision. Written confirmation of the decision will also be provided within two working days.

There is no right of appeal against the decision of members, Trustees or Governors.

Personal Liability

Personal liability of Members, Trustees and Governors

Legal proceedings by a third party against individual members, Trustees or Governors are very exceptional. A member, Trustee or governor may be personally liable if he or she makes a fraudulent or negligent statement which results in a loss to a third party; or may commit a breach of confidence under common law or a criminal offence under insider dealing legislation, if he or she misuses information gained through their position. However, individual members, Trustees and governors who have acted honestly, reasonably, in good faith and without negligence will not have to meet out of their own personal resources any personal civil liability which is incurred in execution or purported execution of their board functions.

Duties under Company and Charities Law

Company Law Responsibilities

Trustees also have additional company law duties arising from legislation and common law that they will need to uphold. In particular they must comply with the Companies Act 2006. These statutory duties include:

- A duty to act within the powers granted as set out in the articles of association
- A duty to promote the success of the company in terms of:
 - a) the long-term consequences of their decisions;
 - b) the interests of the Company's employees;
 - c) the Company's relationships with suppliers, customers, etc;
 - d) the interests of the community and environment;
 - e) the reputation of the Company; and
 - f) acting fairly between Members.
- A duty to exercise independent judgement
- A duty to exercise reasonable care, skill and diligence

- A duty to avoid conflicts of interest
- A duty not to accept benefits from third parties
- A duty to declare their interests in any proposed transaction or arrangement with the company.

Charity Law Responsibilities

The Academy will have charitable status and it will need to comply with the regulations set by the Charities Commission. The Trustees are responsible for ensuring that the Trust adheres to these regulations and individual Trustees and governors have similar duties as under Company Law but in addition they must:

- Accept ultimate responsibility for the Trust ensuring that it is solvent and well managed and delivering the charitable outcomes for which it was set up;
- Ensure compliance with Charity Law and deliver necessary reports and returns as required;
- Only use assets and funds in furtherance of the Trust's objects;
- Consider obtaining external professional advice, if the trustees may be in breach of their duties; and
- Take special care when investing the funds of the Trust.

Gifts and Hospitality

A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence.

Receiving Gifts

Casual gifts offered by contractors, organisations, firms, parents and carers or individuals such as calendars, diaries, pens, food, drink, flowers and other small gifts need not be declared. The general rule is that a gift below the value of £25 does not need to be declared. However, it will not be appropriate to accept a gift below that value if it is more than minimal or repeated regularly and may be perceived as an inducement.

Any personal gift offered to them, or to a member of their family, with a value of £25 or over by any person or organisation having dealings with the Trust should be declared to the Governance Support and Development Manager who will advise on the course of action to be taken.

Receiving Hospitality

Offers of hospitality are a normal part of the courtesies of business life but in the publicly funded sector it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence.

Hospitality is sometimes offered to representatives of the Trust in an official or formal capacity. Hospitality can take many forms and could include attending exhibitions, seminars, sporting events, shows or concerts. Training events with very low training content and free catering, drink or transport may also be hospitality. Any gifts and hospitality given or received must be recorded on the Trust's Gifts and Hospitality

Register and the Governance Compliance and Development Manager will advise on the procedure.

There is a need exercise discretion when accepting offers of hospitality, particularly when the host is seeking to do business with the Trust or who may stand to benefit in some way from dealing with the Trust.

Offers of hospitality should only be accepted where there is a clear benefit to the Trust in doing so e.g. networking, building contacts. If there is no or limited benefit governors should not attend.

Hospitality offered by charitable or social organisations, usually in connection with an invitation to speak to the body, can be accepted.

Use of Social Media

The growing popularity of personal web logs (blogs), twitter and social networking sites, may raise issues for the Trust, particularly where Members, Trustees and Governors choose to write about their work and the Trust in which they volunteer. The below refers to the use of all forms of social media, including Facebook, LinkedIn, Twitter, Google+, Wikipedia, Whisper, Instagram, Vine, Tumblr and all other social networking sites, internet postings and blogs. It applies to use of social media for Trust purposes as well as personal use that may affect our Trust in any way. For full guidance please see the **Trust's Social Media Policy**.

Social media should never be used in a way that breaches any of the Trust's other policies.

For example, you are prohibited from using social media to:

- breach our e-safety and Data Security Policy;
- breach our obligations with respect to the rules of relevant regulatory bodies;
- breach any obligations contained in those policies relating to confidentiality;
- breach our Disciplinary Policy;
- harass or bully other staff in any way;
- unlawfully discriminate against other staff or third parties;
- breach our Data Protection Policy (for example, never disclose personal information about a colleague online);
- breach or careless use of the Trust's Safeguarding Policy and PREVENT Duty or;
- breach any other laws or regulatory requirements.

Members, Trustees and Governors should never provide references for other individuals on social or professional networking sites, as such references, positive and negative, can be attributed to the Trust and create legal liability for both the author of the reference and the Trust.

Personal Use of Social Media

You must avoid making any social media communications that could damage the reputation of the Trust, whether directly or even indirectly.

You must not:

- use social media to defame or disparage the Trust, Trustees, Governors, our staff, our pupils, parents or any third party;
- use social media to harass, bully or unlawfully discriminate against Trustees, Governors, staff, pupils, parents or third parties;
- use social media to make false or misleading statements;
- use social media to impersonate pupils, parents, colleagues or third parties;
- use social media to contact any pupil (unless prior written consent has been provided);
- express opinions on behalf of the Trust, via social media, unless expressly authorised in writing to do so by your Principal, Executive Principal or the Chief Executive;
- post comments about sensitive topics, such as the performance of the Trust, Academy/School or any volunteers, employee, or pupil or parent;
- do anything to jeopardise our trade secrets, confidential information and intellectual property;
- include our logos or other trademarks in any social media posting or in your profile on any social media;
- Link your own blogs/personal web pages to the Trust's website;
- add contacts or make links with any pupil on any social networking account
- (unless prior written consent has been obtained).

Trust Related Use of Social Media

If your role requires you to speak on behalf of the Trust or Academy in a social media environment, you must still seek approval for such communication from the Chief Executive, who may require you to undergo training before you do so and impose certain requirements and restrictions with regard to your activities.

Likewise, if you are contacted for comments about the Trust or Academy for publication anywhere, including in any social media outlet, direct the enquiry to the Chief Executive Officer and do not respond without written approval.

The use of social media for Trust or Academy purposes is subject to the guidelines below.

Guidelines for Responsible Use of Social Media

You should make it clear in social media postings, or in your personal profile, that you are speaking on your own behalf. Write in the first person and use a personal e-mail address.

Be respectful to others when making any statement on social media and be aware that you are personally responsible for all communications that will be published on the internet for anyone to see.

If you disclose your affiliation with the Trust or Academy on your profile or in any social media postings, you must state that your views do not represent those of your

employer (unless you are authorised to speak on our behalf as set out in Section 36). You should also ensure that your profile and any content you post are consistent with the professional image you present to pupils, parents and colleagues.

If you are uncertain or concerned about the appropriateness of any statement or posting, refrain from posting it until you have discussed it with your Principal, Executive Principal or the Chief Executive.

If you see social media content that disparages or reflects poorly on the Trust, you should contact the Governance and Compliance Manager.

Payments to Trustees, Members / Governors

In accordance with the Academy Trust Handbook it is illegal for Members, Trustees or Governors to receive any remuneration in relation to their work as trustees of the Trust, other than payment of all reasonable out of pocket travel, accommodation or other expenses legitimately incurred by them in connection with their attendance at meetings acting in the capacity of Trustee / governor of the Trust.

In addition, no Member, Trustee or Governor may hold any interest in property belonging to the Trust. Nor may a Member, Trustee or Governor receive remuneration in respect of any contract to which the Trust is a party.

However, nothing prevents the payment of Members, Trustees or Governors for the usual professional charges for business undertaken by any Member, Trustee or Governor who is a solicitor, accountant or other person engaged in a profession, or by any partner or connected person of his or hers, when instructed by the Board of Trustees to act in a professional capacity on behalf of the Trust. This exception is only allowable if:

- at no time a majority of the Members, Trustees or governors are engaged in such a professional capacity: and
- Members, Trustees and Governors withdraw from any meeting at which his or her remuneration, or that of his or her partner / relative, is under discussion.

Members', Trustees' and Governors' Allowances

The Trust believes that paying Members, Trustees and Governors' expenses, in the specific categories asset out below, is important in ensuring equality of opportunity to serve as Trustees and Governors for all members of the community and so is an appropriate use of Trust funds.

Any exceptions to this policy need to be justified to and approved by the Trust Finance, Audit, Risk & Resources Committee before any reimbursable costs are incurred and reimbursements made.

Entitlements

All Members, Trustees and Governors of the Trust will be entitled to claim the actual costs they incur for the following:

The cost of travel relating only to travel to meetings/training courses payable in accordance with Her Majesty's Customs and Revenue approved mileage rates These rates are currently:

- a) 45 pence per mile for cars and vans
- b) 24p per mile for motorcycles
- c) 5p per passenger per mile for carrying fellow Members, Trustees and Governors in a car/van on journeys which are related to meetings / training courses. These rates are in line with the specific rates for Academy staff.

For public transport, actual costs incurred. Where more than one class of fare is available, the rate shall be limited to second class fares. The cost of travel by taxi will be reimbursed only in reasonable circumstances.

Subsistence, if additional expenses are incurred because work as a Member, Trustee or Governor requires taking meals (i.e. breakfast, lunch or dinner) away from the normal place of residence or work. Reimbursement will be made for reasonable items bought on the day of the claim.

Telephone charges, photocopying, stationery, postage or other reasonable out of pocket expenses. Where practical, however, Member, Trustees and governors are expected to make use of administrative facilities made available.

Childcare or babysitting allowances (excluding payments to a current/former spouse or partner or close relative) with prior approval of the Trust's Finance, Audit, Risk & Resources Committee.

Cost of care arrangements for an elderly or dependent relative (excluding payments to current/former spouse or partner or close relative) with prior approval of the Trust's Finance, Audit, Risk & Resources Committee (FARRC).

Costs incurred in performing Member, Trustee or Governor duties either because they have a disability or additional needs or because English is not their first language with prior approval of the Trust, Audit, Risk & Resources Committee.

Any other justifiable expenses with prior approval of the Trust Finance & Resources Committee.

Submitting Claims

Members, Trustees and Governors wishing to make claims under these arrangements, should complete a claims form (**see Appendix 2**), attaching receipts where applicable, and return it to the Governance and Compliance Manager. Claims should be submitted at least half termly. The Governance and Compliance Manager

will submit for approval by the Chair of the Board of Trustees or Chair of the Trust's Finance, Audit, Risk and Resources Committee.

Transparency

The total value of claims paid per year to Trustees / governors will be declared in a note to the Academy Financial Statements at the end of each financial year.

Claims will be subject to independent audit and may be investigated if they appear excessive or inconsistent.

Public Sector Equality Duty (Equality Act 2010)

In preparing or amending this policy, the author has given due regard to the Public Sector Equality Duty; that is, they have considered any potential impact on people who share certain protected characteristics. These protected characteristics are defined as: race, disability, sex, age, religion or belief, sexual orientation, gender reassignment pregnancy and maternity.



Introduction

The Trust is legally obliged to publish details of Members, Trustees and Governors conflicts of interests on our Register of Business Interests published on our website. For more information please see the Pupils, Staff and Volunteers Privacy Notice.

The Academy Trust is required to establish and maintain a register which lists for each Member, Trustee, Governor, and senior employee any business or personal interest, pecuniary or otherwise, that they, or any member of their immediate family, have which could conflict with the Trust's interests; to keep the register up to date with notification of changes; to undergo an annual review of entries, and to make the register available on the Trust's website. The Register is available for inspection by any other interested parties, for example auditors.

Members, Trustees, Governors and employees must act and be seen to act impartially. All members of Trust governing boards are required to complete a declaration of their business interests. In most cases this will take place during the first meeting of the academic year.

There is no comprehensive definition of what constitutes a business interest, but declarations should include any links with individuals, businesses, contractors, directorships, partnerships, employments, shareholdings, governorships at other educational institutions and charities or other appointments where the Trust/academy may purchase goods or services from or who are directly employed by the Trust.

Where a Member, Trustee, Governor or employee or related person has any interest, either pecuniary or non-pecuniary, in a matter to be discussed during a Trust governance meeting they must declare their interest and withdraw from that part of the meeting.

For register purposes, a close relative is defined as a close member of the family, or member of the same household, who may be expected to influence, or be influenced by, the person. This includes, but is not limited to, a child, parent, spouse or civil partner.

As a general principle, individuals should err on the side of caution and declare interests that they think could be covered by the guidance above. Such a declaration must be made within 28 days of becoming aware of the possibility of any such conflict arising or indeed that may be perceived / construed as arising. A good test is for the individual to ask himself/herself whether others would think that the interest is of a kind to make this possible. If the individual thinks this is so, or is in doubt then the information should be recorded on the register of interests.

All individuals should sign and return a statement even if they have no interests to declare. This return will be refreshed on an annual basis.

Furthermore, in line with recognised best practice, the opportunity to declare such an interest appears as a standard agenda item at all Trust governance meetings. Failure to declare an interest is a serious matter. It might be an oversight, but a deliberate failure would be cause for suspension.

There is a requirement in the Articles of Association of Academies for governors who have a personal interest (financial or otherwise) which may conflict with their duties to declare it as soon as they become aware of it.

A copy of the declaration of business interests form is attached. Once complete please send it to Alana Mackenzie, Governance and Compliance Manager amackenzie@educationvillage.org.uk

Appendix 1: DECLARATION OF BUSINESS AND PERSONAL INTERESTS FORM

DECLARATION OF BUSINESS AND PERSONAL INTERESTS FORM

Name:

**Governance Position /
Committee**

I declare as an EVAT Member/Trustee/Governor/employee I hold the following personal and/or pecuniary interest(s):

For each interest please include:

The name and nature of the business and the date the interest began.

Interests Declared:	Please provide details of the interest	Date Interest began
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/trustee and whether this was declined or accepted in the last 12 months		
Contracts offered by you for the supply of goods and/or services to the trust/school		
Any other conflicts to declare		

Personal interests	Name	Relationship to me	Details / Nature of the interest	Date Interest Began
Immediate family/close connections to Member/Trustee/Governor/employee				
Company directorships or trusteeships of family/close connections to Member/Trustee/Governor/employee				

If you are a Member, Trustee or Governor or of any other Trust/school or please provide details below:

Name of Trust Board or Academy	Position Held	Date Appointed

I agree to review and update this declaration annually and give consent for the information provided to be used in accordance with Trust procedures. I understand that I must within 28 days of becoming aware of any change to the interests specified above provide written notification of that change. 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 myself or any relation in any contract, proposed contract or other matter when present at a meeting at the council/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.

Signed Date

Guidance notes

Members, Governors and Trustees have a legal duty to act only in the best interests of the Trust and/or 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 or trustees are acting in the best interests of the school.

In the declaration above, you must provide details relating to:

- Your ownership or partnership of a company or organisation which may be used by the trust/school to provide goods or services;
- Goods or services you offer which may be used by the Trust/school;
- Any close relation you have to someone who satisfies either of the above;
- Any close relationship you have to someone who is employed by the Trust/school.

Declaring your 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 the interest and temporarily leave the meeting, where the interest is relevant to something being discussed.

Pecuniary interests

Generally, Member, Trustees and Governors should not participate in any discussions in which they may directly or indirectly benefit from a pecuniary interest, except where the relevant authority has authorised this i.e. legislation for maintained schools or articles of association for academies. A direct benefit refers to any personal financial benefit and an indirect benefit refers to any financial benefit you may have by virtue of a relationship to someone who stands to gain from a decision of the governing board. Both direct and indirect interests must be declared.

Non-pecuniary interests (Conflicts of loyalty)

There may be a non-pecuniary interest whereby the Member, Trustee or 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. While the governor might not benefit personally, their judgment could be impaired if something was brought up that would affect the family member.

Handling the conflict

The relevant 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
- 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 the meeting, 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 but any new interest or ceased interest, should be reported to the clerk as and when they occur. Upon completion, this signed form should be given to the clerk of governors whose responsibility it is to keep a register of all interests and review it annually.

The Charity Commission has produced [guidance on dealing with conflicts of interests](#) which may be useful, even for schools that do not have charitable status.

Appendix 2: Members', Trustees' and Governors' Allowances Claim Form

Name:	Name of Academy:
Address	Date:
Post Code	Claim Period:

I claim the total sum of £..... for Member/Trustee/Governor expenses as detailed below. I have attached relevant receipts to support my claim.

Signed.....

Reason	Amount
Childcare/Babysitting expenses	
Care arrangements for an elderly or dependent relative	
Support for governors with a disability or additional needs	
Support for governors whose first language is not English	
Travel to meetings/training courses	
Travel/subsistence to national meetings or training events	
Telephone Charges	
Postage	
Photocopying	
Stationery	
Other (please specify)	
TOTAL EXPENSES CLAIMED	

This form should be submitted to the governance professional at least half termly. Claims which are older than two months will not be reclaimable.

Appendix 3: Code of Conduct Confirmation Form

To be signed by Members, Trustees & Governors once this booklet as confirmation this booklet has been read and understood.

I have read and understood this Code of Conduct for Members, Trustees and Governors and, as a member of the Trust, I undertake to:

1. comply with this Code and take all necessary steps to ensure I understand my duties, rights and responsibilities and the function and role of the Trust;
2. follow the Seven Principles of Public Life Seven Principles of Public Life (see Appendix 1) defined by the Nolan Committee 1995);
3. make every effort to ensure that the Trust does not exceed its powers or functions;
4. remain updated in relation to government policy and access appropriate training and development opportunities;
5. never misuse any information gained in the course of my public service for personal gain or for a political purpose, nor seek to use the opportunity of public service to promote my private interests or those of connected persons, firms, businesses or other organisations;
6. be conscious of my public role and exercise proper discretion in any public activities;
7. promote Trust Values
8. Appropriate use of Social media
9. always have the reputation of the Trust and the local community and the well-being of the Trust's pupils at the heart of all I do.

Signed _____

Name _____

Board or Committee _____

Date _____