

# **MORLEY COLLEGE LONDON**

## **Code of Conduct**

### **For Governing Body Members**

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Demonstrating accountability to students, parents, staff, partners, employers, funders, trustees and other stakeholders, including publishing accurate and timely information on performance.

Listening to students, parents, employers and staff.

Ensuring the achievement of equality of opportunity and diversity throughout the college.

needs.

3.3

the Code of Governance encapsulate the purposes, aims and values of the College. Governors should have due regard to these purposes, aims and values when conducting the business of the Governing Body and considering the activities and proposed activities of the College.

3.4

The Governing Body recognises its obligations to all those with whom it and/or the College have dealings, including students, employees, suppliers, other educational institutions and the wider community. In particular, the Governing Body is committed to:

3.4.1 having close regard to the voice of the learner;

3.4.2 combating any discrimination within the College on the grounds of the characteristics protected by the Equality Act 2010;

3.4.3 engaging with the communities that the College serves in order to understand and meet their needs; and

3.4.4 observing its duty under the Education (No.2) Act 1986 to take reasonable steps to ensure freedom of speech for members of the College community and visiting speakers and its duty under the Counter Terrorism and Security Act 2015 to have regard to the need, when exercising its functions, to prevent people from being drawn into terrorism.

3.5

The Governing Body is also committed to ensuring that it conducts its business in accordance with the highest ethical standards as set out in more detail in this Code.

4.

#### **DUTIES**

4.1

Governors owe a fiduciary duty to the College. This means that they should show it set out in its Articles of Association and Governors should become familiar with them.

4.2

Governors must run the College and administer its assets in the best interests of current, and future, beneficiaries.

4.3

Each Governor should act honestly, diligently and (subject to the provisions appearing in paragraph 10 of this Code relating to collective responsibility) independently. The actions of Governors should promote and protect the good reputation of the College and the trust and confidence of those with whom it deals.

4.4

Decisions taken by Governors at meetings of the Governing Body and its committees must not be for any improper purpose or personal motive. Decisions taken must





- (c) if, as a consequence of this provision, the meeting becomes inquorate, no decisions can be taken and the meeting can be advisory only.

9.4

considers sensitive issues or named individuals or for other good reasons. Such excluded items will be kept in a confidential folder by the Director of Governance, and will be circulated in confidence to Governors. Some confidential items are likely to be of a sensitive nature for a certain period of time only (for example information relating to a proposed commercial transaction or collaboration with another



*will not* investigate complaints about issues that are more than 12 months old (except for exceptional cases related to advanced learner loans); examination results, grades, marks, assessment outcomes or curriculum content; individual employment issues; governor or other voluntary employment issues; contractual or commercial disputes or arrangements; disputes between an employer and a provider in relation to the apprenticeship levy; matters which are the subject of legal action or matters that are better investigated by the police; the cancellation or reimbursement of advanced learner loans (which should be referred to the Student Loans Company); claims for compensation, a refund of fees or costs incurred when a learner has to transfer to another provider; issues classified as serial; or allegations of fraud, financial irregularity, whistleblowing and allegations of incentives or inducements (which should be directed to the Allegations team); and safeguarding concerns<sup>1</sup> .

Complaints made by learners following HE courses in FE colleges are directed to the Office of the Independent Adjudicator for HE.

## SCHEDULE

### List of source documents

- 1.
2. the Scheme of Delegation
3. the Standing Orders and Conflicts of Interest Policy of the Governing Body
4. the terms of reference of any committees established by the Governing Body
5. the Accountability Agreement entered into by the College with the ESFA
- 6.
7. safeguarding learners and preventing people being drawn into terrorism, the avoidance of discrimination and the promotion of equality, diversity and inclusion, the anti-bribery policy as required by the Bribery Act 2010 and the Regulations.
8. the principles laid down by the Committee on Standards in Public Life (Nolan Committee) for those holding public office, namely:
  - selflessness;
  - integrity;
  - objectivity;
  - accountability;
  - openness;
  - honesty; and
  - leadership.

(an extract from the report of the Nolan Committee setting out these Principles in more detail is set out at **Appendix 1**)
9. the Post-16 Audit Code of Practice issued by the ESFA;
10. the Code of Good Governance for English Colleges
11. the Good Governance Standard for Public Services published by the Independent Commission on Good Governance in Public Services (Good Governance Standard) (an extract from the Good Governance Standard setting out the six core principles of good governance is set out at **Appendix 2**)

Appendices: 1 (the Seven Principles of Public Life), 2 (Six Core Principles of Good Governance), 3 (Responsibilities of Governors), 4 (Responsibilities of the Principal) and 5 (Framework).



## **APPENDIX 2 Six Core Principles of Good Governance**

The following is an extract from the Good Governance Standard for Public Services published by the Independent Commission on Good Governance in Public Services, January 2005

### **1 Good governance means focusing on the organisation's purposes and on outcomes for citizens and service users**

1.1

service users;

1.2 Making sure that users receive a high quality service;

1.3 Making sure that taxpayers receive value for money.

### **2 Good governance means performing effectively in clearly defined functions and roles**

2.1 Being clear about the functions of the governing body;

2.2 Being clear about the responsibilities of the non-executives and the executive, and making sure that those responsibilities are carried out;

2.3 Being clear about relationships between the governors and the onsi

## APPENDIX 3

### Summary of Main Responsibilities of Governors

#### General

Governors have a wide range of statutory responsibilities, for example under employment and health and safety legislation, under the Counter-terrorism and Security Act 2015 (the Counter-terrorism and Security Act 2015) and the Equality Act 2010 (to avoid discrimination and promote equality).

#### Under regulations

Colleges are required to comply with a wide range of regulations, for example in relation to safeguarding and Special Educational Needs.

#### As company directors

As company directors appears in [Information for Governors](#) \*

#### As charity trustees

[Information for Governors](#) \*.

#### Under the Articles of Association

Under Article 15.2, to exercise the powers of the company as set out in Article 4.2.

Governors may under Articles 15.4-15.6 delegate many of their functions to committees and the principal or other senior staff, subject to the limitations in Article 15.7 and the Governing

A summary of the Framework appears as **AaMC P MC5932 812 reW\*nBTF2 uW\*3W\*nBTF0nFF0nMain Re**

## **APPENDIX 4**

### **Summary of main responsibilities of the Principal**

## **APPENDIX 5**

### **Summary of the ESFA's College Funding Framework**

The ESFA implemented a new accountability framework in Spring/Summer 2023 which introduced Accountability Agreements, a two-part document setting the overall expectations

The agreements are formed of a main terms and conditions document and schedules. Background on the structure of the Education and Skills agreements can be found on the [ESFA Education and Skills contracts 2019 to 2020](#) page. Whilst structured slightly differently,