

# Code of Ethics and Conduct for Staff and Governors

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Corporation February 2005

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**G015**

## **THE SEVEN PRINCIPLES OF PUBLIC LIFE**

### **Selflessness**

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

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

*From the Second Report of the Committee on Standards in Public Life, 1996*

## **SOLIHULL COLLEGE**

### **OUR VALUES**

- Inspiring and supporting students to succeed
- Striving for excellence, exceeding expectations
- Respecting each other
- Recognising our responsibility
- Sharing, caring and working together

## CODE OF ETHICS FOR STAFF AND GOVERNORS

### 1. General

1.	The College is committed as a public sector body to the principles laid down by the Nolan Committee for those holding public office, namely: <ul style="list-style-type: none"><li>• Selflessness</li><li>• Integrity</li><li>• Objectivity</li><li>• Accountability</li><li>• Openness</li><li>• Honesty</li><li>• Leadership</li></ul>
2.	In addition, the College has consulted with its governors and staff and developed its own set of core values (see page 3), which complement the Nolan principles and support achievement of SCUC's strategic objectives.
3.	The College recognises its obligations to all those with whom it has dealings – students, employees, employers, suppliers, other educational institutions and the wider community – and also to the taxpayer.
4.	The reputation of the College and the trust and confidence of those with whom it deals is one of its most vital resources, the protection of which is of fundamental importance.
5.	The College demands and seeks to maintain the highest ethical standards in carrying out its activities.
6.	In its dealings with individuals, the College will adhere to the principles of natural Justice and fundamental British Values.
7.	The College will seek to encourage a culture of openness aimed at ensuring that matters connected with the operation of the College can be discussed frankly with staff and students. It will in addition adopt procedures which will enable concerns to be raised on a confidential basis, where that is appropriate, both inside, and if necessary outside, the organisation.
8.	The College is committed to securing equality of opportunity for staff and students alike.

### 2. Students

1.	College believes that integrity in relationships with students or prospective students is a prerequisite for success, and an important statement of the values it offers.
2.	The College will not give deliberately inadequate or misleading information on its learning programmes or other services.
3.	In all advertising and public communications, the College will avoid untruths, concealment and overstatement about its programmes and achievements.
4.	In recruiting students the use of improper financial or other inducements will be avoided.
5.	The College will deliver learning programmes and support services efficiently, effectively and to accepted quality standards; it will seek to meet the individual needs of students and will take steps to address any shortcomings in the service delivered.

6.	Learning support, information, advice and guidance offered to students will be impartial and guided by the best interests of the student.
7.	The College will adopt a charter, setting out what students and others can expect of the College. All students will be treated with equal care and respect.
8.	The College will ensure that complaints are dealt with fairly, openly and efficiently.
9.	Within the requirements of the law, the College will maintain the confidentiality of information on individual students.

### 3. Corporation and Governors

1.	The Code of Conduct for Governors is consistent with the principles laid down by the Nolan Committee and the requirements of its Instrument and Articles of Government.
2.	The Corporation will seek to ensure that its members are appointed on merit, after an open selection process, and are drawn widely from the communities it serves, having regard to the need for continuity and freshness, and for a range of skills and interests.
3.	The Corporation is responsible for determining the educational character and mission of the College and for oversight of its activities; for approving the quality strategy; for the effective and efficient use of resources, the solvency of the College, and safeguarding its assets; for approving annual estimates of income and expenditure; and for setting a framework or determining the pay and conditions of service of staff, in accordance with the Articles of Government.
4.	The Corporation will adopt policies and regulations which ensure sound financial decision making, control and monitoring to meet the requirements of the funding bodies and audit.
5.	A Governor should in all his or her work for the College exercise such skill as he or she possesses and such care and diligence as would be expected from a reasonable person in the circumstances.

### 4. Staff

1.	Where the College includes confidentiality clauses in severance contracts, this will not prevent staff who have legitimate concerns about malpractice raising those concerns with the appropriate authority.
2.	As Chief Accounting Officer for the College, the Principal will be responsible for the propriety of financial decision making, and will advise the Corporation of any requirements in respect of matters before it.

### 5. Educational partners

1.	The College will compete vigorously but honestly with other education institutions offering similar learning opportunities.
2.	The College will seek to avoid damaging the reputation of competitors either directly or by innuendo.

3.	The College will provide information on individual students to the Careers Service and other institutions engaged in providing for the learning needs of the student in accordance with agreed procedures, within Data Protection Act guidelines.
4.	The College will seek to avoid acquiring information about competitors by unfair or disreputable means.
5.	The College will not engage in unfair or restrictive practices in regard to the recruitment or retention of students.
6.	The College will consult with partners who might be affected by any significant proposals for change in the learning programmes or services it offers.

## 6. External Relationships

1.	The College recognises that it is responsible to the communities it serves and will seek to ensure that information on its activities is made widely available, having proper regard for confidentiality where appropriate.
2.	The College will be responsive to the communities it serves and, within the framework of its mission statement, will seek to provide programmes and services relevant to the needs of individuals and employers.
3.	The College will provide timely and accurate information on individual students to employers or others providing sponsorship.

## 7. Gifts, Gratuities and Hospitality [See also section 17 of the Financial Regulations]

1.	Staff should take care not to be influenced (nor give the impression of being influenced) by the offer of any gift, favour or hospitality when engaged on College business.
2.	Any gifts (ie items of value other than monetary payments), rewards or benefits offered (either directly or indirectly) by students, the public or on behalf of other organisations in connection with the work of the College must be refused, except for small gifts as defined in SCUC's Financial Regulations.
3.	Gratuities or inducements should not be accepted or solicited under any circumstances. Gratuities are monetary payments other than fees.
4.	Staff should exercise discretion in accepting and offering hospitality. It may be acceptable provided that there is no extravagance; it is occasional; and does not unfairly influence decisions on, for example, placing orders or contracts. The Principal may from time to time issue specific policies in connection with hospitality.
5.	Staff should not offer or give to anyone any gifts, rewards, improper benefits or inducements in connection with the work of the College or seek in any way to encourage anyone to carry out their functions or activities improperly except for small gifts properly authorised by a senior manager.

## 8. Publication and Public Interest Disclosure

1.	The College will ensure that its codes are published and are available on request. Advice on the codes may be obtained from the Clerk to the Corporation.
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2.	In line with best practice and to meet the requirements of the Public Interest Disclosure Act 1998, a Whistleblowing Policy has been adopted in consultation with the recognised trade unions. A copy is available from the Clerk to the Corporation.
3.	Public service values are at the heart of the further education service. High standards of personal and corporate conduct, based on the principles set out in SCUC's Code of Ethics should underpin all decisions taken.

## CODE OF CONDUCT FOR STAFF

### 9. Principles and General Conduct

1.	The College Code of Conduct for staff is based on similar principles to that for governors and on the principles in its Code of Ethics.
2.	All its employees will be required to adhere to the SCUC's code of conduct for staff.
3.	The Code of Conduct for Staff will forbid employees from soliciting or accepting inducements in respect of any matter connected with the operation of the College.
4.	The Code of Conduct applies to all staff employed by Solihull College. Staff should be aware that breaching the Code of Conduct could amount to a breach of their employment contract or even, in some instances, a criminal offence. Therefore, if there is any difficulty in complying with the Code, the member of staff should discuss the matter promptly with his or her manager, the Clerk to the Corporation or the Principal.
5.	SCUC expects high standards of integrity from every member of staff in carrying out his/her responsibilities.
6.	Staff should treat each other courteously and with respect and should not bring the College into disrepute or behave in a way, inside or outside of the College which may jeopardise the College's reputation or position.
7.	Staff should have regard in their work for the principles set out in SCUC's Code of Ethics (including the seven principles of public life formulated by the Nolan committee on standards in public life). Both this code and the code of ethics should be read in conjunction with individual contracts of employment and with the whole range of statutory requirements which apply to SCUC's operations. Everyone should be familiar with the policy statement for health and safety at work and with the code of practice for equal opportunities.
8.	All staff have a duty to work towards the aims and objectives of the College and to implement promptly and efficiently the decisions taken by the Corporation or on its behalf. Staff: <ul style="list-style-type: none"><li>• should discharge their responsibilities honestly, effectively, with integrity and to the best of their ability, using due care and the skills related to their particular job.</li><li>• are responsible and accountable for their own actions and for action taken under their direction by others.</li><li>• should comply with SCUC's financial regulations and ensure the efficient use of any resources (including materials and equipment) over which they have influence or control. Managers should ensure that their staff comply with the regulations and use resources efficiently.</li><li>• should make available the information necessary to enable colleagues and committees to fulfil their responsibilities to high standards</li><li>•</li></ul>

### 10. Students

1.	Students should always be treated courteously and with respect.
2.	Members of staff should maintain a professional relationship with students. Friendship between a member of the teaching staff and a particular student may affect impartial judgement of his/her work, or be seen to affect judgement and lead to accusations of favouritism.



3.	Sexual relationships between staff and students pose particular difficulties. In the case of students under eighteen years of age, such relationships are unacceptable and would be deemed to constitute gross misconduct.
4.	Mature students could also be seen to be vulnerable in a college setting and, to avoid claims of harassment, relationships should be deferred until the student is no longer part of the College. If a member of staff has concerns about the implications of this aspect of the code, for instance where there is an existing relationship with a prospective student, they should advise their line manager to avoid a potential conflict of interest. (Please see Section 12.5)
5.	This section should be read in conjunction with the College's Safeguarding Young People and Vulnerable Adults Policy. Members of staff should also familiarise themselves with SCUC's guidelines on e-communications, which makes specific reference to social media contact with students.

## 11. Other Employment and Fees

1.	<p>During working hours, all staff are required to devote all their time, attention and abilities to their duties. It is not permissible to hold any other paid post, office, engagement or employment which would conflict with the performance of an employee's duties or SCUC's interests or be detrimental to the College. Full-time staff should not undertake any other paid employment without the consent of the Principal. This agreement should be sought by writing to the Human Resources Manager.</p> <ul style="list-style-type: none"> <li>○ Activities related to any engagement or employment outside the College should not be undertaken in the workplace or in working hours. The use of College facilities (including telephones, IT services and equipment) is restricted to work for the College.</li> <li>○ Fees should not be accepted from other bodies for work or services undertaken in the course of performing College duties, except that the Principal may authorise amounts of up to £50 on prior application in writing. Reasonable expenses may be accepted within the limits of the costs actually incurred, but no claim should be made to the College. Any other amounts payable for fees or expenses should be paid to the College finance office at the earliest opportunity.</li> </ul>
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## 12. Disclosure of Interests

1.	Staff must disclose in writing to the Clerk to the Corporation any interest, financial or otherwise, which could be perceived or is likely to influence or interfere with their judgement as an employee of the College.
2.	Staff should also declare any interests, which, as far as they are aware, spouses or partners, children, own/spouse/partner's close relatives (e.g. father, mother, sibling, step-child, grandchild or those living in same household or dependent) may have. Consider whether members of the public, knowing such information, could reasonably conclude that the relevant interest might influence a judgement.
3.	If a member of staff is related to a contractor engaged by the College or has any pecuniary interest, direct or indirect, in connection with any supplier, contract, proposed contract or other matter, he/she <b>must</b> notify the Clerk to the Corporation in writing of the potential conflict of interest and take no part in the matter. Information gained in the course of work must not be used for personal gain or to the advantage of relatives or friends.

4.	Where there is a personal relationship between a member of staff and a student, the member of staff should inform his/her manager and make arrangements to ensure that there is no conflict of interest, bias nor unfairness. Alternative arrangements should be considered for assessment, tutorials and meeting the student's learning needs.
5.	Where there is a personal relationship between a member of staff and an applicant for an appointment at the College, the relationship should be disclosed to the Human Resources Manager. The member of staff should not have any part in making the appointment.
6.	The register of staff interests will be open for public inspection
7.	Individuals are in the best position to decide what interests are relevant and should be disclosed. However, the following table contains general guidance as to what might be relevant for disclosure.
8.	Forms are available for the Disclosure of Interests. These are available on Outlook, Public Folders, Policies and Procedures – Staff Services, or can be obtained from the Clerk to the Corporation.

<b>Example Interests</b>	<b>Information to be disclosed</b>
Paid employment	Name(s) of employer(s)
Self employment or consultancies (paid or unpaid)	Names of significant customers/clients
Significant shareholdings	Name of companies where a significant level of shares is held (over 3%)
Company directorships	Names of companies
Elected office	Name of authority/organisation
Trusteeships or participation in the management of charities or other voluntary bodies	Name of body/organisation/charity
Business or professional partnerships	Name of organisation/partnership
Public appointments/honorary positions (paid or unpaid) or membership of other public bodies/trusts/governing bodies	Name of organisation/ public body
Positions of responsibility (paid or unpaid) with professional bodies, trade or other associations	Name of body/association and position held
Membership of closed organisations	Name of organisation
Gifts/benefits/hospitality (offered and/or received)	Name of body/person offering gift, hospitality or benefit, its nature and its approximate value.

### **13. Compliance and verification**

1.	Breach of this code of conduct may result in disciplinary action.
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## CODE OF CONDUCT FOR GOVERNORS

### 14. Introduction

1.	This Code is intended as a guide, to indicate the standards of conduct and accountability which are expected of Governors, to enable them to understand their legal and ethical duties and to assist them in carrying out those duties and in their relationship with the Corporation and Principal as the Chief Executive.
2.	This Code applies to every Committee or working party of the Corporation and to every subsidiary company or joint venture of the College to which Governors may be appointed.
3.	By accepting appointment to the Corporation, each Governor agrees to accept the provisions of this Code.

### 15. Duties

1.	Governors owe a fiduciary duty to the College and should act honestly, diligently and (subject to the provisions in paragraph 8 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.
2.	Governors are responsible for taking decisions which are within the powers given to the Corporation by Parliament under sections 18 and 19 of the Further and Higher Education Act 1992.
3.	Decisions taken by Governors at meetings of the Corporation and its Committees must not be for any improper purpose or personal motive and must be taken with a view to safeguarding public funds. Accordingly, Governors must not be bound in their speaking and voting by mandates given to them by other bodies or persons.
4.	Governors must observe the provisions of SCUC's Instrument and Articles of Government and in particular the responsibilities given to the Corporation by SCUC's Articles of Government. This includes a list of "reserved" responsibilities, which must not be delegated.
5.	Governors should observe the Standing Orders to ensure that the Corporation conducts itself in an orderly, fair, open and transparent manner and must keep the Standing Orders under periodic review.
6.	Governors should also have regard to the different, but complementary, responsibilities given to the Principal as SCUC's Chief Executive. The responsibilities given to the Principal by SCUC's Articles of Government.

### 16. Statutory Accountability

1.	Governors are collectively responsible for observing the duties set out in the Financial Memorandum, which the College entered into with the SFA as a condition of receiving public funds.
2.	The Governors should note that they are responsible for the proper use of income derived from all sources and for the control and monitoring of expenditure of such income, in order to meet the requirements of the relevant funding body and public audit.
3.	The Principal, as Accounting Officer for the College, is directly responsible and accountable to Parliament, through the Committee of Public Accounts, for the effective stewardship by the

	College of public funds. The Principal may be required to appear before the Committee of Public Accounts, alongside the Chief Executive of the relevant funding bodies, to give an account of the use made by the College of such funds. The Corporation is accountable to Parliament for ensuring the financial health of the College, and to the Courts for ensuring that the College is conducted in accordance with the Education Acts and the general law.
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## 17. Conflicts of Interest

1.	Governors should seek to avoid putting themselves in a position where there is a conflict (actual or potential) between their personal interests and their duties to the Corporation. They should not allow any conflict of interest to arise which might interfere with the exercise of their independent judgement.
2.	Under SCUC's Instrument of Government Governors must not take or hold any interest in any of SCUC's properties or receive any remuneration for their services (save as a member of SCUC's staff) without the written approval of the Secretary of State for Education and Employment.
3.	Under SCUC's Instrument of Government Governors must disclose, with sufficient detail to allow the nature of those interests to be understood by enquirers, to the Corporation any direct or indirect financial interest (see table above, section 9 for guidance) they have, or may have, in the supply of work or goods to or for the purposes of the College or in any contract or proposed contract concerning the College or in any other matter relating to the College or any duty which is material and which conflicts or may conflict with the interests of the Corporation.
4.	Governors must not receive gifts, hospitality or benefits of any kind from a third party which might be seen to compromise their personal judgement or integrity. Any offer or receipt of such gifts, hospitality or benefits should immediately be reported to the Clerk.
5.	The Clerk will maintain a Register of Governors' Interests, which will be open for public inspection. The Register will be updated, at least, annually.

## 18. Collective Responsibility

1.	The Corporation operates by Governors taking majority decisions in a corporate manner at quorate meetings. Therefore, a decision of Corporation, even when it is not unanimous, is a decision taken by the Governors collectively and each individual Governor has a duty to stand by it, whether or not he or she was present at the meeting of the Corporation when the decision was taken.
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## 19. Openness and Confidentiality [see Standing Orders]

1.	Because of the Corporation's public accountability, Governors should ensure that, as a general principle, there is access to information about the proceedings of the Corporation. Accordingly, agendas, minutes and other papers relating to meetings of the Corporation are included in SCUC's Publication Scheme under the Freedom of Information Act 2000.
2.	Governors should keep confidential any matter which, by reason of its nature, the Chairman or members of any Committee of the Corporation are satisfied should be dealt with on a confidential basis and should not be made available for public inspection.
3.	Staff and Student Governors have no right to access minutes dealing with matters in respect of which they are required to withdraw from meetings under SCUC's Instrument of Government.

4.	Governors should not make statements to the press or media or at any public meeting relating to the proceedings of the Corporation or its Committees without first having obtained the approval of the Chairman or, in his or her absence, the Vice Chairman.
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**To be signed by all Governors upon appointment:**

**Signed:** \_\_\_\_\_ **Print Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

And confirmed via BoardEffects Poll on a regular basis.

Date of First Approval	Feb 2005
Date of Last Approval	Dec 2020
Approval/Review Body(ies)	Corporation
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