



**BIRMINGHAM NEWMAN UNIVERSITY
University Governance**

Code of Conduct for Members of the University Council

Any person appointed as a Council Member of Birmingham Newman University agrees to:

1. Support the aims and objectives of the University and promote the interests of the University and its students in the wider community;
2. Work co-operatively with other Council Members in the best interests of the University;
3. Acknowledge that differences of opinion may arise in discussion of issues, but accept any decisions taken by agreement of the majority;
4. Base his or her view on matters before the Council on an honest assessment of the available facts, unbiased by partisan or representative views;
5. Acknowledge that as an individual Council Member, he or she has no legal authority outside the meetings of the Council and its committees;
6. Understand that an individual Council Member does not have the right, other than through the Chair and Council's agreement, to make statements or express opinions on behalf of the Council Members;
7. Resist any temptation or outside pressure to use the position of Council Member to benefit himself or herself or other individuals or agencies;
8. Declare openly and immediately any personal conflict of interest arising from a matter before the Council or from any other aspect of governance;
9. Respect the confidentiality of those items of business which the Council decides from time to time should remain confidential;
10. Take or seek opportunities to enhance his or her effectiveness as a Council Member through participation in training and development programmes and by increasing his or her own knowledge of the University;
11. Give priority, as far as practicable, to attendance at meetings of the Council and its committees;

12. Have regard to his or her broader responsibilities as a Council Member of a public institution including the need to promote public accountability for the actions and performance of the Council;
13. Provide details of current and future business interests to form the basis of a confidential register of business interests;
14. Each Council Member agrees:
 - a) To further the Charitable Objects – the conduct of a Roman Catholic University for the advancement of education, learning and research for the benefit of the public.
 - b) Accept the mission of the University:

“Newman University is committed to its motto ‘ex umbris in veritatem’ (out of the shadow into truth) and therefore provides high quality, accessible academic and professional education based on respect for others, social justice and equity. As a Catholic University, we seek to make a positive difference to individuals and communities through the contribution of our staff, students and graduates”.
 - c) To act always in the best interests of the University.
15. Subscribe to the “seven principles of public life” which the government’s Committee on Standards in Public Life believe should apply to all in the public service. These are:-

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 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.

Declaration of Fit and Proper Person Status, in accordance with the Office for Students' definition for Members of the University Council

The Office for Students defines a fit and proper person as follows.

A fit and proper person:

- is of good character
- has the qualifications, competence, skills and experience that are necessary for their role
- is able by reason of their health, after reasonable adjustments are made, to properly perform the tasks of the office or position for which they are appointed
- has not been responsible for, been privy to, contributed to, or facilitated any serious misconduct or mismanagement (whether unlawful or not) in their employment or in the conduct of any entity with which they are or have been associated.

The Office for Students provides the following indicators that a person may not be a fit and proper person:

- disqualification from acting as a company director, or from acting as a charity trustee, as set out in the Company Directors Disqualification Act 1986 or the Charities Act 2011
- conviction of a criminal offence anywhere in the world¹
- subject of any adverse finding in civil proceedings, where relevant, including, but not limited to bankruptcy or equivalent proceedings (in the last three years)
- subject of any adverse findings in any disciplinary proceedings by any regulatory authorities or professional bodies
- involvement in any abuse of the tax systems
- involvement with any entity that has been refused registration to carry out a trade or has had that registration terminated
- involvement in a business that has gone into insolvency, liquidation or administration while the person has been connected with that organisation or within one year of that connection
- dismissal from a position of trust or similar

¹ The OfS regulations state the OfS would not expect individuals to disclose matters that are 'spent' under the Rehabilitation of Offenders Act 1974, but they may do so if they wish. Particular consideration will be given by the OfS to offences of dishonesty, fraud, financial crime or an offence under legislation relating to higher education, further education and charities, whether or not in the UK.

- involvement with a higher education provider that has had its registration refused or revoked by the OfS or has had similar action taken against it by another regulator (this includes, but is not limited to, serving on a board/governing body, having voting rights, being a significant shareholder/owner, serving in a senior position, etc.)

December 2023

Yvonne Salter Wright
Clerk to the Council