

Participant Code of Conduct

Definitions

‘NGA’, or ‘we’ means the National Governance Association

‘Participant’ or ‘you’ means the person registered or applying to be registered as a participant in an NGA Leading Governance Programme

‘Programme’ means the course of study on which you have been accepted by NGA including all support and services provided by NGA for the participant to complete the appropriate study.

‘Application’ means the application for registration submitted by the participant in accordance with the participant rules and regulations.

‘Agreement’ means this contract between NGA and the participant created in accordance with the Terms and Conditions

“Code” or “Code of Conduct” means this code of conduct

1 Membership rights and code of conduct

- 1.1 When you register as a participant and receive confirmation from NGA that you have been registered, you can describe yourself as a ‘NGA Leading Governance participant’. You cannot describe yourself as an NGA Leading Governance graduate or having successfully completed the Programme and, if studying the Development for Clerks Programme, as having received the Level 3 Certificate, until you have satisfactorily completed your Programme and passed elements as required by NGA and have formally received a certificate from NGA confirming this.
- 1.2 As an NGA participant, you agree to behave in accordance with this Code of Conduct. If you fail to do so, it could lead to action against you and could affect your ability to continue studying or, on completion of your Programme, to be awarded the relevant qualification.

2 Programme rules

- 2.1 NGA will provide advice and support for you about how to study on the Programme you have registered for. It is your responsibility to attend all sessions and complete all

Development for Chairs and Clerks

learning activities and any assessments, assignments and other work or catch up with missed sessions, to organise the completion and submission of any written work and to find suitable persons to contribute to your diagnostics and other work as required.

- 2.2 You should read the introductory elements from your participant handbook and briefing emails you receive from NGA carefully before attempting any further work.
- 2.3 You need to let NGA know if you have technical problems accessing the Leading Governance portal.
- 2.4 NGA is not responsible if you do not choose to access the Leading Governance portal, fail to complete a diagnostic that has been set up for you, attend a face to face or mentoring session or if you fail to complete or submit work on time.
- 2.5 Any study materials or feedback received from NGA are for your use as an NGA participant only, and you should not share this information.

3 Expectations of participants and disciplinary procedure

- 3.1 Participants are expected to display the good conduct expected of those involved in governance as governors, trustees or clerks and to comply with this Code. Whilst inappropriate behaviour and misconduct is not expected from any participants, if it does occur it will be managed in accordance with the following paragraphs.
- 3.2 In addition to complying with your other obligations under this Code, you and your fellow participants are expected to
 - Show respect and care for other participants and NGA staff, facilitators and mentors
 - Commit to your programme and your learning
 - Attend every virtual and face to face session, on time, properly prepared
 - Attend or to be ready for each mentoring session, on time, properly prepared
 - Show respect and care for equipment, buildings and other people's property
 - Provide balanced and constructive feedback as to your experience of the Programme
 - Pay any fees which are due
 - Tell us as soon as you can if you think you may need additional support with your learning due to a disability or learning difficulty
 - Play an active part in promoting respect and challenging any form of discrimination or abuse
 - Keep confidential information shared with you by other participants in class or on an individual basis
 - Follow the reasonable instructions of NGA, its staff and representatives

Development for Chairs and Clerks

3.3 You and your fellow participants are expected to refrain from inappropriate behaviour of any sort including for example

- Behaviour or language which is hostile or shows prejudice towards individuals based on their disability, gender, race, religion, gender identity or sexual orientation
- Incorrect use of the Leading Governance portal
- Plagiarism
- Any behaviour inconsistent with the expectations under 3.2

3.4 You must comply with the terms and conditions of your Agreement and all applicable policies, protocols and regulations including those regulating your access and use of the Leading Governance portal which will include the terms of use and privacy policies of NGA and Virtual College which can be found here:

- [Terms and Conditions of Use](#)
- [Privacy Policy](#)

3.5 Failure to comply with expectations - procedure:
Stage 1 Informal approach

It is very much hoped that if there is any breach of this code of conduct, it can be resolved by the facilitator or mentor or other member of NGA staff having a quiet word with the participant immediately as any issue of concern arises. If for whatever reason this is not possible, or if it fails to resolve the issue, the following steps will be taken.

The facilitator, mentor or member of staff will notify the Leading Governance Manager of all issues of concern relevant to the case, particularly where behaviour is serious or repeated. These concerns will be recorded on the Participant Conduct Form (PCF1) and emailed to the Leading Governance Manager. All notes taken will be factual and avoid judgements and personal comments. The participant will be advised of the consequences by the Leading Governance Manager by email.

3.6 Stage 2

Where the cause for concern continues and no change of behaviour has occurred, the Leading Governance Manager will talk to the participant about the issue and if required will give a formal written warning. The warning will be conveyed to the participant in writing (PCF2) by the Leading Governance Manager. Practical measures to avoid recurrence will be identified and agreed by both the learner and the Leading Governance Manager.

Development for Chairs and Clerks

3.7 Stage 3

Where serious misconduct occurs or the misconduct is repeated after the Leading Governance Manager's formal warning, the participant will receive written notice (PCF3) from the Training and Consultancy Director, stating:

- The nature of the conduct and a summary of the evidence for the complaint
- The participant's entitlement to have an open hearing and to be accompanied by a friend or colleague
- Confirmation of the time and place of an interview, if appropriate

After hearing the learner's case, the Training and Consultancy Director may, within five days, make one of the following decisions:

1. No further action will be taken
2. The participant will receive a final written warning
3. The participant will be withdrawn from the Programme
4. Further investigation is needed before a final decision is made. This may include obtaining statements from fellow participants

Further investigation

- The Training and Consultancy Director may adjourn the hearing for a future date within the next ten working days to allow relevant evidence to be made available.
- The Training and Consultancy Director has the right to exclude the participant until the reconvened hearing.
- Copies of any documentary evidence will be provided to the participant at least five days before the next hearing
- Written statements which do not reveal the name of the witness will not be considered

Decision

- The Training and Consultancy Director will write to the participant within five working days with the decision along with reasons
- Refunds will not be issued and the participant may have to repay any funding already provided by any sponsor

4 Completion of the Programme

4.1 To successfully complete your Programme and be eligible for an award, you must satisfy the completion requirements as follows:

- For clerks, the requirements contained in the **Programme Completion and Award Protocol**.
- For chairs and boards, the requirements in the relevant participant handbooks

4.2 If you wish to defer you must comply with the **Cancellation, Deferral and**

Development for Chairs and Clerks

Withdrawal Policy.

- 4.3 If you do not re-join your Programme within 12 months of your deferral date you will be withdrawn from the Programme, as stated in the **Cancellation, Deferral and Withdrawal Policy**.

5 Extending deadlines and deferring

- 5.1 If you are unable to complete a diagnostic, attend a mentoring session or submit a piece of written work for reasons such as ill health or a close personal bereavement immediately beforehand, you can apply to NGA to extend your deadline under the **Development for Clerks Programme Completion and Award Protocol** or, for chairs and boards, as outlined in your participant handbook.
- 5.2 If you are unable to participate in any virtual or face to face element of your Programme for reasons such as ill health or personal bereavement, you can apply to NGA to transfer or defer your studies under the **Cancellation, Deferral and Withdrawal Policy**. If you do not apply or your request for deferral is unsuccessful then your non-participation could result in your failure to complete the Programme and the risk of being deemed withdrawn from the Programme and the further risk of having to repay fees for of any sponsored element of the Programme.

Extensions and deferrals are granted at NGA's discretion and must be made in accordance with the **Cancellation, Deferral and Withdrawal Policy**, and the **Development for Clerks Programme Completion and Award Protocol** or, for chairs and boards, your participant handbook.

- 5.3 NGA reserves the right to charge a fee for any extension or postponement.

6 Failure to participate or complete

- 6.1 Subject to 6.2 if you fail to participate in or complete any element of the Programme without the prior permission of NGA, this will be counted as non-participation or non-completion.
- 6.2 If your failure to participate in or complete any element of the Programme is for a good and unexpected reason beyond your control, you can contact NGA to explain why. At NGA's discretion, NGA may either grant an extension for participation or completion, the opportunity for a resubmission or offer the opportunity to defer your studies in accordance with the **Cancellation, Deferral and Withdrawal Policy**.

7 Programme completion results

- 7.1 Programme completion results will be sent by email to each participant. You are not able to

Development for Chairs and Clerks

appeal your result on the grounds that you do not agree with the judgement made by NGA or its staff or representatives about your participation or completion of any element of the programme or the quality of such participation or completion or any judgement as to your progress or levels of attainment other than through the Academic Appeal Procedure which can be found in the **Development for Clerks Programme Completion and Award Protocol** or, for chairs and boards, as outlined in your participant handbook.

7.2 If you believe any circumstance may have affected your performance on the Programme or any element of it, you may request for this to be considered by NGA before results are released. You must inform NGA in accordance with paragraph 8 below

7.3 After programme completion results have been published, NGA reserves the right to use your learning log/action plan/School Based Project for study support purposes. Your answers would always be used anonymously.

8 Request for consideration of circumstances negatively affecting your performance on the Programme

8.1 If you believe any circumstance caused by NGA may have negatively affected your performance on the Programme or any element of it, you may request for this to be considered by NGA before results are released.

9 Certificates

9.1 If you are eligible for a certificate your certificate will be presented at the Celebration Event.

9.2 If you are unable to attend the Celebration Event your certificate will be sent by email to the address you have provided on registration. You will need to let NGA know if you want the certificate sent to a different email address.

10 Participant agreement

As a participant you agree:

10.1 To abide by this Code and any changes as stipulated from time to time.

10.2 To observe any participation, cut-off or deadline dates set by NGA for any other matters related to your Programme.

10.3 To keep any information provided by NGA and any correspondence with NGA confidential.

Development for Chairs and Clerks

- 10.4 To be responsible for any consequences arising out of the publication, loss or disclosure by you of your online registration information or your Leading Governance portal username and password.
- 10.5 To remain responsible for all fees and charges and to pay all such fees and charges as stipulated by NGA for the Programme.
- 10.6 Not to infringe, and to take all reasonable steps to protect, the copyright or other intellectual property rights of NGA.

11 NGA agreement

NGA agrees:

- 11.1 To treat its participants with courtesy and respect.
- 11.2 To treat its participants fairly and consistently.
- 11.3 To deliver a quality service to its participants.

12 Statutory rights

Nothing in this Code shall operate to affect the statutory rights of either party.