

# POLICY FOR THE APPOINTMENT AND ELECTION OF MEMBERS TO THE COLLEGES'S GOVERNING BODY

July 2018



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## **Winstanley College Board of Governors Policy for the Appointment and Election of Members to the College's Governing Body**

### **Introduction**

Winstanley College is committed to equality of opportunity. The Governing Body will ensure that no applicant will receive less favourable treatment on any grounds other than those relating to their ability to become a governor. The College and its governing body are committed to a programme of action to make this policy fully effective.

The Board of Governors will seek to ensure that all governor members are appointed on merit, in accordance with an open selection procedure carried out by the Governing Body's Search Committee, and are drawn widely from the community which the College serves. The Board of Governors should have regard to the provisions relating to the membership of the Board in the College's Instrument of Government, the need to combat discrimination and to promote equality, and the need to make available a range of necessary and appropriate skills and experience to ensure that the Governing Body carries out its functions under the College's Articles of Government.

### **1. Membership of the Governing Body**

The Board of Governors of Winstanley College has determined that the number of Governors will be 17. The membership is made up as follows:

11 Members who are known as governors;

1 Parent governor;

2 Staff governors (one teaching and one support staff member);

2 Student governors who are full time students at the College;

The Principal is ex officio a member for as long as she/he holds the position of Principal and Chief Executive of Winstanley College.

### **2. Appointments to the Governing Body**

The Winstanley College Board of Governors is the appointing authority in relation to the appointment of any member of the Board other than as an elected member as set out in the College's Instrument and Articles of Government.

### **3. Eligibility**

All applicants to the Board of Governors will be asked to complete and sign a declaration of eligibility when an application is submitted to the College.

The Board may decline to appoint any person nominated and elected as a parent, staff or student governor, if that person is ineligible to be a member of the Board as provided for in clause 5(3) and clause 8 of the Instrument of Government.

### **3. Safeguarding**

The Governing Body amended their policy on safeguarding and DBS checks for governors at a properly constituted meeting held on 18 April 2016 in response to the changes surrounding safeguarding legislation and the role of governors which is endorsed by SFCA such that all governors should now have a DBS enhanced check which is conditional on their appointment.

On appointment, a governor will be asked to undertake this check. Until the check has been completed the individual governor will be asked to sign in during the College day and wait to be accompanied to all venues and appointments.

The Personnel Department hold the College's Single Central Record (CSR). The Department will be asked to oversee and administer this check for governors and will hold the relevant data on the Volunteer tab of the register for access by appropriate personnel, auditors and Ofsted

### **4. Interview Arrangements**

Prior to interview by members of the Search Committee, interested applicants will be given the opportunity to visit the College and to meet the Clerk to find out more about the role before being asked to submit a formal application and declaration of eligibility form. The Search Committee will conduct an interview of the candidate(s) and a recommendation will be made to the Board of Governors.

For candidates who are invited to interview and who subsequently advise the Clerk of a disability, reasonable adjustments will be made to accommodate the individual during the interview process.

### **5. Appointment of Governors**

At the first available meeting the Board must be informed of the vacancy of a governor which has arisen either through resignation or death of the post holder. The Search Committee will interview prospective governors. At the meeting following such interviews, the Search Committee will advise the Board of the outcome and make a recommendation. The appointing authority is the whole Board.

Governors are eligible for re-appointment at the end of a term of office. Governors should signify to the Clerk their willingness to serve for another term. Renewal is not automatic and takes place after proper consideration of the governor's attendance, contribution to the work of the College and assessment against the skills audit.

The Governing Body has agreed that re-appointments will be considered by the Search Committee and referred to the Board of Governors for appointment as with a first term of office. A rigorous and robust review will be undertaken and if there are other candidates, then the member submitting a re-application will be considered alongside those other external candidates.

The Clerk to the Governors will give notice to the member of the expiry of a term of office six months prior to the expiry date after this has been considered by the Search Committee. The Record of Governors is a standing item at all Search Committee meetings. If the member seeks re-appointment then the appropriate arrangements will be put in place to interview and fill the vacancy.

A vacancy arising due to an existing governor completing his/her term of office and not wishing to seek re-appointment shall be filled as if the individual member had resigned.

#### **6. Appointment of External Co-opted Governors**

If the Board or a committee of the Board decides that an external co-opted member should be appointed to support or enhance the skills and experience of the existing members of the Board of Governors, an open and transparent process will be followed in accordance with all appointments to the Board. The identified individual will be interviewed by the Search Committee and a recommendation made to the Board.

#### **7. Appointment of a Parent Governor**

To stand for election and to seek office as a parent governor, the individual must be a parent or guardian of a student currently attending a full time course at Winstanley College at the time of their appointment. The parent may remain a member of the Board until the end of their term of office even if their son(s) or daughter(s) leave college during their term of office. The Board has decided that the term of office for this category of governor is 2 years from the date of the appointment but in any event will finish at the end of a financial year i.e. 31 July.

Parents of all students at College will be notified of the forthcoming election. A variety of methods for communicating a vacancy will be used to attract parents to the role of Governor. Parents will be invited to express an interest in standing for office and will be given the opportunity to find out more about the role before signifying their willingness to stand for election. Communication will be by email and an on-line election will be held.

Prospective parent governor(s) will be asked to complete a self-nomination form signifying that they are a bone fide candidate. An on-line election will be held if more than one parent candidate stands for election. A parent member will be elected by the parent body by ballot. The Board has approved a procedure to be followed for the election of a parent governor. Due to the nature of their office, parent Governors are not eligible for re-appointment as a parent member unless the individual has a son or daughter at the College. An application for a second or subsequent term of office as a 'member' may be submitted in the normal way should the parent wish to be considered in another category.

#### **8. Appointment of Staff Governors – 2 members**

Members of staff wishing to stand for appointment to the Board of Governors must have a contract of employment with Winstanley College.

Due to the nature of their office, staff Governors are not eligible for re-appointment unless they have been re-nominated by their staff colleagues.

The Board of Governors of Winstanley College has two staff Governors, one governor nominated and elected by the teaching staff and one governor nominated and elected by the support staff, each group holding a separate ballot for their nominee. The period of office for staff governors is a four year term.

The Board has approved a procedure for the election and appointment of staff governors.

#### **9. Appointment of Student Governors – 2 members**

The Board of Governors at Winstanley College has two Student Governors.

The Board has agreed that the term of office for a student governor shall be up to 20 months until 30 June in their upper sixth year.

To be eligible, an individual must be a member of the student body at Winstanley College during any term of office. Within the Instrument of Government there is provision for membership under this category to terminate automatically on the individual ceasing to be a student at College.

In the event of a student resigning during his/her term of office, the Board should consider the most appropriate option having regard to the practicalities of calling another election, the length of term un served and the need to ensure that vacancies are filled. In these circumstances the Board may choose to re-visit the results of this election and approach the candidate who came second.

All lower sixth students will be invited to express interest in becoming a student governor. This interest will be garnered by holding a series of drop in events with input and support from the Assistant Principal (Support for students). Upon receipt of these expressions of interest, students will then be asked to complete an application form setting out their reasons for applying, it is proposed that the Principal, Clerk, Chair of Search and some other members of the Search committee (to be agreed) meet and interview the candidates ahead of them standing for election.

The interview, vetting process would have as its aim the following:

The interview process is to find out those who have made an effort to understand what the role involves and to ensure that they have the necessary time to commit to the role. It is made very clear what the expectations are of the role. Students are shown a sample set of papers so they get a feel of what they will need to read before each meeting and they are shown the schedule of meetings for the year so that they know that it is a regular commitment.

#### **10. Procedure for the Election and Appointment of Parent and Staff Governors**

A procedure for the election and appointment of parent and staff governors has been drawn up and is shown below:

- Elections conducted on behalf of the Board of Governors must be seen to be fair, honest and open.
- Elections will be conducted on-line.
- In any election the Clerk will be the returning officer. The successful candidate in any election will be expected to attend Board and Committee meetings and to contribute fully to the work of the governing body.
- Elections will be conducted by the Clerk and the assistant to the Clerk.
- The elections for the appointment of a parent, staff or student members shall be open to the relevant category of membership subject to the following conditions.
  
- **Parent Member:** The election will be open to all parents who have a son/daughter in full- time education at Winstanley College.

- **Support Staff Member:** The election will be open to all support staff i.e. those members of staff who are not teachers and who hold a support staff contract and are employed by the College in either a full time or part time capacity.
- **Teaching Staff Member:** The election will be open to all members of staff who hold a teaching contract and are employed at the College in either a full time or part time capacity.
- The Board has a duty to ensure that all candidates have a clear understanding of their role and the degree of commitment required before an appointment is made. With this in mind it is often possible for parent, staff and student candidates to attend a Board Meeting as an observer before declaring their candidacy.
- A student or staff member will cease to be a member of the governing body if he/she ceases to be a student or an employee of the College.
- If only one candidate is nominated for the above mentioned vacancies by the closing date for receipt of nominations, that candidate will be elected unopposed. If there are two or more candidates a ballot (an on-line election) will be arranged by the Clerk.
- The Clerk will draw up a timetable for the relevant elections which will be available to the candidates.
- With the exception of parent candidates who can self-nominate, using an approved form, staff and student candidates must be proposed and seconded in writing using an approved College nomination form.
- All candidates should signify their acceptance for their nomination and confirm that they are willing to be a governor. A declaration of eligibility form should also be completed at this point.
- Candidates may canvass for elections by placing their mandate, in the case of students and staff, on the intranet via the Clerk and on authorised display boards. Prospective parent governors will be invited to write a mandate which will accompany the ballot form for election.
- The software used for on-line elections only allows one vote per person.
- Results will be collated and analysed using the software and the outcome reported to the Clerk.
- The candidate receiving the highest number of votes will be elected and appointed to the Board.
- In the event of a tie in the number of votes cast, a further election will be held.
- The Clerk will inform the Chair of the Governing Body and the Chair of Search of the result and the votes cast.
- The result of staff elections will be announced by email and on the staff intranet site.
- The successful parent will be contacted by the Clerk and the result announced on the College's web site, parents' portal.

The Chair of the Governing Body will have overall responsibility for ensuring that the elections are carried out in accordance with this approved procedure.

## **11. Publication and Review of the Policy**

The Policy will be published on the College's web site, governance web page.

The Board of Governors approved this policy on 3 July 2017 subject to the review of the appointment of student governors which will be included at a later date.  
The policy will be kept under regular review and is reviewed on an annual basis.

Next review date summer term 2019

The Application form has also been reviewed by the Search Committee to ensure compatibility and compliance with College procedures.

## **APPENDIX 1**

### **Role Description**

**Title:** Member of the College's Governing Body

**Responsible to:** The Chair of Governors and Governor Colleagues

### **Context**

Winstanley College is a large, oversubscribed and highly successful sixth form college that has been in existence for over 30 years. The College has a strong reputation for academic excellence, comprehensive pastoral care and an extensive enrichment programme.

Governor appointments are personal appointments made to the individual concerned. These appointments are solely voluntary and are challenging and rewarding positions providing the opportunity to work with an extremely successful College with an excellent reputation. Becoming a governor at Winstanley College offers an exciting opportunity to get involved with the strategic management and decision-making of one of the top Sixth Form Colleges in England.

### **Governor Member Specification**

1. A commitment to the College's aims and objectives, mission and strategic objectives.
2. Relevant skills and competencies identified by the Board to support good governance.
3. Providing leadership and direction for the College and its senior management.
4. Able to fulfil the time commitments of membership.
5. Prepared to undertake training and professional development to fulfil the role.
6. Prepared to accept and abide by the Code of Conduct and policies of the Board
7. A commitment to inclusivity.

### **Background**

Further Education Colleges were incorporated in 1993 and thence became self-governing and responsible for their own affairs. The Winstanley College Board is accountable for the financial health and good management of the College, its quality processes and for the proper use of the public funds entrusted to it. The success of the College, both as a public body and as an

educational institution is influenced by the effectiveness with which the Governing Body carries out its business.

In accordance with the Instrument of Government members will be appointed as governors or as staff, student or parent members.

With certain exceptions, the maximum term of office for a Governing Body Member is 4 years. Members may be considered for re-appointment on expiry of their term of office.

It should be emphasised that Board Members are appointed to act solely in the interests of the College. They do not have a representative role and are specifically prevented by the College's Instrument of Government from speaking and voting according to mandates given to them by other bodies or persons.

## **Members' Role**

### **Article 3**

The Board is responsible:

- For setting the strategic direction of the College;
- For the determination of the College's educational character and mission and oversight of its activities and publishing its arrangements for obtaining the views of staff and students in this respect.
- For approving the Quality Strategy of the College;
- For the effective and efficient use of resources, the solvency of the institution and the Board and for safeguarding their assets;
- For approving the annual estimates of income and expenditure;
- For the appointment, grading, suspension, dismissal and determination of the pay and conditions of service of the holders of senior posts;
- For setting a framework for the pay and conditions of service of all other staff;
- For monitoring progress towards achievement of the College's agreed targets;
- For assisting in the formulation and monitoring of the College's strategic objectives which will provide the essential framework for the internal management of the College;
- For setting measurable annual targets to support the College's one year improvement plan and budget;
- For supporting a commitment to self assessment and continuous improvement of College governance;
- For attending appropriate governor induction and training days as required;

### **Members will also be expected to:**

- Serve on at least one standing committee of the Board as required;
- Have a high level of attendance at Board and committee meetings;
- Be prepared to read and consider papers circulated in advance of meetings;
- Be involved if called upon to act in any disciplinary and complaints procedures;
- Represent the Board at official functions;

## Members' Responsibilities

- To act in the best interests of the College with collective corporate decision making set in the context of the College's mission and strategic aims;
- To show the highest loyalty to the College and observe the standards of public duty as set out in the College's Code of Conduct;
- To comply with the Instrument and Articles of Government, the College's Standing Orders, the Funding Agreement entered into with the Education Funding Agency, the College's Code of Conduct and the College's Financial Regulations and procedures laid down by the Governing Body.
- Not to take or hold any interest in any College property or receive any remuneration for their services (save as a member of staff) subject to Charity Law;
- To disclose openly to the Board any personal, financial or perceived conflicts of interest arising from a matter before the Board and/or its committees or from any other aspect of Board business, having first completed an annual declaration of interests.
- To respect the confidentiality of those items of business which the Board decides from time to time should remain confidential.
- To support decisions of the Board and its committees once they have been reached on the basis of collective corporate responsibility even if they have spoken against them in meetings such that all governors subscribe to collective responsibility following due diligence and consideration of all of the options
- To give priority to attending meetings of the Board and appropriate standing committees of the Board;
- To understand that statements may only be made on behalf of the Governing Body by those authorised to do so.

## Time Commitment

**The governing body** holds between four and five meetings in any one academic year. The Board may convene a special meeting in the event that there is urgent business which cannot wait until the next scheduled meeting. Board Meetings begin at 6.00pm on a Monday evening.

**The Audit Committee** holds 3 meetings in any one academic year commencing at 6.00pm on a Wednesday evening.

**The Curriculum and Quality Committee** holds 4 meetings in any one academic year commencing at 6.00pm on a Wednesday evening.

**The Finance and Resources Committee** holds 4 meetings in any one academic year to accommodate the management accounts and budgeting cycles. Meetings are normally held on a Monday or Wednesday evening commencing at 6.00pm.

**The Search Committee** holds approximately 3 meetings per year, depending on the requirement to recruit new Board members. Meetings normally commence at 6.00pm on a Monday evening.

**The Remuneration Committee** meets annually.

An **Appeals Committee** would be convened as and when required to deal with disciplinary matters.

Other committees will be convened as the need arises to conduct the College's business and will be given terms of reference which are approved by the Board of Governors.

## APPENDIX 2

### Appointment of Members to the Governing Body: Person Specification for membership of the College's Governing Body

The aim of this document is to identify the qualities, skills and expertise required for membership of the Winstanley College Board.

#### Person Specification

Members of the Governing Body must be committed to the Mission and strategic objectives of the College and be willing to promote the interests of the College and its students in the wider community.

Criteria	Essential	Desirable	Assessed by
<b>Qualities</b> <ul style="list-style-type: none"> <li>• An interest in 16-19 education in a sixth form college.</li> <li>• A commitment to the principles of public life – selflessness, integrity, objectivity, accountability, openness, honesty and leadership</li> <li>• A willingness to give time freely to Board activities</li> <li>• Commitment to strengthening College links with its partner schools, local business and the local community.</li> </ul>	√		Interview
	√		Application
	√		Interview
		√	Interview
<b>Skills</b> <ul style="list-style-type: none"> <li>• Specialist, transferrable skills and knowledge relevant to the needs of the Board</li> <li>• Connections within the area served by the College through business, work or place of residence</li> <li>• Ability to analyse complex problems</li> </ul>	√		Application
		√	Interview
		√	Interview
<b>Time</b> <ul style="list-style-type: none"> <li>• A willingness to take part in College activities and events</li> </ul>	√		Interview

<ul style="list-style-type: none"> <li>• A willingness to participate in training and development activities for Board members</li> <li>• Available to attend an average of up to four Board meetings per year, including one strategic planning session, and other committee meetings as appropriate</li> </ul>	<p style="text-align: center;">√</p>		<p style="text-align: center;">Interview</p>
<p><b>Relevant discrimination legislation</b></p> <ul style="list-style-type: none"> <li>• Be committed as an employer to equality and diversity</li> <li>• Observe good practice in discrimination legislation</li> </ul>	<p style="text-align: center;">√</p>		<p style="text-align: center;">Interview</p> <p style="text-align: center;">Application</p>

## APPENDIX 3

### Person Specification for the Chair of the Board

The Chair of the Governing Body must be committed to the aims and objectives of the College, the College's Mission and Strategic Objectives and be willing to promote the interests of the College and its students in the wider community.

	Criteria	Essential	Desirable	Mandate
<b>Qualities</b>	An interest in 16-19 education at a sixth form college.	√		
	A commitment to the principles of public life – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.	√		
	A willingness to be able to give an appropriate amount of time to College governance with the support of the Clerk. To be available for meetings with the Clerk and Principal on a regular basis.	√		
	Commitment to strengthening College links with its business and local community partners.			√
<b>Skills</b>	Specialist skills and knowledge relevant to the needs of the Board including the ability to take a financial overview.			√
	Connections with the area served by the College through business, work or place of residence would be advantageous.			√
	Ability to analyse complex problems.		√	
	Good interpersonal skills and the ability to listen to others and involve all members in the debate.	√		
	Clear understanding of the 'corporate' role of the Board and the need to ensure that all decisions reflect this aspect of governance.			√
	Leadership skills.	√		

<b>Experience</b>	Experience at senior level of the management and operation of a commercial or public service organisation or educational background would be advantageous.		√	
	A member of the College Board for a minimum of two years would be advantageous.		√	
	Experience as a committee Chair and or Vice Chair.		√	
<b>Time</b>	A willingness to take part in College activities and events.	√		
	A willingness to participate in training and development activities specifically for the Chair of the Board.	√		
	Available to attend an average of four Board meetings per year, including one half day strategic planning session, and other committees and meetings as appropriate.	√		
	Regular meetings with the Principal, Clerk and other Senior Post holders.	√		
	Regular contact with the Clerk to the Governors.	√		
	Support the Principal and Clerk as appropriate.	√		
<b>Equal Opp.</b>	Be committed as an employer to equal opportunities.	√		
	Be committed as an employer to equality and diversity.	√		

## **APPENDIX 4**

### **Role and Responsibilities of the Chair**

- 1.** To ensure the management of governance with the professional and advisory support of the Clerk such that appropriate issues are brought to the Board, that the business at Board meetings is conducted efficiently and effectively, that the issues before the Board are debated fully, that all governors have the opportunity to contribute and discussions and that collective corporate decisions are properly summarised and recorded.
- 2.** To exercise a second or casting vote where there is an equality of votes on any issue at a Board meeting.
- 3.** To exercise any specific authority delegated by the Board together with a general delegated authority to act, after consultation with the Principal and the Clerk, on any issue arising which is both urgent and important which would normally be dealt with by the Board but which cannot wait for the next meeting. Such actions will be reported to the Board for information at the next available meeting.
- 4.** To develop and maintain an effective working relationship with both the Principal and the Clerk based on a full understanding of their roles and the corporate responsibility and role of the governing body in the governance of the College.
- 5.** To provide clear and decisive leadership for the Board of Governors.
- 6.** Where relevant and appropriate to offer both general and specific support to the Principal when there are specific strategic, major or contentious issues to be dealt with.
- 7.** To appraise the Principal and to ensure that there are appropriate opportunities for CPD for the Principal.
- 8.** To instigate disciplinary action against the holders of senior posts should the need arise.
- 9.** To oversee and arrange the appraisal of the work of the Clerk to the Governors.
- 10.** To represent the College and the Board on appropriate occasions and to handle relations with the media on behalf of the Board with the Principal.

## APPENDIX 5

### Person Specification for the Vice Chair of the Board

The Vice Chairs of the Governing Body must be committed to the aims and objectives of the College, the College's Mission and Strategic Objectives and be willing to promote the interests of the College and its students in the wider community.

The Board has currently appointed two governors to serve as Vice Chairs of the Board. This is set out in Standing Orders but has not been changed in the College's Instrument of Government. These appointments are part of the Board's succession planning following the long service of the current Chair.

Criteria		Essential	Desirable	Mandate
<b>Qualities</b>	An interest in 16-19 education at a sixth form college.	√		
	A commitment to the principles of public life – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.	√		
	A willingness to be able to give an appropriate amount of time to College governance with the support of the Clerk. To be available for meetings with the Chair, Clerk and Principal as necessary.	√		
	Commitment to strengthening College links with its business and local community partners.			√
<b>Skills</b>	Specialist skills and knowledge relevant to the needs of the Board including the ability to take a financial overview.			√
	Connections with the area served by the College through business, work or place of residence would be advantageous.			√
	Ability to analyse complex problems.		√	
	Good interpersonal skills and the ability to listen to others and involve all members in the debate.	√		

	Clear understanding of the 'corporate' role of the Board and the need to ensure that all decisions reflect this aspect of governance.			√
	Leadership skills.	√		
<b>Experience</b>	Experience at senior level of the management and operation of a commercial or public service organisation or educational background would be advantageous.		√	
	A member of the College Board for a minimum of two years would be advantageous.		√	
	Experience as a committee Chair and or Vice Chair.		√	
<b>Time</b>	A willingness to take part in College activities and events.	√		
	A willingness to participate in training and development activities specifically for the Vice Chair of the Board and to hone skills as for the role of Chair.	√		
	Available to attend an average of four Board meetings per year, including one half day strategic planning session, and other committees and meetings as appropriate.	√		
	Deputise for the Chair of Governors.	√		
	Appropriate contact with the Clerk to the Governors.	√		
	Support the Principal and Clerk as appropriate as Vice Chair and on behalf of the Chair.	√		
<b>Equal Opp.</b>	Be committed as an employer to equal opportunities.	√		
	Be committed as an employer to equality and diversity.	√		

## **APPENDIX 6**

### **Role and Responsibilities of the Vice Chair**

- 1.** To ensure the management of governance with the professional and advisory support of the Clerk such that appropriate issues are brought to the Board in the absence of the Chair, that the business at Board meetings is conducted efficiently and effectively, that the issues before the Board are debated fully, that all governors have the opportunity to contribute and discussions and that collective corporate decisions are properly summarised and recorded.
- 2.** To exercise a second or casting vote where there is an equality of votes on any issue at a Board meeting where the Vice Chair is acting as Chair for the meeting.
- 3.** To exercise any specific authority delegated by the Board in the absence of the Chair or as Vice Chair together with a general delegated authority to act, after consultation with the Principal and the Clerk, on any issue arising which is both urgent and important which would normally be dealt with by the Board but which cannot wait for the next meeting. Such actions will be reported to the Board for information at the next available meeting.
- 4.** In the absence of the Chair to maintain the effective working relationship which has been established with both the Principal and the Clerk based on a full understanding of their roles and the corporate responsibility and role of the governing body in the governance of the College.
- 5.** To provide clear and decisive leadership for the Board of Governors as required.
- 6.** In the absence of the Chair or when acting for the Chair and when appropriate to offer both general and specific support to the Principal when there are specific strategic, major or contentious issues to be dealt with.
- 7.** With the Chair to appraise the Principal and to ensure that there are appropriate opportunities for CPD for the Principal.
- 8.** To instigate disciplinary action against the holders of senior posts should the need arise.
- 9.** To oversee and arrange the appraisal of the work of the Clerk to the Governors with the Chair of Governors.
- 10.** To represent the College and the Board on appropriate occasions and to handle relations with the media on behalf of the Board with the Principal as and when appropriate.