

Governor Recruitment and Appointment Policy

Review

Formal Review Cycle	3 yearly		
Latest Formal Review (date)	June 2024	Next Formal Review Due (date)	June 2027
Policy Owner	Head of Corporate Governance & Policy		
Policy Author	Christine Stretesky		

Approvals

Board of Corp Y/N	Y	Committee	Governance	Date Board approved	02.07.24
ELT Y/N	N	ELT date approved		Additional committee	

Publication

Website Y/N	Y	Unify Y/N		Student VLE Y/N		Other	
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Change History

Version	Date Reviewed/ Revised	Description of Change	Reviewed by	Approved by
1.0	May 2024	Updated to reflect current format and practice	C Stretesky	

Governor Recruitment and Appointment Policy

1. Policy Statement

- 1.1. This policy is a policy of the City of Sunderland College, trading as Education Partnership North East (which includes Sunderland College, Hartlepool Sixth Form College and Northumberland College). These colleges will be referred to as “the College” throughout this document.
- 1.2. The Corporation recognises that for corporate governance to be highly effective, it must ensure its membership include a balance of those with the necessary skills, knowledge, values, behaviours and backgrounds that lead to high-level leadership and decision making.
- 1.3. The Corporation seeks to appoint governors and co-optees with values aligned with the College and high levels of integrity.
- 1.4. In order to achieve this, careful consideration must be made in the appointment of independent, staff and student governors as well as co-opted members of the Board’s committees.

2. Scope

- 2.1. This policy applies to the Board of Corporation during the recruitment and appointment of independent, staff, students and associate governors and co-opted members of its committees.

3. Aims of the Policy/Underpinning Principles

- 3.1. The aim of this Policy is to provide for a fair and transparent process over the recruitment and appointment of governors and co-optees that bring the necessary skills, knowledge, values and behaviours to the membership.
- 3.2. A further aim of this Policy is to ensure any recruitment or appointment process celebrates differences and seeks to create a Board with a good balance of members based on gender, gender reassignment, age, ethnic origin, disability, sexual orientation and other backgrounds not normally represented in such positions.
- 3.3. It is imperative that any person appointed as governor or co-optee meet the requirements of eligibility as provided in the Instrument and Articles of Government.
- 3.4. As the College values diversity and inclusion and is committed to promoting equal opportunities and eliminating discrimination. Therefore, everyone will apply and administer this policy fairly and consistently to ensure that there is no discrimination on the grounds of age, disability, gender reassignment, marital and civil partnership status, pregnancy and maternity, race, religion or belief, sex, sexual orientation, persons in care and care leavers, carers and care givers, young parents, youth offenders, and those receiving free school meals.

4. Responsibilities

4.1. The Board of Corporation is responsible for:

- The appointment of eligible, qualified and suitable governors and co-optees
- Upon vacancy take all necessary steps to fill the vacancy as soon as practicable

4.2. The Governance Committee is responsible for:

- Identifying the membership needs through analysing skills and networking gaps
- Maintaining a succession plan for Board membership

- Ensuring an appropriate balance of gender, age, ethnic origin, disability and sexual orientation in membership
- Considering the need for co-option onto a committee
- Leading the recruitment for governor and co-optees
- Comprising an interview panel for the purpose of selecting new members
- Making recommendations to the Board of Corporation on appointments

4.3. The Head of Corporate Governance and Policy is responsible for:

- Carrying out skills audit to assist in the identification of skills gaps
- Maintaining data to provide Governance Committee with an understanding of the diversity of membership
- Create publicity to attract candidates
- The administration of the recruitment and appointment processes

5. Implementation

5.1. Recruitment

5.1.1. The College seeks to recruit a high caliber of candidate to the role of governor.

5.1.2. Recruitment activities may include any or all of the following:

5.1.2.1. Open recruitment of the role through information on the EPNE website

5.1.2.2. External recruitment services

5.1.2.3. Internally lead recruitment including adverts locally, regionally and nationally

5.1.3. Use of external recruitment services will be at the discretion of the Head of Corporate Governance and Policy.

5.1.4. All recruitment activities will ensure those members of groups underrepresented within the Board membership are made to feel welcome to apply.

5.2. Appointment

5.2.1. Independent Governors and Co-opted Members of Committees

5.2.1.1. The eligibility criteria for Independent Governors on Board of Corporation are set out in the Instrument & Articles of Government. Co-opted members of committees must meet these eligibility requirements.

5.2.1.2. Prospective Independent Governors shall be required to declare their eligibility in a form prescribed by the Head of Corporate Governance and Policy.

5.2.1.3. Independent Governors shall express their interest in becoming a Governor by way of a letter of interest accompanied by their CV.

5.2.1.4. The application process includes a skills matrix which prospective Governors must complete as part of their application. This assists the Board in identifying those Governors with desirable / preferred skillsets.

5.2.1.5. Independent shall be subject to an informal interview by the Chief Executive and the Head of Corporate Governance and Policy.

5.2.1.6. Following the informal interview, and after a conversation between the Chair of Corporation, Chief Executive and the Head of Corporate Governance and Policy the prospective Governor may be invited for an interview with a panel of Independent Governors.

5.2.1.7. The application and interview feedback shall be reviewed by the Governance Committee. Subject to the recommendation of the Governance Committee, the Head of Corporate Governance and Policy will seek a declaration of interests, check eligibility for

appointment (via governor declaration) and present the nomination to the Corporation Board for approval.

- 5.2.1.8.** In accordance with the Instrument and Articles of Government, the final decision to appoint all Independent Governors and Co-opted Members rests with the Corporation as the appointing authority.
- 5.2.1.9.** Following Corporation Board approval, the Head of Corporate Governance and Policy will issue a formal letter of appointment to the new member indicating the term of office and resignation procedure, provide them with a copy of the Standing Orders and commence the Governor induction process.
- 5.2.1.10.** The process for appointment of Co-opted Members of committees is the same as Independent Governors.
- 5.2.1.11.** The initial period of office for an Independent Governor shall normally be four years. On reappointment, the period of office will be up to four years and set with consideration of the risk that several members might leave at the same time. The maximum total term of office shall be eight years unless there are exceptional circumstances.
- 5.2.1.12.** The initial term of office for a Co-opted Member of a committee is two years. A person may serve two terms as a Co-optee.

5.2.2. Staff Governors

- 5.2.2.1.** The eligibility criteria for Staff Governors on the Board of Corporation are set out in the Instrument & Articles of Government.
- 5.2.2.2.** Prospective Staff Governors shall be required to declare their eligibility in a form prescribed by the Head of Corporate Governance and Policy.
- 5.2.2.3.** According to the Instrument of Government, there shall be one Staff Governor on the Board of Corporation who may be either academic or business support staff.
- 5.2.2.4.** Applications for Staff Governor shall be sought via expressions of interest and an accompanying CV.
- 5.2.2.5.** Regardless of the number of applications, all candidates will be invited for an interview.
- 5.2.2.6.** The Head of Corporate Governance and Policy shall organise the interviews. The interview panel will consist of Independent Governors.
- 5.2.2.7.** The successful candidate shall be submitted to the Board of Corporation upon the recommendation of the Governance Committee.
- 5.2.2.8.** Following approval by the Corporation Board, the Head of Corporate Governance and Policy will issue a formal letter of appointment to the new member indicating the term of office and commence the Governor induction process.
- 5.2.2.9.** The period of office for a Staff Governor shall normally be four years. On reappointment, the period of office will be up to four years.
- 5.2.2.10.** A Staff Governor shall no longer hold office should their employment at the College cease either through resignation or termination.
- 5.2.2.11.** Where a Staff Governor resigns within six months of their initial appointment, the second-placed candidate identified during the interview process shall be offered the position for the remainder of the original term.

5.2.3. Student Governors

- 5.2.3.1.** The eligibility criteria for Student Governors on the Board of Corporation are set out in the Instrument & Articles of Government.
- 5.2.3.2.** Prospective Student Governors shall be required to declare their eligibility in a form prescribed by the Head of Corporate Governance and Policy.
- 5.2.3.3.** According to the Instrument of Government, there shall be at least one and not more than two Student Governors Board of Corporation with one on a programme at Level 3 or below and one on a programme at Level 4 or above.

- 5.2.3.4. Applications for Student Governors shall be sought via expressions of interest and an accompanying CV.
- 5.2.3.5. Regardless of the number of applications, all candidates will be invited for an interview.
- 5.2.3.6. The Head of Corporate Governance and Policy shall organise the interviews of Student Governor candidates. The interview panel will be made up of Independent Governors and no less than one and no more than two students.
- 5.2.3.7. The successful candidate shall be submitted to the Board of Corporation upon the recommendation of the Governance Committee.
- 5.2.3.8. Following approval by the Corporation Board, the Head of Corporate Governance and Policy will issue a formal letter of appointment to the new member indicating the term of office and commence the Governor induction process.
- 5.2.3.9. The term of office for Student Governors is the duration of their studies on the programme in which they were studying upon appointment.

5.3. Re-appointment

- 5.3.1. The Head of Corporate Governance and Policy is responsible for monitoring Governor Terms of Office and reporting this to the Governance Committee.
- 5.3.2. Where a vacancy has arisen because of resignation (or for Staff and Student Governors, where the Governor has ceased to be a member of staff or a student) the Head of Corporate Governance and Policy shall notify the Governance Committee and commence the relevant recruitment process as outlined above.
- 5.3.3. In all other circumstances, the Head of Corporate Governance and Policy shall notify the Governance Committee three months in advance of the expiry of a Governor's term.
- 5.3.4. Within three months of the expiry of a Governor's term, the Chair of the Corporation will contact the Governor to ascertain their interest / willingness to remain on the Board for a further term. The Head of Corporate Governance and Policy will also discuss the agreement of a further term with the Chair of Corporation. On completion of this process the Head of Corporate Governance and Policy will make a recommendation to the Search Committee. Where it is agreed to offer a second term the Head of Corporate Governance and Policy shall arrange the necessary paperwork for obtaining Board of Corporation approval.
- 5.3.5. Governors who do not seek a second term or whose second term has expired, shall receive a formal letter of notification from the Chair of the Corporation, thanking them for their service. As provided in the Instrument and Articles, should business continuity require, a Governor coming to the end of their second term may have their term extended by one year.

5.4. Disclosing and Barring Service (DBS)

- 5.4.1. All Governors and Co-opted members with the exception of Student Governors are subject to an enhanced DBS check upon appointment. Governors shall not be charged for this service.
- 5.4.2. The Head of Corporate Governance & Policy shall ensure a risk assessment is in place for each Governor until such a time as the enhanced DBS has been received.
- 5.4.3. All relevant Governors are required to complete an annual DBS declaration.

5.5. Eligibility /Fit and Proper Person

- 5.5.1. The Board of Corporation must be satisfied that all Governors are eligible for the role and 'Fit and Proper Persons'.
- 5.5.2. 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.

5.5.3. The following are 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 world.
- 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.
- 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.

5.5.4. All Board of Corporation and Co-opted committee members must complete a 'Fit and Proper Person' declaration upon appointment.

5.5.5. The Head of Corporate Governance & Policy shall conduct a Fit and Proper Persons Check upon appointment and annually thereafter.

6. Associated Documents

- City of Sunderland College Instrument and Articles of Government
- City of Sunderland College Standing Orders
- AoC Code of Good Governance
- OfS Governance Principles

7. Policy Monitoring and Review

This policy will be routinely reviewed by the Governance Committee to ensure compliance with our governing documents and best practice.

8. Equality Impact Assessment

Have you sought consultation on this policy?	No.
Details:	

Could a particular group be affected (negatively or positively)?	Impact Y/N	Description of Impact	Evidence	Mitigation/Justification
Protected characteristics under the Equality Act 2010				
Age	Y	The policy provides for a recruitment and appointment process that celebrates difference and seeks to ensure the membership is diverse.		
Disability	Y			
Gender Reassignment	Y			
Marriage and Civil Partnership	Y			
Pregnancy and maternity	Y			
Race	Y			
Religion or belief	Y			
Sex	Y			
Sexual Orientation	Y			
Additional characteristics to consider				
Young Persons in Care & Care Leavers	Y	The policy provides for a recruitment and appointment process that celebrates difference and seeks to ensure the membership is diverse.		
Young Carers & Care Givers	Y			
Young Parents	Y			
Youth Offenders	Y			
Those Receiving Free School Meals	Y			
If there is no impact, please explain:				