



# Governor Selection Policy [GOV05]

# Policy for the selection and appointment of Members of the Corporation

## 1. Introduction

- 1.1 This document outlines the policy for the selection and appointment / re-appointment of governors (members) of the TEC Partnership Corporation. Membership of the Corporation is defined by the Instrument of Government (Clauses 2-5 & 9, 10). The Corporation has agreed the following determination of membership:

<b>Membership Category</b>	<b>Number</b>	<b>Term of office</b>	<b>Appointment process</b>
Independent Governor	13  Up to 15	4 years (including 1 year probation)	Interview by Search and Governance Committee Approved by the Corporation
Staff Governor	2	4 years	Elected by whole staff group. One will represent the North Bank and one the South Bank. Interview by Search and Governance Committee to consider CPD, induction and committee membership
HE Student Governor	1	With office 1 year	Representation will be requested for the North and South Bank Elected nominees for each bank will be interviewed by the Search and Governance Committee for appointment to ensure balance with the FE Student Governor
FE Student Governor	1	1 year	Representation will be requested for the North and South Bank Elected nominees for each bank will be interviewed by the Search and Governance Committee for appointment to ensure balance with the HE Student Governor
CEO	1	With office	Appointment with post

<b>Membership Category</b>	<b>Term of office</b>	<b>Appointment process</b>
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Skills & Employment Advisory Group x 3	4 years (including 1 year probation)	Process ratified by the Corporation for employer members. Chair elected by the corporation
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## **2. Role description of a member of the Corporation**

- 2.1 The Corporation is committed to promoting equality and diversity and seeks to constitute the membership of the Corporation as closely as possible to the balance of the communities it serves. The Corporation will seek members who appear to the Corporation to have the necessary skills to ensure the Corporation carries out its functions under article 3 (1) of the Articles of Government.
- 2.2 The Corporation requires all members to be committed to the Nolan Principles of Public life, adhere to the Governors Code of Conduct and to act in the best interests of the Group declaring an interest whenever necessary and be prepared to devote time to support the work of the Group by regularly attending meetings of the Corporation, Committees and Advisory Groups, as appropriate (see appendix 1 – Role Description of a member of the Corporation.)

### **3. Expiry of the term of office of an existing Governor**

- 3.1 The Director of Governance shall report to the Search and Governance Committee and Corporation the name of any Governor / Co- opted Governor whose term of office is nearing its expiry. Any Governor under consideration shall withdraw from the meeting and take no part in the decision or voting in relation to his/her future membership of the Corporation.
- 3.2 In considering whether or not the governor should be appointed to serve for a further term of office the Search and Governance Committee and Corporation shall base its decision on the following:
  - 3.2.1 Whether the skills and experience of the governor are still required
  - 3.2.2 Whether it would be appropriate to take the opportunity to refresh the range of skills and experience available to the Corporation
  - 3.2.3 Consideration of the governor's attendance record, performance at meetings and contribution and commitment to the work of the Corporation
  - 3.3.3 The length of the governor's previous service on the Corporation
- 3.3 A governor's term of office will expire automatically unless the Corporation agrees a further appointment.
- 3.4 In line with the Nolan Committee Second Report, the Corporation has agreed as a general rule to limit the number of terms of office of governors to no more than two consecutive terms of four years in office (a maximum of eight years). Any exceptions to this rule will be based on merit and in order to ensure no detriment to the smooth conduct of the business of the Corporation.
- 3.5 The decision to reappoint a governor for a further term of office will also be subject to the governor being willing to serve. The Director of Governance will ascertain in advance of a Search and Governance meeting whether the governor in question is willing to be appointed for a further term. If the governor is not willing, a vacancy arises and will be dealt with under section 4 of this policy. The Search and Governance Committee will make their recommendation to the corporation.
- 3.6 Where the Corporation decides to appoint an existing governor for a further term of office, the Corporation shall make the appointment in accordance with the Instrument of Government Clause 4.
- 3.7 Where the Corporation decides not to appoint an existing governor for a further term of office, a vacancy shall exist and shall be dealt with under section 4 of this policy.

### **4. Filling of vacancies**

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- 4.1 When a vacancy arises, for whatever reason, the Search and Governance

Committee will review the skills required by the role, and interview prospective candidates. This will be informed by the current skill mix required and specified by the Corporation.

4.2 The Director of Governance will identify suitable candidates via a mix of the following (not an exhaustive list):

- Advertisements in the local press /College website/LinkedIn and Social Media NB: Any advertisement will include the College's Safeguarding statement;
- Advertisements with Governor search services
- Advertisements with the Non-Executive Directors network;
- Targeted mail-shot letters from the CEO;
- Personal recommendations from members of the Corporation;
- A direct approach from the CEO / Chair of the Corporation to local authorities or organisations/voluntary bodies linked to the TEC Partnership;
- Contacts within the TEC Partnership's local communities.

4.3 Applications shall be submitted in writing to the Director of Governance.

4.4 In selecting new Corporation members, the Chair of the Corporation, CEO and Director of Governance (or by the Search & Governance Committee established by the Corporation for this purpose) will shortlist suitable candidates, interview candidates and make recommendations to the Corporation.

## **5. Staff and Student Governors**

5.1 Staff Governors (Instrument of Government Clauses 2.1(c), (3) & (4) and are elected by their respective groups (North Bank/ South Bank) across the Group.

Student Governors (Instrument of Government Clauses 2.1 (d), (3) & (4) will be nominated by their respective group (FE/ HE/ North Bank and South Bank) and the recommendation for appointment will be given by the Search and Governance Committee.

5.2 Whenever a vacancy in these categories occurs, the Director of Governance will support and coordinate the holding of appropriate elections. The results of the elections will be reported to the Corporation for confirmation and ratification of appointment.

5.3 At the end of their term of one year, a student governor may be offered an extension of a further term of one year, for a maximum of three years, subject to performance.

5.4 If a member of staff has been appointed through a full formal election process, and then resigns in the first few months in post, the board can invite the member of staff with the next highest number of votes to complete the remainder of the staff term, if this is within 12 months of the election.

## **6. Chief Executive Officer**

6.1 In accordance with the Instrument of Government, the Chief Executive Officer (CEO) shall be a member of the Corporation.

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6.2 Separate arrangements apply to the selection and appointment of the CEO.

## **7. Eligibility**

- 7.1 No person who has been adjudged bankrupt or is subject to a bankruptcy order or undertaking or has been convicted of an offence, as defined under Instrument of Government clause 7, will be eligible for membership. A person shall also be disqualified if that person is disqualified from acting as a charity trustee under the Charities Act 2011 (as amended from time to time).

- 7.2 All members of the Corporation will, on appointment confirm their eligibility for appointment and annually thereafter.
- 7.3 A condition of appointment for all governors is that they **must:**
- 7.3.1 Declare their interests in the form prescribed by the Corporation.
  - 7.3.2 Agree to abide by the Governors Code of Conduct approved by the Corporation.
  - 7.3.3 Undergo a Disclosure and Barring Service (DBS) check.
  - 7.3.4 Complete the declaration to confirm they are a "fit and proper" person

*Corporation approved*  
*Review*

*Date: 9 July 2024*  
*Date: July 2028*

**ROLE DESCRIPTION OF A MEMBER OF THE CORPORATION**

1. To comply with the provisions of the following documents as they apply to the Members of the Corporation:
  - a) The Instrument and Articles of Government
  - b) The Financial Memorandum
  - c) The Corporation's Code of Conduct
  - d) The Corporation's Standing Orders
  - e) The Nolan seven principles of public life
  - f) College financial regulations and financial procedures
2. To act in the best interests of the Corporation and the TEC Partnership.
3. To support the decisions of the Corporation and the Committees of the Corporation once they have been reached, on the basis of collective responsibility even though a member may have spoken against a proposal during the debate at the meeting.
4. To give due priority to attending meetings of the Corporation and appropriate committees and advisory groups of the Corporation.
5. To attend College events (such as Open Days/evenings, student award ceremonies, theatre productions) so as to gain an understanding and appreciation of the work of the Partnership, and to meet students and staff.
6. To participate in training which enhances contribution to the work of the Corporation.
7. To understand that **individual members** of the Corporation have no specific powers. This means, for example, that statements may only be made on behalf of the Corporation by those authorised to do so.
8. To work with other members of the Corporation as a team within the ethos and mission of the College.

*NB. specific requirements, i.e. financial, human resource, educational, legal experience/expertise may be required. The skills and background of members of the Corporation is monitored by the Corporation to ensure an even balance of governor's skills and experience.*

