

# GOVERNOR APPOINTMENT POLICY



February 2024

# **Governor Appointment Policy for Worcester Sixth Form College**

## **Purpose**

This policy sets out the principles and procedures for determining the appointment of governors to the Local Governing Body and its Committees.

## **Introduction**

The Local Governing Body should consist of up to twenty Governors as follows:

The LGB shall comprise a maximum of 20 Governors. Its composition shall include:

- Independent Governors who may be nominated via the Search and Governance Committee by the LGB.
- At least one and a maximum of two staff members elected by the staff who shall be representative of the staff team but not a staff representative.
- A minimum of two (2) parent members, elected by parents of students of the Academy who shall again be representative of parents rather than being a parent representative.
- Two (2) student Governors for 16-19 LGBs who shall be elected by the students who shall be representative of the student body but not a student representative.
- The Principal/Headteacher of the Academy on an ex officio basis
- The CEO of the Trust on an ex-officio basis, or their delegated representative (on an ex-officio basis), who may choose to attend meetings as appropriate.

The members of the Local Governing Body are collectively responsible for determining the College's educational character, defining its future strategy and ensuring the proper application of public funds in collaboration with the Executive Principal and the Heart of Mercia MAT Board.

The Local Governing Body has a committee, known as the Curriculum & Quality Committee, to:

- advise on the appointment of Governors,
- advise on such other matters relating to membership and appointments as necessary.

The Local Governing Body cannot appoint any person as an external governor, or co-opt any person as a member of a Committee unless it has first considered the advice of the Curriculum & Quality Committee.

The College rules specifying the remit and procedures for the conduct of the Curriculum & Quality Committee are set out in the Governors' Handbook and are available for inspection by any member of the public during normal office hours, and on the College website, as are the Curriculum & Quality Committee's minutes and advice to the Local Governing Body.

The election processes for the appointment of Student, Staff and Parent Governors are also set out in the Governors' Handbook (Elections) a copy of which is available on request.

## **Appointment of Chair and Vice-Chair**

- At the first meetings in each academic year, the Governors shall elect a Chair and Vice Chair for the LGB from among their number.
- The term of office for the Chair and Vice-Chair shall be one year. The Chair and Vice-Chair retiring at the end of their respective terms of office shall be eligible for re-appointment.
- The CEO, Principal, staff and student governors shall not be eligible to be appointed Chair or Vice-Chair of the LGB.
- The Chair or Vice-Chair may resign their office at any time by giving notice in writing to the Clerk. The procedures outlined above will be followed for appointment to the relevant post.

- In the event that the Chair or Vice Chair should resign or be removed from office, the Governors shall appoint another member as the Chair or Vice Chair at the first meeting following their resignation or removal from office.
- If no expressions of interest are received and no one is willing to put themselves forward; this shall be referred to the Director of Governance who shall ensure that this is addressed by the Search and Governance Committee.

### **Method of Appointment**

The Curriculum & Quality Committee regularly reviews the membership of the Local Governing Body and undertakes skills audits to identify those skills, abilities or community interests which should be represented. In the event, or anticipation, of a vacancy the Curriculum & Quality Committee will seek nominations, assess their suitability and recommend names to the Local Governing Body for appointment.

The Local Governing Body will seek to obtain the best candidates available at the time of the 'vacancy' subject to the requirements of the role and the governor skills audit. The Local Governing Body will either advertise at the time a vacancy arises or otherwise publicise the vacancy to canvas applications.

The precise methodology for obtaining nominees will depend upon the category of the Governor required. All candidates are required to complete an application form, attend for interview and provide references. In addition, all prospective governors must have Disclosure and Barring Service (DBS) clearance. (Successful candidates will be requested to complete a DBS form and provide ID evidence prior to their formal appointment as governors.)

### **Conditions of Appointment**

1. Governors are entitled to claim for necessary travelling, subsistence or other expenses incurred in undertaking College business at the appropriate College rates.
2. Governors shall hold office according to the terms of their appointment, but the length of the term of office cannot exceed four years.
3. Governors retiring at the end of their term of office will be eligible for re-appointment.
4. Student Governors will normally be appointed for four years although will only retain their position for the duration of their studies.
5. Staff and Student governors will cease to hold office if they cease to be members of staff or students of the College.
6. Parent Governors will be appointed for a period of four years. Parent Governors whose children cease to be students of the College before their term of office expires may continue in office until their term of office expires.
7. Governors are required to supply the names of two referees and appointment will be subject to suitable references.

### **Probation Period**

The appointment of new governor shall be subject to a period of probation not exceeding six months. During this period the governor is expected to establish their suitability for the appointment. At the end of the probationary period if there is a satisfactory report on the governor from the relevant Committee Chair, other governors and senior post holders, then the governor's appointment shall be confirmed.

However, if the report is unsatisfactory then the matter will be referred to the Chair of the Local Governing Body to resolve the situation.

### **Succession Planning**

The Trust's Articles of Governance prescribe a maximum term of office of four years with the ability to re-appoint. Governors would normally serve for two 4 year terms.

The Local Governing Body operating principles, as determined by the Trust, prescribe the composition of the Local Governing Body:

- Up to 20 members.
- The Principal is a Governor.
- Two staff governors.
- Two parent governors.
- Two student governors.

To assist with succession planning and ensure a mix of experience the following measures have been agreed by the Local Governing Body:

- One first year student to be elected for 4 years or until they leave College, whichever occurs first.

#### Chair of the Local Governing Body

The Local Governing Body has resolved to restrict the tenure of the Chair of the Governing Body to a maximum of two terms (i.e. eight years).

The intention of the Local Governing Body in appointing a Vice-Chair is that the Vice-Chair would be experienced and in a position to stand for the role of Chair. All governors are offered the opportunity to declare an interest in chairing a Committee at their annual appraisal, to give governors the opportunity to experience chairing meetings

#### **Training**

The Curriculum & Quality Committee is responsible for the provision of induction training for newly appointed Governors. Each new Governor is provided with relevant training to assist with their induction. In addition, the Committee is responsible for monitoring the training needs of Governors and for ensuring that training and information is readily available to Governors.

#### **Persons Ineligible to be Governors**

A person cannot be a Governor if they fall into any of the categories listed below:

- Any person who is under the age of 18 years shall be ineligible for appointment as a member of the Local Governing Body, except as a Student Governor.
- A person who is a member of staff of the institution shall be ineligible for appointment as a Governor, except as a Staff Governor or in their capacity as Principal.
- A student at the institution shall be ineligible to be appointed as a Governor except as a Student Governor. A person who is already a Governor, other than a Student Governor shall not be required to resign if during their term of office they enrol on a part-time course at the College. However, if they enrol on a full-time course at the College, they shall cease to be a Governor and their office shall become vacant.
- The Clerk to the Local Governing Body shall be ineligible to be a Governor.
- A person who has been adjudged bankrupt or has made a composition or arrangement with his creditors shall be ineligible to be a Governor.
- A person's disqualification by reason of their having been adjudged bankrupt, shall cease –  
(a) unless the bankruptcy order made against that person is previously annulled, on their discharge from bankruptcy; and  
(b) if the bankruptcy order is so annulled, on the date of the annulment.
- A person's disqualification by reason of their having made a composition or arrangement with their creditors and they pay their debts in full, shall cease on the date on which the payment is completed or on the expiration of 3 years from the date on which the terms of the deed of composition or arrangement are fulfilled or if they are automatically disqualified from being a trustee by Charity Commission regulations or other laws or regulations that are binding on the Corporation..
- A person has been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence, within the past 5 years, and has had a sentence of imprisonment (whether

suspended or not) for a period of not less than 3 months without the option of a fine, shall be ineligible to be a Governor.

Governors who become ineligible for membership of the Local Governing Body must inform the Clerk immediately.

**Review**

This policy will be reviewed annually and where significant alterations are intended it will be presented for approval to the Curriculum & Quality Committee.

To act in the best interests of the Local Governing Body and the College at all times.

To contribute to the business of the Local Governing Body in an effective, efficient, open and transparent manner.

To commit a minimum of 40 hours per annum to the role of governor.

To serve on any Committee, panel or working party as required by the Local Governing Body.

To give due priority to attending meetings of the Local Governing Body and relevant Committees.

To read agendas and relevant paperwork prior to attendance at meetings.

To participate in governors' training sessions and the Annual Governors' Conference.

To participate in the Governor Link Scheme.

To attend College events and to gain an appreciation of the work of the College and to meet students and staff.

To comply with the provisions of the Local Governing Body Code of Conduct.

To support the decisions of the Local Governing Body and its Committees once they have been reached on the basis of collective responsibility.

To refrain from making statements on behalf of the Local Governing Body unless authorised to do so.

To respect the rules on confidentiality as they apply to the work of the Local Governing Body.

To assist the Local Governing Body in providing collective leadership for the College.

To accept the Local Governing Body's collective responsibility as an employer.

To comply with the provisions of the following documents as they apply to the role of members of the Local Governing Body:

- Articles of Governance
- Academies Financial Handbook
- Academies Governance Handbook
- College Governors' Handbook
- Trust Financial Regulations and Procedures

**Note on governor liability:** The College has indemnity insurance to cover governors acting in good faith. In most circumstances if there is a problem at a College resulting in loss to a third party, the aggrieved person may sue the College as a corporate entity. In certain exceptional circumstances it may be possible for a claimant to sue an individual governor. However, the law\* provides some protection in this situation so long as the governor has acted honestly and reasonably.

(\* Section 145 of the Learning and Skills Act 2000)

**General Characteristics**

A commitment to the provision of high quality general education designed to meet the individual needs of 16 to 19 year olds and to widening access and extending opportunities to those returning to education.

A willingness to take an active interest in the work of the College.

The ability to attend meetings of the Local Governing Body and relevant Committees.

The ability to devote sufficient time to the role of governor (on average @ an hour per week over a year).

The ability to communicate effectively, work positively with others and debate constructively.

A willingness and ability to motivate and inspire others to achieve objectives.

The ability to think strategically, to assimilate facts and events to formulate pragmatic solutions.

The ability to establish an effective course of action with goals that can be monitored by realistic performance targets.

A commitment to the promotion of the College Equal Opportunities and Health & Safety Policies.

**Specific Characteristics**

Experience in planning and monitoring organisation development plans

Experience in managing change

An interest in promoting diversity

Note: Special characteristics required may vary according to the particular vacancy arising:

e.g. To have financial expertise and to be willing to serve on the Finance & Resources Committee.

To have experience of marketing, media and/or public relations.



## Mentoring Scheme for New Governors

A Mentor is an experienced Governor who is paired with a newly appointed Governor for the first year of office. The allocation will be with the prior agreement of the proposed mentor.

The aim of the mentoring system is to ease the introduction of the new Governor to the Local Governing Body by providing:

- a known and friendly face;
- someone who can help navigate through what may be a mass of new jargon, terminology, structures and procedures.

There are no prescribed activities for Mentors, as Governors come from a variety of backgrounds and some will require more support than others will. However, it is suggested that the role of the mentor will include:

- Introducing the new governor to other governors at meetings.
- Talking with the new governor to explain the background and workings of the Local Governing Body.
- Meeting with the new Governor before their first Local Governing Body meeting to go through the agenda and papers with him/her, if the new Governor needs this level of support.
- Sitting with the new Governor at their first Local Governing Body meeting to provide a degree of comfort and support.
- Being available as a sounding board and someone to whom the new Governor feels comfortable to turn for help and advice.

The mentoring scheme is not intended to replace the formal induction training and further help and advice are always available to both Mentors and new Governors from the Clerk to the Local Governing Body