

## **Tameside College Further Education Corporation**

### **Draft Search Committee Terms of Reference 2022/23**

#### **1 Constitution**

- 1.1 The Tameside College Further Education Corporation hereby resolves to adopt the following terms of reference for the Search Committee.

#### **2 Objective**

- 2.1 The Search Committee shall advise the Corporation on the appointment of Members (other than as a parent, staff or student Member) and such other matters relating to membership and appointments as the Corporation may remit to the Committee.
- 2.2 The Search Committee shall advise the Corporation on matters related to governance.

#### **3 Membership**

- 3.1 The Search Committee shall be appointed by the Corporation and shall comprise 5 members including:
- the Chair of the Corporation
  - the Vice Chair of the Corporation
  - the Principal
  - up to two other members of the Corporation
  - up to one external co-opted member
- 3.2 Any persons co-opted to serve on the Committee will be of established standing, reputation and integrity in the community which the College serves but independent of the College. Such members will be free from any business or other relationship with the College which might compromise the exercise of their independent judgment.
- 3.3 A quorum for meetings of the Search Committee shall be three Members.
- 3.4 The Chair of the Committee shall be appointed by the Corporation save that the Principal shall not be eligible for appointment as Chair.
- 3.5 If the Chair is absent from any meeting of the Committee, the Members present shall choose one of their own number to act as Chair for that meeting.
- 3.6 Corporation Members who are Members of the Search Committee shall hold a term of office on the Committee which is commensurate with their term of office as a Member of the Corporation.
- 3.7 Members retiring at the end of their term of office shall be eligible for re-appointment.

#### **4 Attendance at Meetings**

- 4.1 Other Corporation Members shall have a right of attendance as observers.

4.2 The Clerk to the Corporation shall be the Clerk to the Search Committee.

## **5 Frequency of Meetings**

5.1 The Committee shall meet at least twice in each academic year.

## **6 Authority**

6.1 The Search Committee is authorised by the Corporation to investigate any activity within its terms of reference.

6.2 It is authorised to seek any information it requires from any employee of the College and all employees are directed to cooperate with any request for information made by the Committee.

6.3 The Search Committee is authorised by the Corporation to obtain any professional advice it considers necessary in the exercise of its responsibilities, provided that the Committee may not incur direct expenditure in this respect in excess of £5,000, (plus VAT), in any College financial year without the prior approval of the Corporation.

## **7 Duties**

7.1 The Search Committee shall consider and make recommendations to the Corporation on:

- (i) the composition and balance of the membership of the Corporation and its committees having regard to the necessary skills to ensure that the Corporation fulfils its functions as set out in Article 3 of the Articles of Government;
- (ii) the rules specifying the way in which the Search Committee is to be conducted;
- (iii) the appointment of persons who are not Members of the Corporation as Members of any committee of the Corporation;
- (iv) candidates for appointment and/or re-appointment as Members of the Corporation;
- (v) policies and procedures for the induction, appraisal and development of Corporation Members;
- (vi) on matters related to governance.

7.2 The Search Committee shall be responsible for:

- (i) undertaking and maintaining skills audits of Members of the Corporation;
- (ii) ensuring that the written procedure for the appointment of Members is reviewed and is publicly available;
- (iii) overseeing and reviewing the role description for Members of the Corporation;
- (iv) overseeing and reviewing the criteria for the selection of Corporation Members;
- (v) ensuring that a person specification is prepared to match any identified skills or experience;
- (vi) ensuring the Corporation is representative of the community that it serves;
- (vii) short-listing and interviewing prospective Members;
- (viii) monitoring and reviewing the performance of the Corporation, its committees and its Members;
- (ix) drafting the Corporation's annual self-assessment report on governance.

## **8 Reporting Procedures**

- 8.1 The Clerk to the Corporation shall circulate the minutes of the meetings of the Search Committee to all Members of the Corporation.
- 8.2 Separate minutes will be taken of any issues which are regarded by the Search Committee to be confidential and as such will be retained in the "Confidential Minute" file in addition to being limited for circulation to Members of the Search Committee only.
- 8.3 A copy of the rules referred to in 7.1 above together with these Terms of Reference and the Search Committee's advice to the Corporation, other than any advice which the Corporation is satisfied should be dealt with on a confidential basis, shall be published on the College website and be made available for inspection at the College by any person during normal office hours.

## Policy and Procedure for the Appointment of Governors (Independent, Staff and Student)

### 1 General

- 1.1 With the exception of Staff and Student Governors, Governors shall only be appointed by Corporation following a recommendation from Search Committee.
- 1.2 All appointments shall be made in accordance with Tameside College's Instrument and Articles of Government and other relevant legislation.
- 1.3 Vacancies may arise for a number of reasons including expiry of term of office, resignation, death or removal of a member from office.
- 1.4 The procedure for filling vacancies shall be based on an open and transparent process and the application of all general principles of equality of opportunity including relevant discrimination legislation.

### 2 The Process for Appointment

- 2.1 Where a vacancy arises (other than for a Staff or Student Governor), Search Committee will review the diversity of the Corporation to identify any gaps in skills, experience or backgrounds that help ensure strong governance and to ensure that the Corporation is representative of the community it serves.
- 2.2 Potential candidates will then be sought by various means. This may include:
- advertising locally, nationally or in specialist journals;
  - targeted mail-shots;
  - personal approaches (typically by the Principal or a Governor);
  - consultation with appropriate organisations likely to employ, represent or know of people with the skills and expertise required.
- 2.3 The process for selection will be as follows:
- (i) prospective candidates will be either sent information about the College as well as the Governor Role Description and Person Specification or directed to the College website where such vacancies are advertised and information held. Applicants will be asked to complete an application;
  - (ii) an informal meeting between the prospective candidate and Chair / Principal / Clerk may be arranged as appropriate;
  - (iii) where there is more than one candidate the Clerk in discussion with the Chair and Principal will draw up a shortlist based on the Role Description & Person Specification;
  - (iv) Search Committee will consider the applicant's application and meet with the prospective candidate. The purpose of the meeting is to determine the particular skills and experience of the candidate, their motivations for becoming a Governor and their commitment and eligibility, and to ensure that they understand the role and level of commitment needed to make a worthwhile contribution to the Corporation;
  - (v) Search Committee will make a recommendation to Corporation concerning the applicant's membership of Corporation and, if appropriate, committee(s);
  - (vi) the Corporation will consider this recommendation and appoint the new Governor to Corporation and / or a committee as appropriate;
  - (vii) each Governor will be asked to provide two referees (one character and one professional) prior to / upon appointment to Corporation.

### **3 Re-appointments**

- 3.1 Independent Governors shall be appointed for an initial one year term of office. During the probationary year and, subject to confirmation from both the Search Committee and the individual Governor concerned, this will be followed by a substantive three year term office. Any further re-appointment would typically be for a four year term of office. Independent Governors shall not normally be eligible to serve more than eight years unless taking on a leadership role on the Board.
- 3.2 When the substantive term of office of a member is nearing its expiry the Search Committee will consider whether or not to re-appoint the member and make a recommendation to Corporation. Re-appointment will not be automatic and will depend on the needs of the Corporation. The Clerk will ascertain in advance of the meeting whether or not the member is willing to be appointed for a further term of office. If the member is not willing, a vacancy arises and will be dealt with under Section 2 of this Policy / Procedure.
- 3.3 Re-appointment for a further term of office will be made after taking into account factors such as:
- the value of the member's skills, knowledge and experience to Corporation;
  - the quality of the member's contribution to discussions at meetings;
  - the member's commitment to the College and to the work of the Corporation (including membership of committees and attendance);
  - participation in Governor training and development events;
  - whether it would be appropriate to refresh the range of skills and experience available to the Corporation;
  - the length of the member's previous service (see paragraph 3.1).

### **4 Appointment of Staff Governors (1)**

- 4.1 The Corporation has determined one place for a Staff Governor.
- 4.2 The Clerk will seek nominations from staff for a Staff Governor vacancy.
- 4.3 In the event of more than one nomination, the Clerk will make arrangements for an election. Nominees will be invited to prepare an election statement which will be circulated with voting papers.
- 4.4 The election will normally be conducted electronically or via ballot boxes at each of the College's premises. After the closing date, the Clerk will publish the results and the name of the candidate elected for appointment.
- 4.5 The Clerk will ask the Corporation to confirm the appointment, which is for a two year term of office. No formal approval by the Corporation is required unless the appointment of the elected candidate would result in the candidate having served for more than eight years.

### **5 Appointment of Student Governors (2)**

- 5.1 The Corporation has places for two Student Governors; one representing Tameside College and one representing Clarendon Sixth Form College.

- 5.2 The Clerk will seek nominations from students for a Student Governor vacancy. Students may self-nominate. All nominees will be interviewed by a small panel typically comprising a Governor, a Member of the Executive Team and the Clerk.
- 5.3 In the event of more than one nomination for each of the roles, the Clerk will make arrangements for an election. Nominees will be invited to prepare an election statement.
- 5.4 Voting will typically take place during scheduled tutorial sessions. The election will normally be conducted via ballot boxes held. After the closing date, the Clerk will publish the results and the name of the candidate elected for appointment.
- 5.5 The Clerk will ask the Corporation to confirm the appointment, which is for a term of office of up to two years. No formal approval by the Corporation is required.

## **6 People Ineligible to be Governors**

- 6.1 The following are ineligible to be appointed as Governors:
- anyone under 18 years of age (except as Student Governors);
  - anyone who is a member of staff of the College (other than as a Staff Governor or in his / her capacity as Principal);
  - those who have certain convictions or have been adjudged bankrupt, in certain circumstances;
  - the Clerk to the Corporation.
- 6.2 All new Governors will be required to complete a Declaration of Interests form and sign a Declaration of Eligibility on appointment and be made aware of their responsibility to notify the Clerk if a change of circumstances affects their ability to continue in service at a future date. All Governor appointments (except Student Governors) will be subject to an enhanced Disclosure & Barring Service (DBS) check.

## **7 Administration of the Procedure**

- 7.1 The Clerk will be responsible for undertaking all administrative work in connection with appointments and for ensuring that all procedures are conducted in an open and fair manner.