

POLICY / PROCEDURE TITLE		DATE OF APPROVAL
Governor and Member Recruitment and Appointment Policy		September 2024
APPROVED BY	VERSION NO.	VALID UNTIL
Corporation Board	2.0	September 2027

<b>OWNER</b>	Director of Governance		
<b>GROUP EXECUTIVE LEAD</b>	Chief Executive Officer		
<b>DOCUMENT TYPE</b>	Policy <input checked="" type="checkbox"/>	Group Procedure <input type="checkbox"/>	Local Procedure <input type="checkbox"/>
<b>PURPOSE</b>	The purpose of this policy is to ensure that all NCG Boards have the appropriate balance of skills, experience, diversity and knowledge to provide robust governance, to meet the fit and proper persons requirements and to identify any need for new members with particular skills.		
<b>APPLICABLE TO</b>	Members of all NCG Boards and committees.		
<b>EQUALITY ANALYSIS COMPLETED [POLICIES ONLY]</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	(If EA not applicable, please explain)		
<b>KEY THINGS TO KNOW ABOUT THIS POLICY</b>	<ol style="list-style-type: none"> <li>1. This policy includes the process for the recruitment of Governors and members of local college boards and Corporation committees.</li> <li>2. The appointment of Corporation Board Governors is reserved to the Corporation on the advice of the Search, Nominations &amp; Governance Committee.</li> <li>3. The Search, Nominations &amp; Governance Committee has the delegated authority to approve the appointment of members of local college boards.</li> </ol>		
<b>EXPECTED OUTCOME</b>	Readers are expected to understand how Governors and members of local college boards and Corporation committees are appointed.		

MISCELLANEOUS	
<b>LINKED DOCUMENTS</b>	<ul style="list-style-type: none"> <li>• Instrument &amp; Articles of Government</li> <li>• Standing Orders</li> </ul>
<b>KEYWORDS</b>	<ul style="list-style-type: none"> <li>• Governors</li> <li>• Recruitment</li> <li>• Appointment</li> </ul>

## Equality Impact Assessment

EQUALITY IMPACT ASSESSMENT			
	Yes	No	Explanatory Note if required
EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in Section 2?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The answer to this must be YES
EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Disability / Difficulty	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA4 - Does the policy/process discriminate or victimise any groups or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this could be yes or no as positive action is lawful. However, an explanation must be provided for clarity.
EIA 6 - How do you know that the above is correct?	Policy has been consulted on with key stakeholders.		

## **1. GENERAL POLICY STATEMENT**

- 1.1. NCG is committed to ensuring that the NCG Corporation Board, its Committees and College Boards are led by individuals who demonstrate the highest levels of professional integrity and conduct, always acting in the best interests of NCG and its students.
- 1.2. This document sets out NCG policy regarding the recruitment and appointment of independent, staff and student Governors and members.
- 1.3. All prospective candidates must:
  - 1.3.1. confirm they are eligible for appointment as per the eligibility criteria set out in the Instrument of Government;
  - 1.3.2. confirm they are a fit and proper person;
  - 1.3.3. confirm they will abide by the Governor Code of Conduct and the Nolan Principles.
- 1.4. The term of office for an independent Governor shall be as per the Instrument of Government. The terms of office for staff and student Governors and members of local college boards shall be as per the Standing Orders. Terms may be staggered for the purposes of business continuity and organisational memory.

## **2. DEFINITIONS**

- 2.1. Committee – a committee of the NCG Corporation Board;
- 2.2. Governing Body - means the NCG Corporation Board, also referred to as the Board of Governors;
- 2.3. Governor - a member of the NCG Corporation Board. Governors are also Trustees in accordance with the Charities Act 2011;
- 2.4. Local College Board - the Board of an NCG college;
- 2.5. Member – a member of a Local College Board or Corporation committee.

### **3. INDEPENDENT GOVERNOR RECRUITMENT AND APPOINTMENT**

- 3.1. The number of independent Governors on the Corporation Board shall be as per the Instrument of Government.
- 3.2. The recruitment of independent Governors to the Corporation Board shall be overseen by the Search, Nominations and Governance Committee who shall make a recommendation to the Corporation.
- 3.3. The appointment of Governors to the Corporation Board is reserved to the Corporation.
- 3.4. All applicants for the role of independent Governor shall express their interest by way of a standard application form.
- 3.5. The Search, Nominations & Governance Committee shall agree the process for the recruitment of independent Governors to the Corporation Board.
- 3.6. The Search, Nominations & Governance Committee shall review all applications, shortlist and establish a selection panel drawn from the Board of Governors to interview selected candidates. In shortlisting candidates, the Committee shall give due consideration to the required skill mix and ensure that the final Board composition reflects the appropriate balance of skills, experience, diversity and knowledge to provide robust governance.
- 3.7. Upon completion of the interview process, the Search, Nominations & Governance Committee shall make a recommendation for appointment to the Corporation Board.

### **4. STAFF AND STUDENT GOVERNOR RECRUITMENT AND APPOINTMENT**

- 4.1. The number of staff and student Governors on the Corporation Board shall be as per the Instrument of Government.
- 4.2. The appointment of staff and student Governors to the Corporation Board is reserved to the Corporation subject to endorsement of the Search, Nominations & Governance Committee.
- 4.3. The Search, Nominations & Governance Committee will oversee the process for the recruitment of staff and student governors and the Director of Governance shall support this process. The Search, Nominations and Governance Committee reserves the right to interview candidates where appropriate.

- 4.4. Applications for staff and student Governors shall be sought via expressions of interest and an accompanying personal statement.

## **5. COLLEGE BOARD MEMBER RECRUITMENT AND APPOINTMENT**

- 5.1. The Search, Nominations & Governance Committee is the appointing authority in relation to the appointment of all members of local college boards.
- 5.2. The Search, Nominations & Governance Committee shall give due consideration to the required skill mix and ensure that the final Board composition reflects the appropriate balance of skills, experience, diversity and knowledge and is aligned to the NCG model of place-based governance.
- 5.3. All applicants for the role of independent local college board member shall express their interest by way of a standard application form.
- 5.4. Prospective independent local college board members shall be subject to interview by the Principal, Executive Principal and Director of Governance who shall make a recommendation to the Search, Nominations & Governance Committee to appoint. (Note: this applies also to the appointment of a parent member in the case of the Newcastle College Sixth Form Board).
- 5.5. Applications for staff and student members shall be sought via expressions of interest and an accompanying personal statement. Where there are more expressions of interest received than available vacancies, an election will take place. This process will be supported by the Director of Governance.

## **6. COOPTED MEMBER APPOINTMENTS**

- 6.1. Where appropriate, and in order to ensure the presence of the necessary skill mix and subject matter expertise, the Corporation may appoint someone who is not a member of the Corporation onto a Corporation committee. Such a person will be known as a coopted member.
- 6.2. The appointment of a coopted member will be subject to the same procedures as an independent Corporation Board Governor.

## **7. REAPPOINTMENTS AND VACANCIES**

- 7.1. The Director of Governance is responsible for monitoring the terms of office of all members of NCG Boards and Committees and reporting to the Search, Nominations & Governance Committee accordingly.
- 7.2. The Search, Nominations & Governance Committee is responsible for overseeing on behalf of the Corporation, all matters relating to Board and committee membership. Where a vacancy arises (either through resignation or completion of a term of office), the Search, Nominations and Governance Committee shall ensure that the vacancy is filled in accordance with the provisions of sections 3-6 of this policy.
- 7.3. Any reappointment to an NCG Board or Committee shall be subject to confirmation of a positive performance from the relevant Board or Committee Chair.

## **8. APPOINTMENT OF THE CORPORATION CHAIR**

- 8.1. The appointment of the Corporation Chair is reserved to the Corporation under the Instrument of Government.
- 8.2. The process for the recruitment of the Corporation Chair shall be overseen by the Search, Nominations & Governance Committee who shall agree whether an appointment should be made internally from existing Corporation Board Members (noting that the CEO, staff and student governors are not eligible to hold the role of Chair), or via an external recruitment process.
- 8.3. Where the Search, Nominations & Governance Committee deem an internal appointment to be appropriate, the Director of Governance shall request that any interested Governors (who have at the time of the vacancy in excess of 24 months remaining on their term of office including any potential additional terms) submit a written Expression of Interest (Eoi) which sets out why they should be appointed.
- 8.4. Where the Search, Nominations & Governance Committee deem an external appointment to be appropriate, the Director of Governance will begin the process of marketing the opportunity externally. This may be undertaken in partnership with an externally sourced and appointed recruitment partner. To support the recruitment, all interested applicants will be required to formally apply using an application form issued by the Director of Governance.

8.5. The Search, Nominations & Governance Committee shall review all applications, shortlist and establish a selection panel to interview selected candidates. The panel will be chaired by the Chair of the Search, Nominations & Governance Committee and will include:

- At least two members of Corporation (who have not expressed an interest in the role).
- The Chief Executive Officer.

The panel will be supported by the Director of Governance

8.6. The NCG Corporation Chair will be appointed for an equivalent period up until the end of the expiry of their current term. When this period is due to expire (and with the agreement of the Chair and upon the instruction of the Search, Nominations & Governance Committee), the Director of Governance will write to all Governors to request:

- their endorsement (or otherwise) of the reappointment of the existing Chair;
- if they would wish to be considered for the role of Chair.

8.7. Where members are supportive of the Chair's continuation, the Corporation will be able to reappoint their Chair without referral to the Search, Nominations & Governance Committee.

8.8. Where other expressions of interest in the role of Corporation Chair are received, the process shall follow the steps outlined in 8.5 above.

## **9. APPOINTMENT OF COLLEGE BOARD CHAIRS**

9.1. The appointment of College Board Chairs is reserved to the Search, Nominations & Governance Committee.

9.2. In the first instance, applications for the role of College Board Chair shall be sought via expressions of interest from existing College Board members. The Search, Nominations & Governance Committee reserves the right to conduct an external recruitment exercise where necessary.

9.3. The Search, Nominations & Governance Committee shall review all applications, shortlist and establish a selection panel to interview selected candidates. The panel will be chaired by the Chair of the Search, Nominations & Governance Committee and supported by the Director of Governance.

- 9.4. The College Board Chair will be appointed for an equivalent period up until the end of the expiry of their current term. When this period is due to expire (and with the agreement of the Chair and upon the instruction of the Search, Nominations & Governance Committee), the Director of Governance will write to all existing College Board members to seek any other expressions of interest in the role.
- 9.5. Where other expressions of interest in the role of Corporation Chair are received, the process shall follow the steps outlined in 9.3 above.

## **10. DISCLOSURE AND BARRING (DBS) AND FIT AND PROPER PERSONS**

- 10.1. All Governors and members are subject to an enhanced DBS check upon appointment. There shall be no charge for this service.
- 10.2. The Governance team shall ensure a risk assessment is in place for each Governor and member until such a time as the enhanced DBS has been received.
- 10.3. All Governors and members are required to confirm they are a fit and proper person upon appointment and annually thereafter.
- 10.4. All Governors and members are required to complete an annual DBS declaration.

## **11. STATEMENT ON IMPLEMENTATION**

Upon approval, this policy will be uploaded to the policy portal and communicated to staff via The Business Round-Up.

## **12. STATEMENT ON EQUALITY AND DIVERSITY**

NCG is committed to providing equality of opportunity. Further details of our aims and objectives are outlined in our [Equality Diversity Inclusion and Belonging Strategy](#).

This policy has been assessed to identify any potential for adverse or positive impact on specific groups of people protected by the Equality Act 2010 and does not discriminate either directly or indirectly. In applying this policy, we have considered eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between people from diverse groups.



### 13. STATEMENT ON FREEDOM OF SPEECH

NCG is committed to upholding the principles of freedom of speech as enshrined in UK law. This policy is designed to ensure that all members of our college community, including students, staff, and visitors, can express their views and ideas freely and without fear of censorship or reprisal, provided that such expressions are within the law.

We affirm that this policy does not, in any way, diminish or undermine the rights of individuals under existing Freedom of Speech legislation.

### 14. STATEMENT ON CONSULTATION

This policy would normally have been reviewed by the Search, Nominations & Governance Committee. On this occasion, due to timing constraints, it has been shared with the Corporation Chair and CEO.

VERSION CONTROL				
Version No.	Documentation Section/Page No.	Description of Change and Rationale	Author/Reviewer	Date Revised
1.0	N/A	New policy	Director of Governance	May 2023
2.0	Section 2 – Definitions  All other sections	Definitions added to clarify Governors and Members  Comprehensive re-write to clarify role of Search, Nominations & Governance Committee and simplified processes.	Director of Governance	Sept 2024