

APPLICATION FOR APPOINTMENT TO THE BOARD OF THE CORPORATION NOTES FOR GUIDANCE

Before completing the application form you must read these notes carefully.

APPOINTMENT OF CORPORATION MEMBERS

In England, boards of further education colleges have the power to appoint and re-appoint Corporation Members.

For appointments to the Corporation, candidates are recommended to the Corporation by the Search, Governance & Development Committee. The Committee is a formally constituted body of the Corporation and is tasked with identifying possible new Members for consideration by the Corporation. The Committee also advises the Corporation on the re-appointment of Corporation Members. Candidates for membership as Staff or Student Governor are subject to a separate process, as defined in the Corporation's Standing Orders.

The Search, Governance & Development Committee will consider a candidate's personal suitability for appointment regardless of ethnic origin, gender, marital status, sexual orientation, political affiliation, religion or disability. In general, no formal qualifications are required as the range and depth of experience and skills is more important. The Search, Governance & Development Committee does, however, operate according to a skills matrix and will seek candidates with professional qualifications such as accountancy, law and Human Resources to fill specific vacancies, although these are generally not prerequisites. In making recommendations to the Corporation, the Search, Governance & Development Committee will not only consider the personal suitability of candidates, but also the number of vacancies, the balance of skills and expertise on the Corporation and the need to ensure that the composition of the Corporation broadly reflects the community that the College serves.

In deciding whether to re-appoint an existing Corporation member whose term of appointment is coming to an end, the Committee will evaluate both the contribution of the Corporation Member and their attendance record.

THE DUTIES OF A CORPORATION MEMBER

Each Member is expected to: -

- undertake a fair share of the work of the Corporation;
- liaise on behalf of the Corporation with appropriate external organisations, as appropriate;
- undertake such activities and make such connections that will contribute to the East Riding College making a difference in the East Riding area; and
- attend every meeting of the Corporation and join at least one committee.

Corporation and most Committee meetings are normally held in the early evening although, at present, the Search, Governance & Development and the Audit Committees take place during the working day. An annual calendar of meetings is published before the start of the college year.

The maximum length of office to which a Corporation Member may be appointed is four years. Subsequent re-appointment is subject to the approval of the Corporation. Members who have

completed two terms of office will be required to complete a self-assessment of their contribution, which will be considered by the Search, Governance & Development Committee who may, or may not, recommend a third term of office. No Member will be permitted to serve beyond 3 terms of office, other than in exceptional circumstances or as a co-optee to a committee of the Corporation.

Responsibilities

The Corporation operates within the terms of the Further and Higher Education Act 1992 and under the Corporation's Instrument and Articles of Government.

Under the *Articles of Government* the Corporation is responsible for: -

- the determination of the educational character and mission of the College and for oversight of its activities;
- the effective and efficient use of resources, the solvency of the College and the Corporation and for safeguarding their assets;
- approving the College's quality strategy;
- approving annual estimates of income and expenditure;
- the appointment, grading, suspension, dismissal and determination of the pay and conditions of service of Senior Post Holders and the Secretary to the Corporation; and
- setting a framework for the pay and conditions of service of all other staff.

The Corporation is assisted in the discharge of its work by a Principal, who also holds the title of Chief Executive, and by a Clerk to the Corporation. The Corporation is responsible for establishing the pay and conditions of service for both post holders, as well as other designated senior post holders.

Code of Conduct

Corporation Members are expected to abide by the *Code of Conduct* for Corporation Members, which sets out requirements for the standards of conduct expected of Members, to enable them to understand their legal duties and to assist them both in carrying out their duties and in their relationship with the Corporation and the Principal and Chief Executive. The Code is aimed at promoting effective and well-informed college governance. Members are required to sign their acceptance of the Code upon appointment and on an annual basis thereafter. The Code also includes the seven principles of public life set out in the second report of the *Nolan Committee on Standards in Public Life*, which recommends that governing bodies act with: -

- *Selflessness* - taking decisions solely in terms of the public interest.
- *Integrity* - acting without obligation or influence to outside individuals/ organisations.
- *Objectivity* - taking decisions on merit.
- *Accountability* - being accountable for decisions and subsequent public scrutiny.
- *Openness* - being as open as possible and giving reasons for decisions.
- *Honesty* - declaring private interests and avoiding conflicts of interest.
- *Leadership* - promoting and supporting principles by leadership and example.

The Corporation operates a Register of Interests, which all Members are required to complete. In completing the Register, Corporation Members are invited to register all business interests, financial or otherwise. The Register is open to public inspection.

Corporation Members nominated by particular groups should not speak or vote at meetings as if delegated by the group they represent. No Member is to be bound by a mandate given to him or her. Members are required to take a view on each matter before them and reach a decision based

on the merits of the issue. There is collective responsibility amongst Members for decisions taken by the Corporation.

COMMUNICATIONS

Relationship with College Staff

Key to the work of a Corporation Member is achieving the right balance in communications with staff and managers in the College.

The Corporation is the employer of all staff in the College, but does not direct the work of staff, other than designated senior post holders. The management of staff in the College is the responsibility of the Principal and the College Executive Team (CET).

The function of the Corporation is to provide overall strategic direction, involving strategic planning, objective setting and appropriate delegation. The Principal and the CET are responsible for achieving the objectives and strategies by the day-to-day management of the staff in the College.

Corporation Members should strive to establish a constructive working relationship with the Principal and members of the CET and all concerned should aspire to be mutually supportive, while maintaining a professional relationship at all times.

INTERNET ACCESS AND E-MAIL FACILITIES

The College is proud of its advances made in the use of IT. Corporation Members are given the means to access the College intranet through which College policies, procedures and other useful information are available.

Training

Newly appointed Corporation Members are invited to undergo induction training within six months of appointment. The aim of the induction is to help new members understand their duties, obtain sufficient knowledge of the College and acquire a working knowledge of the policies and procedures employed by the Corporation. All Governors are required to undertake safeguarding and Prevent mandatory training.

Allowances

Corporation Members are not paid for carrying out their duties. Members may claim expenses, within specified limits, for travelling and subsistence associated with attendance at meetings, training events and conferences.

PERSONAL QUALITIES OF A CORPORATION MEMBER

The following are the six key qualities sought in those applying to join the Corporation: -

Good Character

- Personal integrity
- Respect and trust of others
- Respect for confidences
- Absence of any matter that might bring the Corporation and the College into disrepute
- Willingness to be circumspect in private, working and public life

Understanding and Communication

- Ability to understand documents, identify and comprehend relevant facts, and follow discussions
- Ability to concentrate
- Ability to communicate effectively

Social Awareness

- Understanding of the local community which the College serves and society in general
- Respect for people from diverse/ minority groups
- Experience of life beyond family, friends and work
- Commitment to serve the community
- Willingness to attend all Corporation meetings and committees to which you may be appointed
- Willingness to participate in induction and on-going training and development events

Sound Judgement

- Common sense
- Ability to think logically, weigh arguments and reach a balanced decision
- Openness of mind
- Objectivity
- The recognition and setting aside of prejudices

Commitment and Reliability

- Reliability
- Ability to offer requisite time
- Support of family and employer
- Sufficiently good health

Maturity and Sound Temperament

- Ability to relate to and work with others
- Regard for the views of others
- Willingness to consider advice
- Maturity
- Humanity
- Courage
- Firmness
- Decisiveness
- Confidence
- A sense of fairness
- Courtesy

In addition, the Corporation has established Guidelines for the Selection of New Corporation Members, on the basis of the following aims:

- To build a Corporation which will provide strategic advice and specialist input which will contribute to the continued successful development of the College.
- To achieve a balance of Corporation members which continues to reflect the changing areas of activity of the College.
- To ensure that the Corporation has a balanced membership from relevant professional groups to ensure that the Senior Management Team receives informed advice in specialist areas.
- To achieve a balance of membership which reflects *and reaches out to* the community served by the College. The Corporation would wish to benefit from a range of perspectives which will be enriched by drawing members from a diverse range of backgrounds.
- To achieve a balance of Corporation Members which satisfies the legal requirements set out in the Instrument of Government.

Criteria for selecting Corporation Members:

The following questions will be considered in selecting candidates: -

- 1 Does the individual bring appropriate and additional expertise to the Corporation?
- 2 Has the individual had exposure to situations which involve strategic decision making and resource allocation?
- 3 Does the individual have experience of the complexity of managing an organisation?
- 4 Does the individual have the competence to think through and debate key issues and to provide support and challenge?
- 5 Is the individual prepared and able to give enough time to attend Corporation meetings, committees and additional events?
- 6 Does the individual have experience of contributing to committees?
- 7 Does the individual have an enthusiasm for Further Education?
- 8 Does the individual live or work in the East Riding area?
- 9 Does the individual hold other roles which would bring useful knowledge to the Corporation and provide opportunities for the Corporation to influence local developments?
- 10 Does the individual have links with key partners?
- 11 The individual has not served previously with the Board.

Criteria for not selecting Corporation Members:

Questions to be considered: -

- 1 Is the individual a member of staff or student of the College and not filling the role of student or staff nominee?
- 2 Is the individual a bankrupt?
- 3 Has the person been convicted of certain criminal convictions within the past five years and without option of a fine?
- 4 Does the profile of the individual fit the permitted balance of categories of Corporation Members as indicated in the Instrument and Articles and defined in the Standing Orders?

The above is also detailed in the form of a person specification at Appendix 1.

ELIGIBILITY REQUIREMENTS

A person under the age of 18 may not be a Corporation Member, unless as a Student Member. The Instrument of Government specifies certain other circumstances in which individuals are, or become ineligible for membership of the Corporation, which includes bankruptcy and/or certain criminal convictions within the past five years, and without the option of a fine. The extract from the Instrument appears as Appendix 2.

PERSONAL LIABILITY OF CORPORATION MEMBERS

In principle, Board Members are not liable for the debts of the College. All Corporation Members are covered under professional indemnity insurance purchased by the College.

BEFORE MAKING AN APPLICATION

It is advisable to have visited the College at least once before making an application. The Clerk to the Corporation can advise you on when it is best to visit.

If you are employed, you must establish with your employer that you will be allowed to take reasonable time off work to undertake the duties of a Corporation Member. Your employer or a representative should generally be one of your referees.

RELATED POLICIES, PROCEDURES AND BACKGROUND SOURCES OF INFORMATION

The following documents are available from the office of the Secretary to the Corporation and on the College's website: -

- Code of Conduct for Corporation Members
- Standing Orders
- Instrument and Articles of Government

COMPLETING THE APPLICATION FORM

- If a question does not apply, please mark it N/A (not applicable). Do not leave the space blank or put a line through it.
- You must disclose any convictions, however minor, which are not regarded as being spent under the terms of the Rehabilitation of Offenders Act 1974. All police cautions must also be disclosed.
- Candidates are asked to answer the 'key' question on the application form:
"Is there anything in your private or working life, or in your past, or to your knowledge in that of any member of your family or close friends, which, if it became generally known, might bring you or the College into disrepute, or call into question your integrity, authority or standing as a member of the Corporation?"

If you have any concerns about answering this question, you may, if you so wish, speak with the Clerk to the Corporation whose address and telephone number is shown below.

- Your application must be supported by two referees who have known you for at least three years. If you are employed, one referee should be your employer or a representative, even if you have worked for them for less than three years. No more than one of your referees may be a serving Corporation Member.
- The completed application form should be sent to the Clerk to the Corporation, using the freepost address provided at the end of the form or by email:
Joanne.mylrea@eastridingcollege.ac.uk

East Riding College**SCHEDULE****Eligibility for membership of the Corporation**

Clause 8 of the Instrument of Government of the College lists persons ineligible to be members of the Corporation and this section is set out below:

- (1) No one under the age of 18 years may be a member, except as a student member.
- (2) The Clerk may not be a member.
- (3) A person who is a member of staff of the institution may not be, or continue as, a member, except as a staff member or in the capacity of Principal with the exception of an existing member taking up part-time, temporary employment within the College. This should not be in a managerial role, should be limited to no more than 5 hours a week and lasting no longer than one year, with the employment being incidental to that of the role of governor. Should this employment exceed 5 hours per week or continue beyond one year then the member must resign their membership. Such members should note Instrument 11 (1-4) and act accordingly. This member will also be required to withdraw from meetings where staff members withdraw as set out in Instrument 14 (5).
- (4) Paragraph (3) does not apply to a student who is employed by the Corporation in connection with the student's role as an officer of a students' union.
- (5) Subject to paragraphs (6) and (7), a person shall be disqualified from holding, or from continuing to hold, office as a member, if that person has been adjudged bankrupt or is the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order or a bankruptcy restrictions undertaking within the meaning of the Insolvency Act 1986, or if that person has made a composition or arrangement with creditors, including an individual voluntary arrangement.
- (6) Where a person is disqualified by reason of having been adjudged bankrupt or by reason of being the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order or a bankruptcy restrictions undertaking, that disqualification shall cease
 - (a) on that person's discharge from bankruptcy, unless the bankruptcy order has before then been annulled; or
 - (b) if the bankruptcy order is annulled, at the date of that annulment; or
 - (c) if the bankruptcy restrictions order is rescinded as a result of an application under section 375 of the Insolvency Act 1986, on the date so ordered by the court; or
 - (d) if the interim bankruptcy restrictions order is discharged by the court, on the date of that discharge; or

- (e) if the bankruptcy restrictions undertaking is annulled, at the date of that annulment.
- (7) Where a person is disqualified by reason of his having made a composition or arrangement with creditors, including an individual voluntary arrangement, and then pays the debts in full, the disqualification shall cease on the date on which the payment is completed and in any other case it shall cease on the expiration of three years from the date on which the terms of the deed of composition, arrangement or individual voluntary arrangement are fulfilled.
- (8) Subject to paragraph (9), a person shall be disqualified from holding, or from continuing to hold, office as a member if:
- (a) within the previous five years that person has been convicted, whether in the United Kingdom or elsewhere, of any offence and has received a sentence of imprisonment, whether suspended or not, for a period of three months or more, without the option of a fine; or
 - (b) within the previous twenty years that person has been convicted as set out in sub-paragraph (a) and has received a sentence of imprisonment, whether suspended or not, for a period of more than two and a half years; or
 - (c) that person has at any time been convicted as set out in sub-paragraph (a) and has received a sentence of imprisonment, whether suspended or not, of more than five years.
- (9) For the purpose of this regulation there shall be disregarded any conviction by or before a court outside the United Kingdom for an offence in respect of conduct which, if it had taken place in the United Kingdom, would not have constituted an offence under the law then in force anywhere in the United Kingdom.
- (10) A person who is disqualified from acting as a charity trustee by virtue of the Charities Act may not be a member; that is if any of the following offences and circumstances apply:
- (a) Unspent conviction for an offence involving dishonesty or deception;
 - (b) Being a person who has been removed from a relevant office;
 - (c) Unspent conviction for specified terrorism, money laundering or bribery offences;
 - (d) Unspent conviction for contravening a Charity Commission Order or Direction;
 - (e) Unspent conviction for misconduct in public office, perjury or perverting the course of justice;
 - (f) Unspent conviction for attempting, aiding or abetting any of the above offences;
 - (g) Disobeying a Charity Commission Order;
 - (h) Being on the sex offenders register;
 - (i) Unspent sanction for contempt of Court; or
 - (j) Being a designated persons under specific anti-terrorist legislation.

- (11) Upon a member of the Corporation becoming disqualified from continuing to hold office under paragraphs (5), (8) or (10), the member shall immediately give notice of that fact to the Clerk.

CRITERIA FOR SELECTING BOARD MEMBERS - PERSON SPECIFICATION

	Essential	Desirable
Does the individual bring relevant expertise to the Corporation?	✓	
Has the individual had exposure to situations which involved strategic decision making and resources allocation?	✓	
Does the individual have experience of the complexity of managing an organisation?		✓
Does the individual have experience of contributing to committees?	✓	
Does the individual have the competence to think through and debate key issues and to provide support and challenge?	✓	
Is the individual prepared and able to give enough time to attend Corporation meetings, committees and additional events?	✓	
Does the individual have an enthusiasm for the Further Education sector?		✓
Does the individual live or work in the East Riding area?	✓	
Does the individual hold other roles which would enable them to bring a wider perspective on national economic and social changes?		✓
Does the individual have links with other organisations which might help the Corporation have an input into local developments?		✓
The individual has not served previously with the Board.	✓	

Other factors to be considered:

How does the individual relate to the statutory requirements regarding the balance of Board Members in different categories?

- (a) Is the individual a full-time member of staff or student of the college, and not seeking to fill the role of student or staff nominee?

Would the individual be subject to disbarment from membership because of: -

- (a) age
 (b) undischarged bankruptcy
 (c) convicted of criminal convictions within the past five years (without the option of a fine)?