

Bourne Education Trust

Governor recruitment and selection policy

Introduction

Bourne Education Trust ('the Trust' or 'BET') is committed to ensuring that appointments to its constituent schools' local governing committees ('LGCs') are conducted with full regard to the Trust's governing documents, the strategic aims of the organisation and in accordance with legislative and regulatory requirements.

In order to be effective, LGCs should have:

- The right people round the table;
- People with an understanding of their role and responsibilities.

The purpose of this policy is to help the LGCs to achieve these two things.

Underlying principles

The policy and processes that follow are intended to be fair and transparent and with clear accountability to colleagues, candidates and others.

At every stage of the selection process, LGCs are committed to complying with the Equality Act 2010 and the Data Protection Act 2018.

Due diligence

When preparing to appoint a new governor, BET schools will ensure that the person is qualified to act. The clerk to the LGC will check that candidates have not been disqualified from acting as a governor, and candidates are asked to confirm in writing to the clerk that this is the case (see Appendix A).

Recruitment Process

When a vacancy occurs on the local governing committee an advert will be placed on the school's website and on other volunteer bureaux and governor recruitment agencies, professional, trade or community organisations (or any such other relevant body that might be thought suitable), or contact may be made by personal contact to an individual. In respect of parent governor vacancies, adverts will be distributed to the parent body.

Where appropriate, steps can be taken to communicate in the most effective way with the target pool of potential applicants to draw their attention to the opportunity. Those steps will vary from opportunity to opportunity (and there might be occasions where additional publicity might not be deemed necessary).

The vacancy advert will include as a minimum the governor role description and skills specification. [https://www.nga.org.uk/getattachment/Governance-Recruitment/Be-a-school-governor-or-trustee/Governor-role-description-2017-\(1\).pdf?lang=en-GB](https://www.nga.org.uk/getattachment/Governance-Recruitment/Be-a-school-governor-or-trustee/Governor-role-description-2017-(1).pdf?lang=en-GB) Applicants will be invited to complete a

short application form and submit a brief CV. Elected governor vacancies will invite candidates to follow the process as outlined below.

Emphasis on Skills

Schools (academies within a multi-academy trust) are complex organisations that need a range of skills and experience to help oversee and support their needs. Requirements are based on a skills audit which is reviewed every year. Each governor shares collective responsibility for ensuring outstanding governance in the school in pursuit of its strategic aims and may have a role (or roles) with specific responsibilities.

From time to time a project, or some other requirement, may emerge where it is necessary to secure temporary expertise and in those circumstances BET schools may seek to recruit someone with the appropriate knowledge and experience (as defined on a case by case basis) onto the governing committee for a specified period.

An effective local governing committee should be able to draw on a diverse range of skills, knowledge, qualities and experience to help it fulfil its roles. These might include 'hard' skills such as education, health, finance, property, accountancy, law and marketing, with a particular preference for those with leadership and strategic management experience. Or 'soft' skills such as team working or negotiation. Appointing governors who reflect and have knowledge of the communities and the areas that the school(s) exists to serve will be an objective of this policy where possible.

Governors act collectively to fulfil their duties. All governors should be able to demonstrate they meet certain key qualities, including to:

- Be committed to the purpose, objects and values of the organisation;
- Be constructive about other governors' opinions in discussions, and in response to executive (staff) members' contributions at meetings;
- Be able to act reasonably and responsibly when undertaking such duties and performing tasks;
- Be able to maintain confidentiality on sensitive and confidential information;
- Be supportive of the values (and ethics) of the organisation;
- Understand the importance and purpose of meetings and be committed to preparing for them adequately and attending them regularly;
- Be able to analyse information and, when necessary, challenge constructively;
- Be able to make collective decisions and stand by them;
- Be able to respect the boundaries between the executive (staff or day to day) and governance functions.

All individuals governing on a school LGC, regardless of their constituency are elected or appointed with one common purpose – to govern their school in the best interest of pupils. Parent governors and committee members are no exception. They are not elected to represent their stakeholder group, but are elected in order to contribute to the work of the LGC in ensuring high standards of achievement for all children and young people in BET schools, contributing to strategic discussion, holding senior leaders to account by monitoring school performance and ensuring money is well spent.

Standards in Public Life

It is important that all governors as public appointees uphold the standards of conduct set out in the Committee on Standards in Public Life's Seven Principles of Public Life (see Appendix B).

The local governing committee must satisfy itself that all candidates for appointment can meet these standards and have no conflicts of interest that would call into question their ability to perform the role.

Conflicts of Interest

The local governing committee will consider any existing conflicts of interest before the appointment of a governor. It is inevitable that conflicts of interest will emerge from time to time, particularly in local communities where interests may overlap and it is considered important to identify conflicts of interest as they arise, and to make sure that they are properly managed.

Consideration will be given to the ability of prospective governors to act in the best interests of the school as opposed to the interests of representative groups.

Prospective governors will be asked about potential conflicts of interest, and these should be declared by way of a Bourne Education Trust declaration of interests form provided at the offer of an appointment (Appendix C). As a matter of best practice, the Trust requires all governors to submit an annual declaration of actual or potential conflicts of interest at the start of each new academic year. As well as each governor being required to annually declare any changes in circumstance, conflicts of interest with items on the agenda at each meeting should also be declared.

If such conflicts are likely to arise frequently, it will be considered that this may affect the ability of the governor to perform their duties. This is particularly important where personal interests may be significant enough to make it necessary for the governor to withdraw from meetings so often that they are unable to make a useful contribution. If this is the case, the governor should consider standing down but should consult first with the chair of the governing committee and clerk to reach an understanding on the management of the conflict. Both the Trust and all BET schools will publish the declared interests of all BET governors on their website as a matter of transparency and good public sector practice.

Selection process - appointed governors (co-opted governors)

A panel shall be convened to carry out the selection. The panel shall have delegated responsibility for selecting the preferred candidate though they shall recommend their choice to the governing committee for ratification. The panel may be a standing panel or one convened as and when needed for a specific recruitment.

One member of every governor recruitment interview panel will have had accredited safer recruitment training. The panel may shortlist candidates. The panel shall interview the candidates, assessing best fit against the skills, knowledge and experience outlined in the skills specification (see 'Best fit' below).

Panel members will take their own clear notes at interview – these can be used when giving feedback to candidates but may also be viewed by candidates upon request under data protection legislation (subject to access rights).

The successful candidate will be required to undergo an Enhanced Disclosure and Barring Service check and will also be required to sign a declaration of eligibility to serve as a governor, as set out in the Articles and as required by the Charity Commission (see Appendix A).

Appointed governors take up a four-year term, unless otherwise stated such as when temporary expertise is required. However, for some skilled individuals who may be put off by the commitment of the four-year term, a shorter term of one or two years can be offered.

‘Best Fit’

Governor roles differ in the sense that some, such as finance, require specific skills whereas others, such as student learning, student welfare or premises, could be met by someone with a broad range of skills and experience, and who is given the appropriate training for the role. It is not always easy to find potential governors and so the ‘best fit’ approach may need to be applied by the selection panel. It is important that the view on ‘best fit’ is recorded in a way that demonstrates to any third party why the selected person was considered appropriate.

Selection process – elected governors (parent governors)

The clerk to the governing committee is responsible for managing the election process for parent governors and will issue a letter to all relevant parties to give notification of the vacancy. Required skills will be outlined, as will the timetable for the election process.

The above letter will invite nominations from interested parties who will indicate how they meet the skills requirements to be accompanied by a personal statement to be issued to voters.

If there are more candidates than vacancies, voting will take place within an agreed timeframe, and the candidate with the majority of the votes will win¹. The governing committee will have the final say in the event of a tie. The candidate with the most votes will be advised of their success by the chair of governors or other nominated individual. If there is only one nomination, that candidate will automatically take the post².

¹Statutory guidance outlines that it is for whoever is appointing the individual to be confident that they have the necessary skills, including the willingness and ability to learn and develop. To make an informed decision on this matter, an interview or detailed discussion will need to take place with each prospective candidate, with references (oral or written) taken as necessary, together with other recruitment tools.

²Statutory guidance outlines that it is for whoever is appointing the individual to be confident that they have the necessary skills, including the willingness and ability to learn and develop. To make an informed decision on this matter, an interview or detailed discussion will need to take place with each prospective candidate, with references (oral or written) taken as necessary, together with other recruitment tools.

The successful candidate will be required to undergo an Enhanced Disclosure and Barring Service check and will also be required to sign a declaration of eligibility to serve as a governor, as set out in the Articles and as required by the Charity Commission (see Appendix A).

Elected governors take up a four-year term and there must be a re-election after that time. However, for some skilled individuals who may be put off by the commitment of the four-year term, a shorter term of one or two years can be offered.

Selection Process - Associate members

Associate members may be appointed by LGCs as members of committees, and may include pupils, school staff, or anyone else who the local governing committee feel could contribute to its work. Their voting rights are decided by the governing committee and are also limited by law to exclude matters concerning the budget, admissions, pupil discipline and the election or appointment of governors. Associate Members are not governors and are not included in the Instrument of Government.

The position of a governor who wishes to stand for a further term

Governors sit on the governing committee for a specific term. An existing governor may, at the expiry of their term of office, indicate their willingness to stay on for a further term of office. However, any such request shall be subject to the same selection process as detailed in the paragraphs above.

In line with good practice in the charity sector and NGA recommendations, the Trust believes that governors should limit their length of service on the board of on any one school LGC to no more than two terms of office (eight years) in order to remain objective, impartial, independent and provide the right level of challenge. If a school believes that there are exceptional reasons to override this guidance approval should be sought from the Trust Board, however an active succession plan should be put in place. It is also not good practice for any individual to serve on more than two governing boards at one time unless there are exceptional circumstances (e.g. being requested to sit on an Interim Executive Board).

A retiring elected governor is welcome to either stand again in an election if they are still eligible or apply for an appointed governor position should the expiry of their term of office as an elected governor coincide with the recruitment for an appointed governor.

Appointment of chair

The LGC should elect from amongst their number a chair and a vice-chair. Members of the LGC should be asked to put themselves forward provided they can carry out the role and evidence having the effective chairing skills required or are prepared to undergo the relevant training (see Appendix D - Role of the Chair and effective chairing skills).

Reappointment of existing chair

Once appointed as chair, the expectation is that the incumbent will stay in post for the remainder of their term of office (maximum four years); however, this should be confirmed every year by the local governing committee in order to allow time for reflection on the current skills needs and to allow for the removal of the chair in extremis.

If the current chair wishes to stand for a further term of office, he or she may express an interest in doing so to the headteacher or the clerk to the local governing committee. The headteacher/clerk will then consult with all members of the local governing committee on the expression of interest and will then advise the committee at their next meeting.

During the considerations on appointing a new chair, the proposed nominee will not participate in the discussions or take part in the voting and shall withdraw from the meeting at which the matter is discussed: at any such times the vice-chair or a designated governor shall act as chair of the meeting for that item when seeking a decision on the appointment.

Although there is no legal constraint on the length of time a chair can serve, BET endorses NGA's view that an element of regular reappraisal and renewal is beneficial to all bodies and that all chairs should normally expect to step down after a maximum of six years in post in order to remain objective, impartial, independent and provide the right level of challenge. If a school believes that there are exceptional reasons to override this guidance approval should be sought from the Trust Board, however an active succession plan should be put in place.

Diversity

Bourne Education Trust and its constituent schools believe that the governance is enhanced and will be seen to be enhanced where governors are appointed from a wide range of backgrounds. The Trust is committed to the notion that diverse governance committees can help to increase accountability, public confidence and reputation amongst its stakeholders as well as encouraging well informed, broad based decision making.

Drafted by:	BET Executive (Autumn 2020)
Approved by:	BET Board (Autumn 2020)
Next review	Autumn 2023

Appendix A – Declaration of eligibility to serve on the Trust Board or a BET school local governing committee

In some circumstances, a person is disqualified from holding or continuing to hold office as a school governor:

Criteria relating to working with children

You must not be:

- Disqualified or restricted from working with children or young people;
- Included in the list of people considered by the Secretary of State as unsuitable to work with children;
- Subject to a direction under section 142 of the Education Act 2002;
- Disqualified from registration for childminding or providing day care;
- Disqualified from registration under Part 3 of the Childcare Act 2006;
- Subject to a disqualification order under the Criminal Justice and Court Services Act 2000.

Criteria relating to bankruptcy and insolvency

You must not have had:

- Your estate sequestrated if the sequestration order has not been discharged, annulled or reduced.

You must not be subject to:

- A bankruptcy restriction order, an interim bankruptcy restriction order, a debt relief order or an interim debt relief order;
- A disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986;
- A disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002;
- An order made under section 492(2)(b) of the Insolvency Act 1986.

Criteria relating to prison sentences

You must not have:

- Received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine) in the five years before becoming a governor or since becoming a governor;
- Received a prison sentence of two and a half years or more in the 20 years before becoming a governor;
- At any time, received a prison sentence of five years or more.

Criteria relating to general restrictions

You must not:

- Have been removed from the office of charity trustee or trustee for a charity from participating in the management or control of any body by the Charity Commissioners or High

Court on grounds of any misconduct or mismanagement, or under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005;

- Have been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor;
- Already hold a governorship of the same school. **Please note that if you are applying for re-appointment, this information relates to the period when your current term of office ends.*

You must be:

- Over 18 years old;
- Willing to allow an application to the Disclosure and Barring Service (DBS) (formerly known as the Criminal Records Bureau – CRB) for a criminal records certificate.

Please confirm that you are willing and eligible to stand by signing the declaration below.

I declare that I am not disqualified from serving on a multi-academy trust board/school governing committee (formerly known as the governing body). If I become disqualified, I will give notice of the fact the clerk to the Board/governing committee. I will agree to a Disclosure Barring Services (DBS) check.

[Please note that you will be disqualified from holding or from continuing to hold office if you fail to attend the board/governing body meetings without the consent of the governing body for a continuous period of six months, beginning with the date of the first meeting missed (not applicable to ex officio governors)].

Signed: _____

Contact details:

Full Name

Address & postcode

.....

.....

.....

.....

Date of birth

Date

Please sign and retain an additional copy of this document with your records.

Bourne Education Trust: a company limited by guarantee; **Company registration number:** 07768726; **Registered office:** Ruxley Lane, West Ewell, Epsom, Surrey KT19 9JW.

Appendix B – The seven principles of public life

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

Appendix C – Declaration of interests

Declaration of Interests Form: Company number: 07768726 Company name: Bourne Education Trust

Name:

School (if applicable):

If you have no interests to declare (including those which ceased within the last 12 months) please indicate here by stating 'NONE':

Name of business	Nature of business	Nature of interest	Date of appointment or acquisition	Date of cessation of interest	Date of entry in the register

I certify that I have declared all interests which I or any person /firm/ company connected* to me have with businesses or other organisations which may have dealings with the Company (including those which ceased within the last 12 months).

*A person is connected to a [Director]/[Member]/[Governor] if they are a child, stepchild, parent, grandchild, grandparent, brother, sister or spouse of the [Director]/[Member]/[Governor] or any person living with the [Director]/[Member]/[Governor] as his or her partner.

*A business, firm or company is connected to a [Director]/[Member]/[Governor] if it is one in which the [Director]/[Member]/[Governor] is a partner; an employee; a consultant; a director; a member; or a shareholder. Please specify any Connections/Memberships/Shares in companies etc. which have direct business interest in the Trust or a Trusteeship and Governorship including at other educational institutes and charities irrespective of whether there is a trading relationship with the Trust.

Signed Date

Appendix D – Effective chairing skills

- Provide for clear leadership and direction – ensuring that discussions are held within some framework for debate, i.e. based on an agreed agenda and adhering to established ground rules, standing orders or protocols for how the business should be conducted.
- Ensure that debates are focused and balanced – involving discussion from all of those who wish to articulate a view, particularly where conflicting viewpoints are being expressed.
- Enable decisions to be reached – allowing participants to agree on the way forward and any further action that needs to be taken, e.g. for the allocation of resources to meet agreed priorities.
- Contribute to group or team working – allowing people to build rapport and contribute to group/committee discussions. This can often help to inform, unite and inspire people.
- Ensure that resources are used to best effect – saving time and energy and allowing information, views and evidence to be gathered in an efficient and timely manner.

The key roles of a chair

There are no hard and fast rules about how a meeting is chaired. The approach you take and the style you adopt will depend largely on the nature of the meeting, the people involved and your own personality.

That aside, there are some key roles that most chairs adopt:

- The spokesperson – summing up other people’s views and being comfortable to put these across to all kinds of people, including large groups.
- The organiser – making sure that everyone is prepared for meetings and knows when and where they are going to be and what is going to be discussed. For most formal committee meetings, the mechanics of this will be undertaken by your committee clerks.
- The communicator – making sure that everyone understands what is going on before, during and after the meeting.
- The action person – making sure that meetings are not just a ‘talking shop’ but have a purpose and result in action.
- The mediator – sometimes finding a compromise between two people or two conflicting ideas - being fair and not letting your own feelings get in the way.