

## Trustee and Governor Recruitment, Governance Review and Development Policy

### 1. Purpose and scope

This policy sets the process for Trustee and Governor selection and induction and the means by which individual and collective Board performance is reviewed and supported.

It is a joint policy agreed by the Joint Group Board Committee (JGBC) on behalf of both the Charity and the Trust. The Education Committee and the Governance Committees will both have the opportunity to input into the policy setting process.

### 2. Relevant legal/statutory/regulatory requirements

This policy takes account of guidance from the Charity Commission, the Department for Education and Companies House, the Charity Code of Governance, and Keeping Children Safe.

### 3. Key principles

The key principles underpinning this policy are that:

- Trustee and Governor recruitment and selection should be open and transparent and designed to get the right mix of skills, knowledge, experience and perspectives on the Charity and Trust Boards and Governing Bodies and create diverse and inclusive Board and Bodies;
- Trustees and Governors should be provided with appropriate induction to support them in understanding the Charity and the Trust, the 'quasi group/joint governance arrangements in place, and their role and responsibilities;
- Individual Trustee and Governor performance and the collective performance of the Board and Bodies should be appraised annually;
- Appropriate training and development should be provided to support Trustees and Governors in fulfilling their responsibilities.

### 4. Preferred Board and Governing Bodies composition

- 4.1. The Board and Governing Bodies shall agree annually a preferred composition setting out the ideal mix of knowledge, skills and experience required to deliver excellent governance.
- 4.2. Trustees and Governors shall undertake annually personal self-assessment of their knowledge, skills and experience, and the Board shall, as part of the annual Board/Body Appraisal undertake a review of the consolidated results of this exercise against the preferred composition. Any material gaps in skills knowledge or experience identified through this preferred composition review shall inform the recruitment and selection of Trustees and Governors.

### 5. Recruitment and selection

- 5.1 Following the identification of a vacancy due to the impending retirement of a Trustee or Governor, the relevant group (Governance Committee for Trustees / Governing Body for Governors) will:
  - Identify any gaps in skills, knowledge and experience against current and future requirements;
  - Identify under-represented groups and the need for a targeted approach to recruitment;
  - Agree a person specification;
  - Consider and approve appropriate recruitment mechanisms;

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- Shortlist candidates against the person specification;
- Carry out interviews that:
  - Are based on merit and objective assessment and selection techniques;
  - Draw out information relating to the person specification not apparent from the application form;
  - Clarify roles and responsibilities of the advertised position including the consideration of potential and significant conflicts of interest.
- For Trustees: Make a recommendation to the JGBC for approval by the Charity and Trust Boards who have the ultimate decision concerning the appointment of suitable Trustees.
- For Governors: Make a recommendation to the Governing Body for approval who have the ultimate decision concerning the appointment of suitable Governors. Unless the appointment is the Chair of the Governing Body, when the Education Committee shall recommend a candidate to be approved by the Governance Committee

5.2 **Trustees only:** prior to interview disqualification checks will be undertaken including Companies House and the Charity Commission. Social media searches will also be undertaken.

## 6. Casual recruitment

6.1. **Trustees:** The Governance Committee will meet if a vacant post arises because a Trustee has left his/her position before completing the fixed term. The Committee will consider details of applicants who have been interviewed in the previous two years and who were considered to have appropriate skills. The Committee may then either make a recommendation to the Board on the strength of their existing knowledge or advertise the vacancy in the usual way.

6.2. **Governors:** In the case of a Governor retiring before their retirement date, the Governing Body will consider details of applicants who have been interviewed in the previous two years and who were considered to have appropriate skills. The Governing Body may then either make a recommendation to the Body on the strength of their existing knowledge or advertise the vacancy in the usual way

## 7. Appointment Panel

7.1. The Appointment Panel will meet to interview shortlisted candidates. The panel will ordinarily consist of at least one member of the following constituent groups:

Trustees	Governors
The Chair and/or Vice Chair Up to two other Trustees <i>The Chief Executive may attend as an observer on the panel</i>	The Chair and/or Vice Chair. Up to two other Governors. Either the Executive Principal or Director of Education Head of Setting

## 8. Recruitment checks

8.1. Prior to appointment, each candidate will have the following checks undertaken:

- Enhanced DBS, where appropriate, for any Trustee or Governor that undertakes regulated activity a child barred list check must be completed. These must then be renewed every three years.

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- Section 128 check
- Two references – 1 character and 1 professional (where relevant);
- Evidence of right to work in the United Kingdom
- A copy will be taken of relevant professional qualifications,
- **Trustees:** All Board members will have to complete:
  - Trustee Declaration of Eligibility;
  - Code of Conduct;
  - Automatic disqualification – Charity Commission;
  - Register of Business Interests (renewed annually).
- **Governors:** All Governing Body members will have to complete:
  - Governor Declaration of Eligibility;
  - Code of Conduct;
  - Register of Business Interests (renewed annually).

## 9. Approval of Appointments

- 9.1. **Trustees:** The Governance Committee shall, upon completion of the selection process, make a recommendation to the JGBC for approval by the Charity and Trust Boards on the appointment of the successful applicant(s). All appointments will be formally confirmed by letter by the Chair of the Board and are subject to security checks being completed and satisfactory.
- 9.2. **Governors:** The Governing Body shall, upon completion of the selection process, approve the appointment of the successful applicant(s). The appointment of the Chair of the Governing Body shall go to the Education Committee for recommendation to the Governance Committee for approval. All appointments will be formally confirmed by letter by the Chair of the Governing Body (or Director of Education for the Chair of the Governing Body) and are subject to security checks being completed and satisfactory.

## 10. Support for new Trustees and Governors

- 10.1 Prospective Trustees and Governors will be offered the opportunity to learn about the Charity and the Trust, and the responsibilities of the Trustee role. The following support will be offered:
- A comprehensive Induction Pack including the Governance Handbook.
  - A compulsory and comprehensive induction programme to the Charity and the Trust including:
    - An explanation of our 'quasi group'/joint governance structure and Trustee roles and responsibilities;
    - our joint vision, mission and values;
    - our joint strategy and policy including our educational approach, safeguarding and relevant regulations.
  - A buddy system where a more experienced fellow Trustee / Board member / Governor will provide extra support/help;
  - A six-month probationary interview with the Chair to discuss overall progress;
- 10.2. All new Trustees and Governors must undertake safeguarding training and sign that they have read & understood the Keeping Children Safe in Education (Part 1) guidance.

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## 11. Term of office

11.1. All Trustees and Governors will be appointed for a six-month probationary period and, if this is satisfactorily completed, the appointment will be confirmed. During the probationary period the Trustee or Governor will have full voting rights. The criteria for the successful completion of the probationary period will normally be:

- Missing no more than one Board/Governing Body or appointed Committee meeting in the six-month period;
- Effectiveness of contributions at meetings assessed by the Chair supported by the Vice Chair;
- Demonstration of knowledge and skills identified on application and assessed by the Chair supported by the Vice-Chair;
- Ability to work as part of a team assessed by the Chair supported by the Vice Chair;
- The individual's own assessment of his/her own effectiveness/contribution during the probationary period.

11.2. **Trustees** will serve a term of three years (of which the six-month probationary period will count as part of the first term) renewable for a further two terms of three years subject to mutual agreement.

11.3. **Governors at The Rise School** will serve a term of three years (of which the six-month probationary period will count as part of the first term) renewable for one further term of three years subject to mutual agreement. Except in the case of Staff Governors (who will cease membership of the Governing Body if his/her employment with the School ends), Parent Governors (who will not be eligible for a second term if their son/daughter is no longer a pupil), and the Head of School and Executive Heads (who are standing members as long as they are in post).

11.4 **Governors at TreeHouse School** will serve a term of four years (of which the six-month probationary period will count as part of the first term). Except in the case of the Chair, Vice Chair or Local Authority Governor, who may be reappointed for one further term of four years subject to mutual agreement, and the Head of School and Executive Heads who are standing members as long as they are in post.

11.5 **Governors at Ambitious College** will serve a term of three years (of which the six-month probationary period will count as part of the first term) and extendable by a further three years except in the case of Parent Governors (whose son or daughter or ward no longer attends the College, shall be able to complete their original term of office, but will not be able to extend their term by a further three years), and the Head of College and Executive Heads who are standing members as long as they are in post.

## 12. Governance annual performance review

12.1. An annual assessment will be carried out of collective performance through the 'quasi group'/joint governance structure and associated Terms of Reference, Group strategy, and any existing Governance Improvement Plan as well as the Charity Code of Governance and Governance Code of Conduct.

- For Trustees this assessment will be carried out by the Governance Committee
- For Governors this assessment will be carried out by the Education Committee

12.2. The Joint Group Board Committee shall ensure that no less than once every three years this process is supported by an experienced external facilitator.

12.3. The annual assessment will:

- Establish and recommend any changes to the Preferred Board Composition.

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- Establish and recommend any required changes to the role profile and person specification for Board or Governing Body positions.
- Establish and recommend a Governance Improvement Plan for the forthcoming year.

These recommendations will be received by the Charity and Trust Boards (in relation to Trustees) and the Education Committee (in relation to Governors).

### 13. Member appraisal

13.1. The Board or Governing Body Chair will ensure that all Trustees or Governors are appraised annually. Appraisals will be conducted with support from the Vice Chair as follows:

- Chair of the Board – by the Vice Chair of the Board.
- Chair of a Governing Body - by the Executive Principal or Director of Education
- Vice Chair – by the Chair.
- Committee Chairs – Chair or Vice Chair.
- All Other Members – Chair or Vice Chair.

13.2. Appraisals will be informed by formal feedback from other Trustees or Governors and (for Trustees) the Chief Executive.

13.3. The annual appraisal will consider performance at Board / Governing Body and relevant Committees and will inform the production of a development plan for each member which will be reviewed at the following year's appraisal.

### 14. Circumstances in which individuals will be excluded from becoming or continuing to be a Trustee or Governor

- Has an unspent conviction for an offence involving dishonesty or deception or issue relating to children, young people or vulnerable adults, or is named on the children's barred list maintained under the Safeguarding Vulnerable Groups Act 2006 ;
- Is currently declared bankrupt (or is subject to bankruptcy restrictions or an interim order) or has an individual voluntary arrangement (IVA) with creditors;
- Is disqualified from being a company director;
- Has previously been removed as a Trustee or Governor by either the Charity Commission or the High Court due to misconduct or mismanagement;
- An organisation with the statutory authority to regulate the activities of the Charity or Trust requires or orders their removal;
- The Board or Governing Body notifies them that it considers there to have been a material underperformance of duties or a breach of the Code of Conduct, including regular non-attendance at Board/Governing Body/Committee meetings, breach of confidentiality, or fails to attend three consecutive meetings and the Trustees or Governors resolve that he or she be removed for this reason.
- They are considered no longer to be fit to undertake the role.

### 14. Review of this policy

14.1. This policy will be reviewed every two years by the Joint Group Board Committee with input from the Governance Committee and Education Committee.

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