

## MINUTES OF A MEETING OF THE SEARCH AND GOVERNANCE COMMITTEE

HELD ON WEDNESDAY 29 NOVEMBER 2023 IN THE COLLEGE BUSINESS CENTRE

### **29/23 DECLARATIONS OF INTEREST**

There were no declarations of interest. Mr Ken Dueck and Mrs Bev Burgess were welcomed to their first meeting as Members of the Search & Governance Committee. With the agreement of the Chair the agenda was taken out of order.

### **30/23 DBS CHECKS FOR GOVERNORS**

The Head of Human Resources (HR, People and Culture) joined the meeting and reported on Disclosure and Barring Service (DBS) checks for Governors. It was proposed to transition Governors whose DBS checks are over 12 months old and who have not signed up to the Update Service to complete a new application using the new online system used by the College, U-Check and to register for the Update Service. By moving all Governors and co-opted Members to align with the procedures for staff it would enable the HR department to ensure that the College continues to meet the compliances placed on them under *Keeping Children Safe in Education* (KCSIE). All Governors would now be classed as volunteers on the new online system and this would reduce costs.

Following queries by a Member, the Head of HR (People and Culture) confirmed that those Governors who have already subscribed to the Update Service with an employee check would need to cancel their direct debit subscription renewal. HR would contact affected Governors directly. Expense claim forms would be circulated as required.

There was some discussion as to whether it was necessary or advisable to carry out DBS checks on Student Governors. The Director of Governance informed Members that this topic had recently been discussed on the Further Education (FE) Governance Directors network and it was concluded on the network that this was not required and that the vast majority of colleges do not carry out DBS checks on their Student Governors. The Principal and Head of HR (People and Culture) recommended that DBS checks are introduced for Student Governors and the Committee agreed to recommend this to Corporation.

The Committee CONSIDERED the report and RECOMMENDED to Corporation for APPROVAL:

- Move from paper to online DBS clearances, for all new Governors or co-opted members. In addition to signing up to the update service annually and completion of an annual declaration of eligibility;
- Once a Governor or co-opted member's DBS is older than 12 months, they will be asked to complete a new online DBS application and provide the necessary identification documents to HR. Governors and co-opted members will also be asked to register for the DBS Update Service, which they must provide evidence to HR to confirm has been completed, so the relevant annual checks can be record on the single central record (SCR);
- As Governors are now classed as volunteers on our new online system their new DBS costs would be £12.80 per application (compared to staff costs per DBS of £52.20). During 2023/24 five Governors' DBS certificates will be older than 12 months and the cost of renewing these on the online system would be £153.60;

- When using a Volunteer DBS Certificate (and Number), the Annual Update Service is free for individuals to register and renew on an annual basis at this time. For non-volunteers the individual costs annually is £13.00 per staff member provided for information purposes;
- Introduce DBS checks for Student Governors.

The Head of HR (People and Culture) left the meeting.

### **31/23 MINUTES OF THE MEETING HELD ON 21 JUNE 2023**

The minutes of the meeting held 21 June 2023 were approved as a true record

### **32/23 MATTERS ARISING FROM THE MINUTES OF 21 JUNE 2023**

The Director of Governance reported on Matters Arising from 21 June 2023 and previous meetings. She was developing proposals for Governors with portfolio with the Chair, however with recent Governor changes and vacancies, this would need to be brought to a future meeting. Further targeted recruitment of Governors from under-represented communities was to be actioned. All other items had been actioned.

There was some discussion regarding what the under-represented groups for targeting were and what barriers existed. The role of the External Governance Review was also discussed. Following a query from a Member, the Director of Governance confirmed that the draft report would be shared with the Chair and Director of Governance in advance of publication and that it was not required to publish the full report on the College website but that it was a requirement to publish a summary. It was agreed that it was necessary to engage with under-represented groups on the Island but that non-Island based Governors could also add value. It was agreed that it may be helpful to have another paper on this and to consider the appointment of a Task and Finish Group.

### **33/23 MEMBERSHIP OF GOVERNING BODY, COMMITTEES, VACANCIES AND NEW APPLICATIONS**

The Director of Governance reported on current membership and vacancies, new applications, and succession planning. Two Members' terms expire or are due for renewal during 2023/24. Mr Nigel Hastings would complete a total of 10 years' service on 31 January 2024. In line with Nolan Principles it was not recommended that the Member's term be extended. Mr Martyn Pearl will complete his second four year term on 27 April 2024. There were currently three external Governor vacancies. The recruitment campaign of Spring and Summer 2023 was of limited success with a good deal of interest but only two applications, one of which was considered appointable. Since then one Member's term had expired, and two Members had resigned unexpectedly mid-term due to a change in personal circumstances. During the autumn term one application had been received and the candidate had been interviewed by Members of the Search & Governance Committee but the candidate was not recommended for appointment. The Director of Governance suggested that the Committee may wish to consider using the FE Governor Recruitment Service provided by Peridot Partners. She also outlined vacancies for Designated Governor Leads and on Committees. She advised that the Skills Audit completed in January 2023 be repeated in January 2024 ahead of a proposed recruitment campaign. It was agreed that the Director of Governance would write to Governors detailing the current vacancies and inviting expressions of interest.

The Committee CONSIDERED the report and:

- NOTED the terms of office ending in 2023/2024;
- NOTED the need to appoint to three external Governor vacancies;
- NOTED the need to appoint to Committee and Governor Lead vacancies;
- DID NOT APPROVE the application for Governor vacancy on the advice of panel;
- APPROVED the use of the FE Governor recruitment service;

- vi. APPROVED the implementation of a skills audit and recruitment campaign in January 2024.

### **34/23 GOVERNANCE PERFORMANCE INDICATORS 2023/24**

The Director of Governance presented the report monitoring progress against the 2023/24 governance performance indicators (PIs). She drew attention to the target for Corporation vacancies to be filled within three months which had not been met. All other PIs were in progress or completed.

The Principal argued for a higher attendance target that exceeded the student attendance national benchmark (85%). It was also suggested that long-term sickness absence could be considered for exclusion from the attendance figures. It was agreed that the outcomes and recommendations of the External Governance Review would be awaited and fed into the PIs for 2024/25 as appropriate when they are due for review by the Committee in June 2024.

The Committee CONSIDERED the report

### **35/23 GOVERNANCE COMPLIANCE REGISTER 2023/24**

The Director of Governance presented the Governance Compliance Register Report. It was noted that one Governor needs to complete their annual refresher for Prevent training; and one Governor needs to complete their Cybersecurity training.

The Support Staff Governor raised that it had been some time since she had been DBS checked. The Principal responded that staff DBS checks are being updated in stages with priority given to staff working with 14-16 year olds and vulnerable groups.

The Committee NOTED the report

### **36/23 AOC CODE OF GOOD GOVERNANCE**

The Director of Governance presented a report on the revised Further Education (FE) Code of Good Governance. She reported that failure to comply with one of the following governance codes of practice will result in non-compliance with funding agreement requirements: Charity Governance Code; FE Code of Good Governance; or UK Corporate Governance Code (in so far as it applies to college corporations as charities). She provided the background to the revision of the FE Code of Good Governance, and outlined the six core governance principles of the revised Code. She presented a comparison of the three Codes and advised that whilst all three Codes aim to guide good governance, they are tailored to meet the specific needs, regulations, and objectives of their respective sectors. As such, the FE Code of Good Governance is directly tailored to meet the needs of the FE sector.

The Committee CONSIDERED the report and RECOMMENDED the adoption of the FE Code of Good Governance (2023) for APPROVAL by Corporation.

### **37/23 INSTRUMENTS AND ARTICLES OF GOVERNMENT AND STANDING ORDERS FOR THE CONDUCT OF CORPORATION BUSINESS**

The Director of Governance drew the Committee's attention to the scheduled dates for review of the Instruments and Articles of Government (January 2024) and the Standing Orders for the Conduct of Corporation Business (March 2024). She recommended that legal advice be sought to inform review and that the review date is rescheduled for March 2024 in order to enable outcomes and recommendations from the External Governance Review to feed into the process. The Committee agreed this course of action. The Director of Governance would liaise with the Chair of Corporation and the Chair of Search & Governance Committee and following this an update would be provided to Corporation.

The Committee CONSIDERED the report.

**38/23 ANY OTHER BUSINESS**

The Support Staff Governor raised a query on the impact of Office for National Statistics (ONS) classification. The Principal provided a summary. This would also be covered in a Governor Updating session.

**DATE OF NEXT MEETING**

Wednesday, 27<sup>th</sup> March 2024 at 11.30am – College Business Centre