



TyneCoastCollege

Access to Governors' Meetings and Publication of Minutes & Papers of the Board and Committees Policy

This policy is available on-line at: www.tynecoast.ac.uk

- We will consider any request for this policy to be made available in an alternative format or language. Please note that the College may charge for this. Please contact: Director of Governance.
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.

Approved by:	Version:	Issue Date:	Review Date:	Contact Person:
<u>Gov&Search,</u> Board	<u>4</u>	<u>July</u> <u>2024</u>	<u>July</u> <u>2027</u>	Director of Governance

Review: 3 years

POLICY NUMBER 85

Access to Governors' Meetings and Publication of Minutes & Papers of the Board and Committees Policy

The Board of Tyne Coast College recognises that it has a duty under the Freedom of Information Act and the Instrument and Articles of Government to be open and transparent in all its business. To that end, governors will not make any matter confidential without good reason and such confidential matters will be kept to an absolute minimum. Information will be made available to the public in accordance with the principles of the Freedom of Information Act.

The Board also endorses the principles laid down by the Committee on Standards in Public Life (Nolan Committee) for those holding public office, two of which refer to accountability and openness.

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.

1 Public Access to Meetings

1.1 Clause 15 of the Instrument of Government states:

Persons who are not Governors or the Director of Governance will not be admitted to meetings of the Corporation or its Committees unless invited to do so by the Chair of the Corporation or Committee Chairs. The Director of Governance will ensure that this policy is published on the College's Website.

The Standing Orders/Procedural Guidance (Section 7) provides further clarification stating:

- 7.1 People entitled to attend a meeting of the Board or its Committees are any of the Governors, the Chief Executive and the Director of Governance. The Board or its Committees will decide who, other than the above, will be admitted to a meeting.
- 7.2 The Audit Committee reserve the right to meet with auditors in the absence of managers when necessary.
- 7.3 Currently, the Board does not allow public access to its meetings.

1.2 Agendas for all meetings shall be divided as detailed below:

- All agendas at Board and Committee level distinguish between decision for discussion and information items.
- Agendas of the Board are structured to allow for an efficient and effective meeting.
- The Board/Committee will agree, at the end of each meeting under the agenda item “**Identification of confidential items**” which items, if any, should be kept confidential, bearing in mind the criteria for confidentiality listed below.

This will be minuted by the Director of Governance.

- As a general rule, confidential papers will come into the public domain after 2 years of their first publication unless deemed otherwise by the Board.

However, there will be papers that must remain confidential - either because they contain information relating to individuals or contain information, which the Board has decided for specific reasons should not be made public.

1.3 On request the Director of Governance shall give the reasons for any item remaining confidential.

- Performance Appraisal and Review Sub Committee papers and minutes except for the agenda, shall be classified as confidential at all times.
- Items where it may be appropriate for some Governors to withdraw as described in paragraph 13 of the Instrument of Government shall also be highlighted.
- Reports and documents circulated to Governors, external members and relevant members of College staff in relation to governance should be treated as confidential and not circulated, unless the information is already published on the College’s website and therefore in the public domain.

- All enquiries regarding circulation, access to, or obtaining copies of governance papers or information should be directed to the Director of Governance in the first instance by Governors, College staff and members of the public.

1.4 At any committee meeting the attendance of non-members, other than designated officers, must be determined by that committee prior to the consideration of the committee's business.

1.5 .
There will be a standing invitation to all senior post holders to attend Board and Committee meetings. Those in attendance may be invited by the Chair of Governors and / or the Chair of the respective Committee(s) to take a full part in discussion but are not entitled to vote.

1.6 The Board may invite others to be in attendance at a meeting to act in an advisory capacity or to make a presentation.

2 Criteria for classifying items as confidential

2.1 The following criteria are applied in considering whether material should be dealt with on a confidential basis

- Material relating to a named person employed at, or proposed to be employed at, the College (this will also apply to prospective members of the Board).
- Material relating to a named student at, or candidate for admission to, the College.
- Material relating to the Director of Governance
- Information relating to an identifiable group of staff or students at the College.
- Information relating to contract negotiations.
- Commercially sensitive information.
- Information which may have long-term legal implications or contain legal advice which, if revealed, may prejudice the College's position.
- Other sensitive information which, if widely available, would detrimentally affect the standing of the College.

- Information relating to the financial or strategic position of the College where the Board is satisfied, in good faith, that disclosure might harm the College or its competitive position
- Exceptionally, information which by reason of its nature the Board or its committees is satisfied should be dealt with on a confidential basis.

3 Public Access to Agendas and Minutes

In the following, “the public” is defined as all persons other than members of the Board of Tyne Coast College.

3.1 Publication of Minutes and Papers – Clause 16 of the Instrument of Government.

16—(1) Subject to paragraph (2), the Director of Governance shall ensure that a copy of:

- (a) the agenda and the signed minutes for every meeting of the Corporation and its Committees; and
- (b) any report, document or other paper considered at any such meetings will as soon as possible be made available during normal office hours at the College to any person wishing to inspect them.

(2) Agenda items to be excluded for inspection will relate to:

- (a) a named person employed at or proposed to be employed at the College;
- (b) a named student at, or candidate for admission to, the College;
- (c) the Director of Governance; or
- (d) any matter which, by reason of its nature, the Corporation is satisfied should be dealt with on a confidential basis.

(3) The Director of Governance will ensure that signed minutes of every meeting of the Corporation and its Committees are posted on the College’s Website for at least one year.

(4) The Corporation will review every two years all material excluded from inspection under paragraph 2 and make any such material available for inspection where it is satisfied that the reason for dealing with the matter on a confidential basis no longer applies, or where it considers that the public interest in disclosure outweighs that reason.

3.2 The agenda of each Board meeting will be made available for public inspection in the Director of Governance’s Office after it has been forwarded to Board members, but before the meeting, if deemed appropriate. Agenda papers of the Board will not be made public until a meeting of the Board/Committee has taken place (level of approval for paper(s) being presented will determine where permission is to be sought).

3.3 Non confidential papers considered by the Board will be made available from the

Director of Governance.

- 3.4 Non confidential minutes of the Board and Committees will be made available from the Director of Governance after approval by the Chair of the meeting concerned.
- 3.5 Only confirmed minutes will be published on the Governors' Website.
- 3.6 Full Board meeting papers are available from the Director of Governance's Office.
- 3.7 Signed copies of the minutes of all Board and Committee meetings, together with supporting papers, and the Register of Members' Interests are available for public scrutiny in the Director of Governance's office during normal office hours.
- 3.8 Requests to see, or acquire, copies of any Board or College document should be addressed to:

Neil Longstaff
Director of Governance
Tyne Coast College
St George's Avenue
South Shields
Tyne and Wear
NE34 6ET

Telephone 0191 4273903
E-mail neil.longstaff@tynecoast.ac.uk

- 3.9 The College will aim to provide information requested within a few working days and documents will, wherever possible, be provided free of charge. However, the College reserves the right to charge for documents if significant staff time is involved in providing information, or to cover copying costs. Where it takes longer to gather the information, we aim to supply the information within 20 working days.
- 3.10 Photography (still or video/ film) or the recording by electronic means of the proceedings of the Board and its committees will be forbidden except by the expressed permission of the majority of Governors present at the meeting; those present retain the right to refuse for their image to be captured against their wishes.

4 Complaints

The College has an established procedure for dealing with complaints. Any person with a complaint about the availability of information, or conduct of the College Board, may raise their complaint under this procedure.



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Governor Attendance Policy

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Approved by:	Version:	Issue Date:	Review Date:	Contact Person:
Gov&Search, Board	3	July 2024	July 2027	Director of Governance

Review:

POLICY NUMBER 1

Governor Attendance Policy

1. Governors are required to attend meetings of the Board and its committees, where a member, on a regular basis.
2. A high level of attendance at meetings is expected so that Governors can perform their functions properly. A target for attendance at Board meetings has been set at 75%, Committees at 75% and each individual Governor at 75%.
3. Poor attendance by Governors imposes more work on fellow Governors and can leave meetings inquorate.
4. If unable to attend a meeting, Governors should present their apologies in advance via the Chair or the Director of Governance with the reason for absence explained together with a comment(s) about the matters under consideration, where appropriate. The Governing Body/Committee must consider whether or not to approve any apology for absence received.
5. An approved apology will be counted towards the attendance target. A governor may be removed from office if they have been absent from meetings of the Board for a period longer than six consecutive months without the permission of the Board.
6. The Director of Governance will maintain a register of attendance for Governing Body Members for consideration by the Governance and Search Committee and the Board.

Such a register will include details of the total numbers of Governing Body and Committee meetings held during the period and the total number of meetings attended by each individual member of those Committees and a breakdown of overall Committee and Board attendance.

Details of the percentages and average attendance of individual members and the whole Board will be given and it is expected that the attendance rate will be at least identified in paragraph 2 above.

7. The Governance and Search Committee will report to the Board each time it has reviewed attendance data with recommendations, where required.
8. If a Governor is in breach of the Attendance Policy the Board will consider Instrument 9 of the Instrument & Articles of Government which states that:

9 Termination of Membership

- (1) *A governor may resign from office at any time by giving notice in writing to the Director of Governance.*

- (2) *If at any time the Corporation is satisfied that any governor:*
- (a) *Is unfit or unable to discharge the functions of a governor; or*
 - (b) *Has been absent from meetings of the Corporation for a period longer than six consecutive months without the permission of the Corporation:*
- then the Corporation may by notice in writing remove the governor from office and the office will then become vacant.*
- (3) *Any person who is a governor of the Corporation by virtue of being a member of the staff at the College, including the Principal/Chief Executive, will cease to hold office upon ceasing to be a member of the staff and the office will then be vacant.*
- (4) *A student governor shall cease to hold office:*
- (a) *At the end of the student's academic year, or at such other time in the year after ceasing to be a student as the Corporation may decide; or*
 - (b) *If expelled from the College,*
 - (c) *If in the case of a Student Governor being appointed through the student association, they leave the post of President or Vice President.*
- and the office will then be vacant.*

Public Access to Meetings

9. People entitled to attend a meeting of the Board or its Committees are any of the College Governors, the Chief Executive and the-Director of Governance. The Board or its Committees will decide who, other than the above, will be admitted to a meeting.
10. The Audit Committee reserves the right to meet with auditors in the absence of managers when necessary.
11. Currently, the Board does not allow public access to its meetings.
12. Further information can be found in the following policy "Access to Governors' Meetings and Publication of Minutes & Papers of the Board and Committees Policy".
13. The Governor Attendance Policy will be reviewed by the Governance and Search Committee prior to submission to the Board for approval.

Appendix 1

Procedure for Removal of Governor

- The Director of Governance will be responsible for monitoring the attendance of all Governors at Board and Committee meetings and will present this data to the Governance and Search Committee for review. Upon review of the data, the Governance and Search Committee will make recommendations to the Chair for remedial action to be taken as required by this policy.
- Governors should notify the Director of Governance or the Chair of the Board of any difficulties they are facing in attending meetings as soon as possible so that proactive approach can be taken to the situation.
- Where a Governor is absent for a period longer than six consecutive months from meetings of either the Corporation or a Committee on which he/she is a member, the Director of Governance will notify the Governance and Search Committee.
- The Director of Governance will write to the Governor on behalf of the Committee asking him/her to provide within 10 working days written reasons for the non-attendance.
- On receipt of this information the Director of Governance will share the information with the Governance and Search Committee to decide whether or not the matter should be referred to the Board. Consideration will be given to the contribution the Governor has made to other duties, such as representation at networks, appointments to external organisations, etc. In addition, the Chair, in consultation with the Director of Governance, has the power to exercise discretion in the case of personal circumstances that temporarily limit the contribution an individual Governor can make to the Board e.g. ill health. The Chair will report his/her decision to the Governance and Search Committee and determine whether further action and/or reporting are required.
- If the matter is considered to warrant potential referral to the Board for consideration of removal, the Director of Governance will prepare a report outlining all the facts of the case and a copy of this report will be sent to the Governor whose removal is being considered.
- The Governor will be entitled to attend the Board and/or put his/her case verbally and/or in writing and has the right to be accompanied by a person of his/her choice. The meeting at which this matter is considered must be convened in the proper manner and with not less than five working days' notice.
- If it is agreed that the Governor is to be removed from office, there shall be no further appeal against this decision and the Director of Governance will notify the Governor in writing of the decision of the Board within five working days.
- The matter of succession planning and recruitment to the vacant office will be forwarded to the Governance and Search Committee for its attention and action, in line with its terms of reference.