

## **TERMS OF REFERENCE FOR SELECTION PANEL FOR THE RECRUITMENT OF A GROUP PRINCIPAL / CEO AND SENIOR POSTHOLDERS**

### **Constitution**

- 1 The voting membership of the Selection Panel for the appointment of a Group Principal / CEO shall be the Chair of the Corporation (ex officio), Vice Chair(s) of the Corporation (ex officio), and at least two other members of the Corporation together with an external Independent Person.
- 2 The voting membership of the Selection Panel for the appointment of a senior Postholder ( other than the Group Principal/ CE)) shall be the Chair of the Corporation (ex officio), Vice Chair(s) of the Corporation (ex officio) the Group Principal/ CEO, an external Independent Person who may be joined by up to 2 other members of the Corporation.
- 3 The Selection Panel has the authority to invite external representatives, College staff or other governors to attend meetings. Such individuals will have no voting rights.
- 4 The Chair of the Corporation will be the Chair of the Selection Panel. Should the Chair not be available for a meeting, the Selection Panel are to elect another current Governor present as the Chair.
- 5 The Selection Panel shall be quorate when at least five members are in attendance for the appointment of a Group Principal / CEO and three for the appointment of other senior Postholders.
- 6 The Selection Panel shall meet as frequently as required during the recruitment of a Group Principal / CEO and senior Postholder.
- 7 Decisions to be made at meetings of the Selection Panel shall be determined by a majority of the votes of members present and voting. Where there is an equal division of votes, the Chair of the Selection Panel shall have a second or casting vote.
- 8 The Selection Panel is to be an Advisory Panel to the Corporation for the duration of the SPH recruitment and selection process. The Selection Panel will make the final recommendation for appointment to the Corporation.

### ***Terms of Reference***

1. To review and to make recommendations to the Corporation on the possible use of a recruitment agency to assist in the recruitment of a Group Principal / CEO or Senior Postholder.
2. To make the final recommendation to the Corporation for the appointment of a Group Principal/ CEO and/or senior Postholder. Before making such a recommendation, the Selection Panel will give consideration to:
  - Ensure that all members of the Selection Panel are able to give adequate time to the selection process including selection meetings and the assessment process itself which will take one or two full days;
  - Consider carefully the involvement of College staff in the assessment process ensuring that staff are not involved in the selection of the candidate itself;
  - Ensuring that the appropriate Committee of the Corporation and the Corporation has agreed the financial package to be offered;
  - Ensuring that the terms and conditions for the appointment have been approved;

- Ensuring that the job description and person specification for the appointment have been agreed;
- Drawing up a timetable for the selection process including initial screening, gathering of references and a shortlisting meeting;
- Ensuring that the post is advertised nationally;
- Agreeing on the variety of assessment activities to be used for chosen shortlisted candidates;
- Ensuring that all candidates are given an equivalent experience – with the same assessment activities and with the same assessors;
- Ensuring that the process complies with all responsibilities under Safeguarding, Equality and Diversity, Race Equality and other relevant legislation. The College aims to secure equality of opportunity in all its activities, and in this respect would expect the Selection Panel to adhere to this positively;
- Ensuring that the process follows the guidance on Principal and SPH recruitment from the most up to date version of the DfE FE and sixth-form college corporations: governance guide ( see Appendix)
- Pre-agreeing the questions to be asked and the people who will ask the questions
- Ensuring that assessors keep notes in a fair and legible form, preferably against published criteria and on assessment sheets;
- Ensuring that adequate arrangements are in place to provide feedback to the unsuccessful candidates.
- Working in partnership with any recruitment agency appointed by the Corporation

### Reporting Procedures

1. The Head of Governance shall act as Clerk to the Selection Panel and shall circulate minutes of the meetings of the Panel to all Panel members.
2. At each meeting the minutes of the last meeting shall be taken as an agenda item, and if agreed to be accurate, signed as a true record.
3. The Selection Panel shall provide a report of its work to the Corporation at each meeting of the Corporation, and a recommendation for appointment will be put forward to the Corporation.

### Delegated Authority

1. The Selection Panel has no delegated power.
2. All decisions of the Panel are recommendations to Corporation and are not to be actioned until authorised by Corporation

### Disclosure Of Interest

Should a Panel Member become aware of any close relationship with any of the candidates, the Panel Member is to advise the Chair in writing of the nature of the interest and excuse themselves from the Panel and the Recruitment process.

*Approved by the Corporation 25 March 2021*

*Reviewed January 2023 by the Search and Governance Committee*

*Approved by the Corporation 28 March 2023*

## APPENDIX

Extract from DfE FE and sixth-form college corporations: governance guide November 2022 update

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Extract from DfE FE and sixth-form college corporations: governance guide November 2022 update

### Principal and senior post-holder recruitment

Your board is responsible for the appointment of the principal, director of finance and other senior post-holders, in accordance with your corporation's instrument and articles. This includes ensuring compliance with employment and equality law when recruiting.

It is good practice to develop and regularly update succession plans before a vacancy arises, anticipating business requirements and taking into account the need to improve diversity.

Senior posts should always be advertised externally to ensure a fair, open and transparent process.

When preparing to recruit, your board should:

- seek advice and support from your governance professional, and other specialists such as HR experts
- reflect on the strategic opportunities and challenges facing your college and the skills, knowledge and experience required to address these, for example leadership, financial and estate management, education performance and stakeholder management
- consider benchmarking against recruitment practice in similar institutions, including diversity practice
- consider how best to reach a diverse range of candidates (including cognitive diversity) with the right skills mix, for example whether you would benefit from using a recruitment agency
- put in place arrangements to collect and monitor diversity data at each stage of recruitment – application, shortlist and appointment – to inform fairness and equity in practice
- in the case of Catholic sixth-form college corporations, refer to the requirements in the Bishops' [‘Memorandum on appointment of teachers to Catholic schools’](#)
- ensure the language and requirements in the job description encourage applications from all individuals, except where discrimination is allowed under equality law as a genuine occupational requirement

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**Example:** an occupational requirement would be where a principal's religion is central to their job.

When recruiting, it is recommended that your board should:

- ensure that processes are accessible to disabled candidates
- create a diverse interview panel, comprising a majority of governors, to reduce the risk of unconscious bias and ensure a well-rounded view of a candidate
- ensure that panellists are appropriately trained
- consider the participation of an external, independent person on the interview panel, to bring objectivity and a different perspective. It is for the board to judge the suitability and independence of that person. Qualities you might look for include senior strategic experience, diversity awareness and interviewing skills. Where it might be helpful, the FE Commissioner's team may be able to provide an independent panellist – you can email them at [fe.commissioner@education.gov.uk](mailto:fe.commissioner@education.gov.uk)
- consider assessment methods, in addition to the interview, that will test candidates' qualities in a fair and appropriate way, such as a presentation, group exercise or scenario-based planning task
- consider involving staff or students in aspects of the process

When appointing:

- remember that it is for the board to decide on senior appointments, informed by the recommendations of the panel once the selection process has concluded
- your board should ensure that thorough and robust due diligence checks of the preferred candidate are carried out

In addition to observing requirements regarding [safeguarding](#), the [disqualification of senior managers](#) under charity law and [‘fit and proper persons’](#) under tax law, your board should consider the full range of available evidence of a candidate's track record and verify the

information presented by the individual. Relevant checks might include, but are not necessarily limited to:

- Ofsted and FE Commissioner reports on other institutions that a candidate may have led
- financial management records for other organisations where a candidate has held a leadership role
- records held by professional membership organisations, such as [Find A Chartered Accountant](#), [Find an ACCA member](#), [CIMA - Find a CIMA Accountant](#)
- [Companies House records](#), company websites and accounts
- if your college is registered with OfS, you should also refer to the 'fit and proper persons' guidance in OfS' [regulatory framework](#) (Annex B: Public interest governance principles)

When the new employee joins:

- a well-planned induction is a vital foundation for the individual's performance and success
- a personal development plan should be established at an early stage to support the individual's professional growth, engagement and retention

Find out more about [principal and senior post-holder recruitment](#) and development.