



Governor Recruitment Policy

Tall Oaks Academy Trust

Version 1.1

Tall Oaks Academy Trust Contents Page

Policy Intent Statement
The Makeup of the Boards
Recruitment of Members
Recruitment of Trustees
Recruitment of Local Governors

Appendices

Appendix 1: Relevant Extracts from
The Tall Oaks Academy Trust
Articles of Association

Appendix 2: Sample text for a letter
to recruit a Member

Appendix 3: Sample text for a
general letter to recruit a Trustee

Appendix 4: Sample text for a
targeted letter to recruit a Trustee

Appendix 5: Sample text for a letter
to recruit a Local Governor

REVISION OF POLICY

Date	Version	Description/Change	Author	Approved by
21.3.22	1.0	First draft	K Ola	
22.3.22	1.1	Initial changes due to accuracy after proof-reading by Sue Wilson	K Ola	

Policy Intent Statement

Tall Oaks Academy Trust is committed to ensuring the best possible environment and outcomes for the children who attend our schools. Our core values of wellbeing, resilience, aspiration and engagement are not just for our children. We expect everybody involved with the trust, including our governors, to understand the importance of these values and to demonstrate them while working with our schools.

Throughout the policy, the term 'governors' can be used for any person with a governing responsibility in the trust, including Members, Trustees and Local Governors. Where there is a need to be specific, the governance role is mentioned.

The Governors of the Trust are aware of the importance of identifying an appropriate mixture of skills and experience as is required to manage the multi-faceted affairs of a modern school for children from age 4-11 which is also a medium sized business and an important local employer.

Every Governor will undertake an enhanced DBS check with a barred list check. Each appointment is ratified by the Board of Trustees for a period which is usually of 4 years (2 for a parent governor). The Trust arranges for all new Governors to receive a comprehensive induction which includes safeguarding, child protection and the compliance and fiduciary duties of Governance.

The intention of this policy is to formalise the process by which Members, Trustees and Local Governors are recruited by Tall Oaks Academy Trust.

Safer recruitment checks

The School will obtain the following for each prospective Governor before their appointment is confirmed:

1. an enhanced DBS certificate with a barred list check;
2. evidence of their entitlement to work in the UK, where relevant;
3. confirmation that they are not disqualified from acting as a Charity Trustee or Company Director, for example because of an undischarged bankruptcy;
4. evidence that the Governor has not been prohibited from participating in the management of independent schools;
5. a declaration that they are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009; All paperwork shall be handled by the School/Clerk to the Governors.

Makeup of the Governing Boards

As per the Tall Oaks Academy Trust Scheme of Delegation:

Where possible, The Board of Members should consist of:

- Five Members, elected by the existing Board of Members

The board of Members should represent a range of skills and experiences including, but not limited to:

- Governance
- Finance
- Legal
- Business

When replacing a Member, the recruitment leader should consider the skills portfolio of the Board of Members and recruit with these skills in mind.

Where possible, The Board of Trustees should consist of:

- Seven, eight or nine Trustees, elected by the existing Board of Trustees
- The CEO (ex-officio)
- The CFO (ex-officio)

The Board of Trustees should represent a range of skills and experiences including, but not limited to:

- Education
- Finance
- HR
- Health and Safety
- Law
- Strategic planning

When replacing a Trustee, the recruitment leader should consider the skills portfolio of the Board of Trustees and recruit with these in mind.

Where possible, Local Governing Bodies should consist of:

- Three Community Governors
- Two parent governors
- One staff governor
- The Head of School (ex-officio)

The local governing bodies have a need for experience and skill in the education sector due to the focus on curriculum, standards, outcomes, attendance, safeguarding, local finance and safeguarding.

Recruitment of Members

When there is a seat on the Board of Members to be filled, the following steps will need to be followed:

1. A letter² will be sent by the governance lead / Chair of Trustees / CEO to the existing Members, Trustees, Local Governors, staff members and parents informing them of the vacancy. Details of the vacancy will be on the letter, including the desired skills and a deadline for application.
2. If there are no suitable applications in phase one, the governance lead is to use a targeted approach to recruitment that can include, but not be limited to:
 - Approaching local or national businesses
 - Using national governance recruitment tools (such as Governors for Schools, Academy Ambassadors, Nurole)
 - Using networking events to approach suitable candidates
 - Personally approaching suitable individuals (including professionals who have worked with the trust, individuals known to employees or governors within the trust etc).

Recruitment of Trustees

When there is a seat on the Board of Trustees to be filled, the following steps will need to be followed:

1. A letter³ will be sent by the governance lead / Chair of Trustees / CEO to the existing Members, Trustees, Local Governors, staff members and parents informing them of the vacancy. Details of the vacancy will be on the letter, including the desired skills and a deadline for application.

2. A second letter⁴ to targeted individuals known to the trust (e.g. former employees, people who have worked in linked businesses with the trust or individual schools, suitable individuals identified by trust employees) to be sent, detailing the role of the trustee and why we believe they would be suitable.

3. If there are no suitable applications in phase one, the governance lead is to use a targeted approach to recruitment that can include, but not be limited to:

- Approaching local or national businesses
- Using national governance recruitment tools (such as Governors for Schools)
- Using networking events to approach suitable candidates
- Approaching local academies and Multi-Academy Trusts
- Personally approaching suitable individuals (including professionals who have worked with the trust, individuals known to employees or governors within the trust etc).

If at any stage of the recruitment process, the recruitment lead receives more applications than there are vacancies, the Chair of Trustees and governance lead will set up a working party to lead the recruitment based on candidate's strengths and the needs of the board.

Recruitment of Local Governors

1. A letter⁵ will be sent by the Head of School / Chair of Governors to the existing Local Governors, staff members and parents informing them of the vacancy. Details of the vacancy will be on the letter, including the desired skills, role requirements and a deadline for application.

Should multiple applications for a post be made, an election will be organised for no later than two school weeks (not including school holidays) after the application deadline. Parents or carers of each child in school will have one vote. Families with multiple children in school will have a vote per child (e.g. families with three children will have three votes, four children will have four votes and so on).

2. Should the initial recruitment process be unsuccessful, the Head of School and Chair of Governors will use their knowledge of the parents of the school to directly approach suitable candidates using the following criteria:

- Does the parent meet the needs of the board (e.g. do they have the relevant professional skills and experience, do they have the willingness to commit to the requirements of the role)?
- Is the parent going to still be a parent at the end of their term of two years?

If the potential candidate meets these requirements then direct approaches should be made. The recommendation is for the Head of School to talk to the parent and arrange a meeting with both the Head of School and Chair of Governors to discuss the role.

Length of Service

The Length of service for a Member, Trustee or community governor shall be four years, starting from the first meeting attended and ending after the term that falls four years after that date. E.g if a governor's first meeting is in November 2020, their term as governor will end at the end of the Autumn Term of 2024.

Parent Governors terms will last for two years or as long as the governor's child is in primary school.

Index of Appendices

Appendix 1: Relevant Extracts from The Tall Oaks Academy Trust Articles of Association

Appendix 2: Sample text for a letter to recruit a Member

Appendix 3: Sample text for a general letter to recruit a Trustee

Appendix 4: Sample text for a targeted letter to recruit a Trustee

Appendix 5: Sample text for a letter to recruit a Local Governor

Appendix 1: Relevant Extracts from The Tall Oaks Academy Trust Articles of Association:

Members

16. Members may agree unanimously in writing to appoint such additional members as they see fit and may unanimously (save the agreement of the member(s) to be removed shall not be required) in writing agree to remove any such members

18. Any Member may resign provided that after such resignation the number of Members is not less than three. A Member shall cease to be one immediately on the receipt by the Company of a notice in writing signed by the person or persons entitled to remove him under Company of a notice in writing signed by the person or persons entitled to remove him under Articles 13 or 16 provided that no such notice shall take effect when the number of Members is less than three unless it contains or is accompanied by the appointment of a replacement is less than three unless it contains or is accompanied by the appointment of a replacement Member.

DIRECTORS

45. The number of Directors shall be not less than three but (unless otherwise determined by ordinary resolution) shall not be subject to any maximum.

46. Subject to Articles 48-49 and 63, the Company shall have the following Directors:

a. up to seventeen Directors, appointed under Article 50;

b. any Staff Directors, if appointed under Article 50A;

c. Academy Directors appointed under Article 51 or Article 52;

d. the Chief Executive Officer;

e. a minimum of 2 Parent Directors appointed under Articles 53-56 ;

f. Any Additional Directors, if appointed under Article 61, 61A or 67A;

g. Any Further Directors, if appointed under Article 62 or Article 67A;

h. Up to 2 Directors, if appointed by the Secretary of State in accordance with the terms of any of the Relevant Funding Agreements following the provision of a notice by the Company to terminate that Relevant Funding Agreement.

47. The Company may also have any Co-opted Director appointed under Article 58.

48. The first Directors shall be those persons named in the statement delivered pursuant to sections 9 and 12 of the Companies Act 2006.

48A. The first term of office of a Director who was a member of the governing body of the Predecessor School as at 31 July 2012 shall continue for his remaining term of office that would have applied to him as a member of the governing body of the Predecessor School if the Predecessor School had continued to exist.

49. Future Directors shall be appointed or elected, as the case may be, under these Articles. Where it is not possible for such a Director to be appointed or elected due to the fact that an Academy has not yet been established or the Chief Executive Officer has not been appointed, then the relevant Article or part thereof shall not apply.

APPOINTMENT OF DIRECTORS

50. The Members may appoint up to seventeen Directors.

50A. The Members may appoint Staff Directors through such process as they may determine provided that the total number of Directors including the Chief Executive Officer who are employees of the Company does not exceed one third of the total number of Directors.

ACADEMY DIRECTORS

51. Subject to Article 52, the chairman of each Local Governing Body shall be an Academy Director for as long as he remains in office as such and shall be appointed by the Directors of the Company but they shall appoint as the chairman of a Local Governing Body someone other than the Chief Executive Officer.

52. If the number of Academies exceeds 5, the chairmen of the Local Governing Bodies shall elect 5 persons from amongst their numbers to be the Academy Directors. Any person elected in accordance with this Article shall only remain an Academy Director for as long as he remains chairman of a Local Governing Body. The Directors shall make all necessary arrangements for, and determine all other matters relating to, the election of the Academy Directors in accordance with this Article. Any election of the Academy Directors which is contested shall be held by secret ballot.

PARENT DIRECTORS

53. There shall be a minimum of 2 Parent Directors for every 10 or fewer Academies.

54. Parent Directors shall be elected by the Parent members of the Local Governing Bodies (who shall themselves have been elected or appointed in accordance with the terms of reference determined by the Directors from time to time) from amongst their number. The elected Parent Directors must be a parent of a registered pupil at one of the Academies at the time when he is elected.

54A. The number of Parent Directors required shall be made up by Parent Directors appointed by the Directors if the number of parents standing for election is less than the number of vacancies.

55. The Directors shall make all necessary arrangements for, and determine all other matters relating to, an election of the Parent Directors, including any question of whether a person is a parent of a registered pupil at one of the Academies. Any election of the Parent Directors which is contested shall be held by secret ballot.

56. In appointing a Parent Director the Directors shall appoint a person who is the parent of a registered pupil at an Academy; or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.

64. Subject to Article 48A, the term of office for any Director shall be 4 years, save that this time limit shall not apply to the Chief Executive Officer. Subject to remaining eligible to be a particular type of Director, any Director may be re-appointed or re-elected.

RESIGNATION AND REMOVAL

65. A Director shall cease to hold office if he resigns his office by notice to the Company (but only if at least three Directors will remain in office when the notice of resignation is to take effect).

66. A Director shall cease to hold office if he is removed by the person or persons who appointed him. This Article does not apply in respect of a Parent Director or Academy Director.

67. Where a Director resigns his office or is removed from office, the Director or, where he is removed from office, those removing him, shall give written notice thereof to the Secretary.

67A. Where an Additional or Further Director appointed pursuant to Articles 61, 61A or 62 ceases to hold office as a Director for any reason, other than being removed by the Secretary of State, the Secretary of State shall be entitled to appoint an Additional or Further Director in his place.

67B. A Director who is also a Member shall cease to hold office if he ceases to be a Member pursuant to Article 15.

DISQUALIFICATION OF DIRECTORS

68. No person shall be qualified to be a Director unless he is aged 18 or over at the date of his election or appointment. No current pupil of any of the Academies shall be a Director.

69. A Director shall cease to hold office if he becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs.

70. A Director shall cease to hold office if he is absent without the permission of the Directors from all their meetings held within a period of six months and the Directors resolve that his office be vacated.

71. A person shall be disqualified from holding or continuing to hold office as a Director if—

(a) his estate has been sequestered and the sequestration has not been discharged, annulled or reduced; or

(b) he is the subject of a bankruptcy restrictions order or an interim order

72. A person shall be disqualified from holding or continuing to hold office as a Director at any time when he is

subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).

73. A Director shall cease to hold office if he ceases to be a Director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).

74. A person shall be disqualified from holding or continuing to hold office as a Director if he has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to or facilitated.

75. A person shall be disqualified from holding or from continuing to hold office as a Director at any time when he is:

- (a) included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or*
- (b) disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or*
- (c) barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006)*

76. A person shall be disqualified from holding or continuing to hold office as a Director if he is a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or is subject to any prohibition or restriction which takes effect as if contained in such a direction.

77. A person shall be disqualified from holding or continuing to hold office as a Director where he has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 72 of the Charities Act 1993.

78. After the first Academy has opened, a person shall be disqualified from holding or continuing to hold office as a Director if he has not provided to the chairman of the Directors a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificatediscloses any information which would in the opinion of either the chairman or the Chief Executive Officer confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.

79. Where, by virtue of these Articles a person becomes disqualified from holding, or continuing to hold office as a Director; and he is, or is proposed, to become such a Director, he shall upon becoming so disqualified give written notice of that fact to the Secretary.

80. Articles 68 to 79 and Articles 97-98 also apply to any member of any committee of the Directors, including a Local Governing Body, who is not a Director.

Appendix 2: Sample text for a letter to recruit a Member

Dear _____,

Tall Oaks Academy Trust are seeking to appoint a new person to our Board of Members to ensure we have the skills and capacity to oversee the trust's development and governance.

The Board of Members meet three times per year and their primary role is to ensure Board members are expected to attend four meetings a year and the primary role of the board is to hold the trustees to account, ensuring that they are running the trust well. Members are not responsible for the running of the trust but act as guardians of the governance of the trust, ready to step in should evidence of underperformance or impropriety be found in the trust.

We currently have an active and skilled set of Members. We are looking for a Member with a background in finance / law / HR / education to complement the skills of the existing members. If you are interested in the role or you know somebody who may be interested, please contact _____ to arrange a meeting.

Appendix 3: Sample text for a general letter to recruit a Trustee

Dear _____,

Tall Oaks Academy Trust are seeking to appoint a new person to our Board of Trustees to ensure we have the skills and capacity to oversee the trust's development and governance. Trustees are the leaders of the trust and are responsible for setting and maintaining the strategic direction of Tall Oaks.

The Board of Trustees meet termly and trustees also attend two training sessions per year as well as taking part in annual awaydays. Trustees are expected to be active in the school communities too and are invited to come to schools regularly to meet and support staff and school leaders and, of course, to be familiar to our children.

We currently have an active and skilled set of Trustees. We are looking for a Trustee with a background in finance / law / HR / education / Health and Safety to complement the skills of the existing Trustees. If you are interested in the role or you know somebody who may be interested, please contact _____ to arrange a meeting.

Appendix 4: Sample text for a targeted letter to recruit a Trustee

Dear _____,

I am writing to you today as you have been recommended to us as a potential member of our Board of Trustees. As you may know, Tall Oaks Academy Trust has a vacancy at Trustee level and if you are willing, I would like to arrange a time to meet to talk about you potentially joining us.

We are currently looking to strengthen our board with Trustees with experience in _____. I understand that you have a background in _____ and that you may be interested in joining us.

If you do not know, Trustees are vital in the overall operation of a Multi-Academy Trust. Our trustees set the strategic vision for the trust and are responsible for holding the trust leaders to account to ensure their vision is being met.

I would very much like to arrange a meeting to discuss this role alongside the Chair of Trustees / CEO / Governance Lead

Appendix 5: Sample text for a letter to recruit a Local Governor

Dear Parents and Carers,

_____ Wood Academy are seeking to appoint a parent governor to the Local Governing Body of the school.

Governors meet every half term and are also invited to be active members of the school community, attending school events and supporting the school leadership team in their efforts to improve the school.

We are currently open to all applications from interested parents but are particularly interested if you have a background in education / _____ / or have had experience at the executive or governance level in another school or business.

If you are interested in the role, please contact the school office and we will organise a meeting with HEAD OF SCHOOL to discuss the details of the role.

Should we receive more than one application, an election will be held to decide the outcome.