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| **RECRUITMENT OF**  **THE CLERK TO THE BOARD**  **2018** |

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| **Welcome to Barnsley College** |

Barnsley College is seeking to appoint an experienced Clerk to the Board due to the impending retirement of the current post holder. This is a designated Senior Post Holder position. The appointment will be from September 2018 or earlier.

This is an exciting opportunity for an individual with an excellent track record to contribute at a strategic level within a large Further Education College. Barnsley College prides itself as being at the heart of its community and the Board is seeking an exceptional candidate to help drive forward its ambitions to maintain excellence in governance. The College was judged to be outstanding by Ofsted at its last inspection.

The Board wishes to appoint a dynamic and self-motivated individual who can promote excellence in governance and give sound legal advice to the Board on the proper exercise of its powers.

To be considered for this role, you will have significant knowledge and understanding of the Further Education legal framework and be able to demonstrate substantial experience of acting in a Clerk/Governance advisory role within the Further Education sector.   You will have excellent administrative, interpersonal and communication skills.  You will be someone who enjoys working at a fast pace with a variety of different tasks, is self-managed with a strong work ethic, has a positive outlook and a ‘can do’ attitude and is a completer / finisher.  You must be able to work independently on a daily basis and have strong independent judgement to be able to advise the Board whilst working effectively with the Principal and the Senior Leadership Team.   You will also have a proven track record of CPD within the FE sector and elsewhere.

The Board is willing to be flexible and negotiate with the successful candidate with regard to the hours required to fulfil the duties of the post.

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| **About the College** |

**BARNSLEY COLLEGE – AN OUTSTANDING COLLEGE**

**The College and our students**

Barnsley College is a large tertiary College serving the Barnsley Metropolitan Borough and surrounding areas in South Yorkshire. The College is the main provider of post-16 education in the Borough and plays a vital role within the Yorkshire and Humber region.

The College achieved outstanding at its last Ofsted inspection (November 2010) and continues to deliver outstanding teaching and learning and very strong outcomes for learners.

The College recruits around 4,300 full time 16 to 18 year olds students funded via the Education & Skills Funding Agency (ESFA). Around 800 are enrolled on an A level programmes, 3,300 study on vocational programmes and just over 200 are enrolled on other provision. Just under half of our 16 to 18 year old students studying on vocational programmes study at level 3 with a significant number starting at level 1 or level 2 at the College and progressing through to level 3.

Adult provision is relatively small compared to other Colleges. We have around 1,300 adults on College based courses funded (or part funded) via the ESFA. More than half of our adult students are full time and a significant number are aged between 19 and 24.

In addition to the ESFA funded students detailed above, the College works with around 2,500 apprentices – approximately 1,200 aged 16 to 18 and 1,300 aged 19+. Apprentice numbers have been growing over the last few years with success rates consistently amongst the best in the country.

The College HE provision is branded as ‘University Campus Barnsley’ (UCB) and mainly based in our UCB building on Church Street. We have around 750 higher education students with ambitions to grow this to over 1,000 within the next few years. Many of the College buildings are set within the town centre conservation area. Over the past eight years the College has invested heavily in its capital programme, including the £48m main new building on the corner of Old Mill Lane and Church Street completed in 2011. The new theatre completed in 2012 is in a refurbished building next door to the main College site. Opposite the main building on Old Mill Lane is the STEM Centre where extensive refurbishment works were completed in the summer 2015.

The Honeywell site is around 400 metres from the main College building where we have an excellent Sports Academy completed in 2008 and extended in 2014. The Sports Academy has a national reputation for supporting individual athletic development and producing some of the regions strongest and most successful sports teams.

Also, on the Honeywell site is the ‘Think Low Carbon Centre’ completed in 2012 and a large new Construction Centre completed during the summer last year.

The Barnsley College estate also includes Wigfield Farm – a working farm and visitor centre set in Worsborough Country Park, the UCB building (our HE centre) next to the Town Hall and recently completed on the other side of the Town Hall is the new £17m Barnsley Sixth Form College building completed in January 2016.

The College has excellent relationships with local schools to ensure robust partnerships meet the needs and interest of young people in the Borough – we currently provide courses to around 400 school pupils aged 14 to 16. A small recent addition to the College work has been full time provision for around 25 previously ‘Elective Home Educated’ 14 to 16 year old students directly funded via the ESFA. The College is also the main sponsor of the Wellspring Academy Trust, established in 2012.

The College works well in partnership with a range of local stakeholders. These include strategic partnerships with Barnsley Hospital Foundation Trust, Barnsley Metropolitan Borough Council and both the Sheffield City Region and Leeds City Region Local Enterprise Partnerships. The College has strong partnership relationships with large local private sector employers developing flexible programmes to meet their business needs. Excellent partnership working with employers has supported significant growth in apprenticeships numbers. We are also increasingly working directly with local employers to ensure that our full time students are able to progress into employment.

Our Vision, Purpose and Values:

VISION

Transforming Lives

PURPOSE

To ensure that all our students have a great time, achieve their aims and progress onto work or higher education

VALUES

Aspirational, Supportive, Caring, Respectful, Genuine.

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| **The Corporation** |

Barnsley College is an independent further education (FE) corporation, established under the Further and Higher Education Act 1992 (the Act). The College is administered under the Instrument and Articles of Government which set out the rules for the constitution and operation of the corporation and the machinery for College decision-making. Within the parameters set by the Instrument of Government, the College has determined its maximum number of members to be 18. The current composition provides for the appointment of 2 staff members and 2 student members, and the Principal is an ex-officio member of the board.

Board members have a diverse range of skills and expertise which is regularly reviewed and refreshed to ensure key strengths and areas of essential expertise are maintained. The make-up of the Board has been exceptionally strong in the last couple of years with highly skilled and experienced members amongst it. The Board sets the strategic direction of the College and monitors its performance in respect of quality, finance and business development.

The work of the Board in maintaining improvements in quality, teaching, learning and assessment, achievement and participation is central to our success. It appoints people from the public sector, private industry and the community and voluntary sectors, whose knowledge and expertise can be applied effectively to help improve the Board’s performance. Governors work together on the Board in a voluntary capacity to ensure that the College continues to meet the needs of the community it serves. The knowledge, expertise and current skillset of the Board is exceptional, and has brought about an improved dynamic with members working extremely effectively as a team with an increased level of openness under the leadership of the Chair. Governors use their knowledge and skills well to support the College and there are high levels of attendance and engagement at both Board and Committee meetings and through link arrangements to engage with learners.

Governors have a clear understanding of the College’s strengths and areas for development, and there are strong relationships with senior managers, providing effective challenge and support. Governors monitor and self assess their own performance and that of the Board in a variety of ways and have particular regard to the Code of Good Governance for English Colleges.

A key commitment of the Governors’ role is to ensure statutory and regulatory duties are met in respect of Safeguarding, Prevent, Health and Safety, Equality and Diversity, Special Educational Needs and GDPR. Governors with these specific skills or background act in a lead monitoring capacity to provide additional assurance to the Board that the College and the Board is meeting its obligations in these areas.

The College also has in place a link governor programme the purpose of which is to help governors gain a better understanding of how the College operates and to give individual governors the opportunity to engage with staff and learners with regard to the teaching and learning experience.

The visits last around 2-3 hours and include ‘Observation Walks with Learners’ (OWLs), whereby a governor shadows a learner for half a day, observing a lesson that is being graded, attending learner forums, student union meetings and other activities. The breadth of activities with learners provides governors with an opportunity to hear first-hand learner views on their experience at the College. There is an expectation that governors will make one or two link/OWL visits during an academic year.

The Board meets a minimum of five times during the year for formal meetings, and participates in an annual strategic seminar in January, an event which is led by the Board.

Formal Board meetings take place at the main College site in the early evenings (from 4.00 pm onwards), usually on Tuesdays. Committee meetings vary in frequency from two to four meetings per year.

The current governance structure provides for five Committees, all of which are advisory (see below). A skills analysis is undertaken and considered annually, and also when vacancies arise in order to identify area areas that may require strengthening.

The Corporation Committees which deal with the detailed work of the Corporation are currently as follows:

* Audit Committee;
* Finance and Resources Committee
* Governance and Search Committee
* Quality and Standards Committee
* Remuneration Committee.

All of the committees operate to approved Terms of Reference and specified membership.

The College also has two wholly owned subsidiary companies – The Clerk is not the Company Secretary.

In 2013 the Board sponsored the establishment of Wellspring Academy Trust, a Trust which was set up independently to raise attainment in the region. The College remains the sponsor of the Trust, which is now well established and very successful.

Board members all participate in a range of training to support and develop their understanding of the College.

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| **The Role of the Clerk** |

The Board is seeking to appoint a successor to the current post holder who is shortly to retire.

As a senior post holder position the Board recognises this as a key senior role and expects to appoint an individual who has significant experience of working within a corporate governance setting and specifically within the FE sector.

The Clerk must act as an independent advisor to the Board and also work effectively with the Principal/CEO and senior leadership team. He/she needs to be able to demonstrate a high level of strategic understanding and strong, independent judgement.

The position will be offered on a senior post holder Contract of Employment.

The position also benefits from 0.6FTE administrative support.

All staff at the College must undergo an enhanced DBS check.

The Job Description and Person Specification for the post are contained at the end of the pack.

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| **Appointment Process** |

If you wish to apply for this post, please submit your application and covering letter, which explicitly includes the following:

* Your skills and experience;
* The value which you believe you could bring to the role.

You may also submit a short CV which includes referees.

You should submit your application by email to [recruitment@barnsley.ac.uk](mailto:recruitment@barnsley.ac.uk) by 12.00 noon Sunday 22 April 2018.

Shortlisting will be concluded by 30 April 2018.

Interviews will be conducted by a Panel of Governors.

In accordance with statutory procedures, at the end of the selection process the Panel will make a recommendation to the Board regarding the appointment.

If candidates would like further information about the post or wish to discuss any aspects of the role with the Clerk to the Board, please contact the Clerk on 01226 216 416.

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| **Job Description** |

**JOB DESCRIPTION – CLERK TO THE BOARD – BARNSLEY COLLEGE**

**JOB TITLE: Clerk to the Board**

**RESPONSIBLE TO: Board of Governors**

**REPORTS TO: Chair of the Board of Governors**

The appointment of the Clerk is the responsibility of the Board. The Clerk is solely responsible to the Board through the Chair for the proper discharge of his/her duties.

**JOB PURPOSE**

The Clerk to the Board is an independent officer of the Board who has a central role to perform in promoting effective governance. The post-holder is responsible to the Board for ensuring that its proceedings are conducted in accordance with the provisions of the Instrument and Articles of Government and the rules and regulations made under statute in respect of the Charities Act, the Companies Act and in respect of general law. The Clerk is also responsible for ensuring the Board meets its regulatory requirements laid down by the Funding Bodies.

The Clerk is responsible for advising the Board in accordance with the provisions of the statutory Instrument and Articles of Government and regulatory requirements on the following:

* Compliance and operation of its powers;
* Procedural matters;
* The effective and efficient conduct of its business;
* Matters of governance and good practice.

**PRINCIPAL ACCOUNTABILITIES**

The post-holder is accountable to the Board through the Chair, on all matters relating to his or her duties. The Clerk will give sound, well-researched advice and guidance to the Board and will support the members in evaluating their effectiveness.

1. **Provision of Advice**

1.1 To provide independent, high quality guidance and advice on statutory, constitutional, operational, procedural and ethical issues in accordance with:

* The Instrument and Articles of Government
* The Charities Act 2011
* The Companies Act 2006
* The Financial memorandum with ESFA
* The Audit Code of Practice
* Committee Terms of Reference
* Standing Orders
* Code of Good Governance for English Colleges
* Disciplinary and Grievance Policies and procedures for senior post holders.

1.2 To advise the Board and its Committees on the proper exercise of their powers, any limitations on these powers, and the application of statute and other legislation affecting its work;

1.3 To advise Governors on eligibility and declarations of interest;

* 1. To advise the Principal/CEO and other executive officers on governance issues, process and business cycle.

**2 Meetings of the Board and its Committees**

2.1 In consultation with the Chair and Principal/CEO, to plan the forward programme of meetings and cycle of business of the Board and its Committees, identifying the main items to be taken at those meetings.

2.2 To summon meetings by proper written notice, having regard to the provisions of the Instrument and Articles and Board’s Standing Orders, and issue the Agenda and reports for all meetings within agreed timescales.

2.3 To attend all meetings of the Board and its Committees and advise on quorum, governance and procedure at such meetings.

**3 Agendas, Reports and Minutes**

3.1 To draft Agendas and liaise with executive officers responsible for preparing reports for forthcoming meetings. Oversee the preparation and distribution of agendas and papers for Board and committee meetings.

3.2 Prepare reports and provide information on governance and other issues falling within the remit of the Clerk, including the Boards self-evaluation, inspection related requests for information and internal and external audit.

3.3 Prepare the Audit Committee’s Annual Report in conjunction with the Chair of Audit and provide additional papers and advice to Audit Committee as required;

3.4 Prepare the Agenda and papers for the Governance and Search Committee and provide additional papers and advice to the Committee as required.

3.5 Draft minutes of meetings, consult with the Chair and Principal/CEO on the accuracy of the draft unconfirmed Minutes, and make these available on request. In conjunction with the Chair and the Principal/CEO, ensure appropriate arrangements are made in the absence of the appointed Clerk;

3.6 Ensure non-confidential confirmed Board and Committee Minutes are published on the College website, in accordance with the Instrument of Government, Freedom of Information and Data Protection laws and with regard to public access to Board papers.

3.7 Make arrangements for safe custody of the official record of the Board’s business.

3.8 Ensure decisions of the Board are conveyed to those with responsibility for implementing them.

**4 Membership of the Board**

4.1 Maintain a record of Board membership and skills, notifying G&S Committee of forthcoming vacancies, advising on strategies and processes for succession planning, recruitment and selection.

4.2 Liaise with individuals and external bodies on membership, in line with the wishes of the G&S Committee and the Board, providing information to potential candidates about the College, and make arrangements for informal meetings and interviews.

4.3 Ensure all appointments are made in accordance with the provisions of the Instrument.

4.4 Prepare and issue letters of appointment on behalf of the Board and ensure that all new Board members receive a copy of the Board’s Code of Conduct for Governors, Instrument and Articles of Government, and other relevant information to support them in the role.

4.5 Maintain an attendance record of Board members and monitor attendance having regard to the Board’s Standing Orders and relevant key performance indicators, and advise the G&S Committee accordingly. Produce an annual attendance report for the G&S Committee.

4.6 Notify the ESFA of any changes to the Chair, Clerk and Principal/CEO.

1. **Governance**

5.1 Draft for approval and keep under review Standing Orders for conduct of business, and Terms of Reference for the Board’s Committees, and propose to the Board improvements and amendments to reflect good practice and to meet changed circumstances.

5.2 In consultation with the Chair and Principal/CEO to proactively review the effectiveness of the Board and the Committee structure and develop alternative arrangements as necessary to support effective governance

5.3 Maintain a Register of Board members’ Interests and gifts/hospitality, to include senior executive officers and make this available for review by interested parties. To record the interests of new Board members and review the records on an annual basis.

5.4 Confirm the eligibility of new Board members on appointment, and to undertake an annual review of eligibility.

5.5 Provide a channel of communication on Board matters between the Chair, Chairs of Committees and Principal/CEO.

5.6 Prepare correspondence on behalf of the Chair and act as a reference point for all enquiries relating to governors and the Board’s work.

5.7 To be responsible for the proper use and application of the Seal.

5.8 Issue statements on behalf of the Board on issues relating to the governance of the College as required by and in consultation with the Chair.

5.9 Maintain an overview of the corporate governance section of the College’s website, ensuring it is accurate and up to date.

5.10 Authorise Governors’ expenses for attendance at meetings and external events in line with the College’s Financial Regulations.

5.11 Take appropriate action if the Board, its Chair or one of its Committees appears to be at risk of exceeding its powers by proposing actions that may be ultra vires, or that it may be placing itself at regulatory risk[[1]](#footnote-1).

5.12 To obtain independent external professional advice on behalf of the Board when appropriate.

5.13 Advise the Board on process and assist with the administration and process for the recruitment and selection of the Principal/ CEO and senior post holders.

5.14 Act as one of the College’s nominated investigating officers with regard to the Public Interest Disclosure Act, allegations of fraud and reporting to the Audit Committee, through the appropriate policies.

1. **Training, Induction and self evaluation**
   1. Co-ordinate and deliver an induction programme for new Board members and maintain appropriate records.
   2. Keep under review the provision of training for Board members to ensure the Board is aware of its statutory responsibilities in the key areas of Safeguarding, Health and Safety, Equality and Diversity, and its legal responsibilities, including arrangements for Board members to attend external briefings.
   3. Support the Board in its annual self-evaluation of governance performance.
   4. Develop own knowledge and expertise and share good practice in the area of Corporate Governance particularly in the FE and education sector to support the Board with professional practice relevant to the Board’s responsibilities.

**7 General**

7.1 Develop effective working relationships with colleagues and other external bodies as appropriate.

7.2 The Clerk has access to sensitive information and will need to preserve confidentiality.

7.3 The Clerk shall be provided with an adequate office, together with computing and other facilities necessary for the proper performance of the post holder's duties.

7.4 The Clerk is liable to undertake such duties as may reasonably be required by the Board.

7.5 The Clerk will supervise and guide as appropriate other staff appointed to assist in the discharge of the Clerk’s functions.

7.6 The Clerk will engage in professional development and networking to ensure professional and strategic contributions are up to date.

7.7 The Clerk will comply with the College’s Health and Safety Policy and all H&S requirements.

**Addendum**

In undertaking the above duties and responsibilities, the Clerk shall advise the Board if, at any time, it is at risk of exceeding its powers by proposing actions that may be ultra vires, or infringe general or administrative law. The Clerk shall also advise the Board if it may be placing itself at regulatory risk. Should the Board decline to act upon the Clerk’s advice, the following arrangements shall apply:

1. The Clerk shall put his/her advice in writing to the Board of Governors, having first consulted such external agencies as he/she considers to be appropriate in the circumstances and the Clerk’s advice shall be recorded in the Minutes.
2. Should the Board continue to disregard the Clerk’s advice, the Clerk is authorised, without further reference to the Board, to refer the matter to whatever external agencies he/she considers appropriate, including the College’s funding bodies, its internal and external auditors and BIS.

The discharge of the above functions shall not prejudice the contractual position of the post holder.

Approved by Board, September 2015

This job description is current.

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| **Person Specification** |

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|  |  | **ESSENTIAL** | **DESIRABLE** | **LIKELY TO BE ASSESSED BY**  **I - Interview**  **A - Application**  **T – Task** |
| **QUALIFICATION** | | | | |
| 1 | Be educated to Degree standard or equivalent |  | ✓ | A |
| 2 | Hold a professional Clerking qualification eg ICSA Level 5/6, HE Level 5 Award or equivalent, or be willing towards this |  | ✓ | A |
| 3 | Hold a minimum Level 2 qualification in Maths and English | ✓ |  | A |
| **ABILITIES, SKILLS AND EXPERIENCE** | | | | |
| 4 | Practical in-depth experience of working within the FE sector in a clerking/ governance professional role | ✓ |  | A/I |
| 5 | Able to interpret and advise appropriately in matters related to FE governance | ✓ |  | T |
| 6 | Have experience of advising governors and senior staff in areas of expertise | ✓ |  | A/I |
| 7 | Have experience of the operation of Boards and Committees in either the public or private sector, including FE, and have an appreciation of the principles of governance | ✓ |  | A/I |
| 8 | Be willing to work flexible hours in response to the requirements of the service and be prepared to attend evening meetings and weekends if necessary | ✓ |  | I |
| 9 | Be able to acquire rapidly expert knowledge related to governance and manage change | ✓ |  | T |
| 10 | Capacity to work well under pressure and manage deadlines effectively | ✓ |  | I |
| 11 | Able to establish sound relationships based on trust with governors, senior managers and outside agencies | ✓ |  | I |
| 12 | Able to communicate with government and outside agencies both in writing and verbally | ✓ |  | A/I |
| 13 | Able to use diplomacy | ✓ |  | I |
| 14 | Have an understanding of the requirements for discretion to maintain confidentiality with regard to sensitive information | ✓ |  | I |
| 15 | Excellent interpersonal skills and an ability to deal with people at all levels internally and externally | ✓ |  | T / I |
| 16 | Excellent administrative, organisational and communication skills | ✓ |  | A/I/T |
| 17 | Strong attention to detail and ability to produce accurate and detailed written work | ✓ |  | A/T |
| **KNOWLEDGE** | | | | |
| 18 | Ability to demonstrate a sound understanding of the legal framework relating to FE | ✓ |  | A/I/T |
| 19 | Commitment to Equality and Diversity, Safeguarding & Prevent, and Health and Safety and have a good understanding of the respective legislation in terms of Board’s role | ✓ |  | I |
| 20 | Good working knowledge of Microsoft Office systems | ✓ |  | A |

1. See addendum [↑](#footnote-ref-1)