

GUIDANCE FOR ADDRESSING POOR PERFORMANCE (Governors)

Introduction

This paper sets out the guidelines adopted for addressing poor performance of individual governors and, in particular, the role of the Search & Governance Committee.

Instrument and Articles of Government

There are provisions within the Instrument of Government which state:

“If at any time the Corporation is satisfied that any member -

- (a) is unable or unfit to discharge the functions of a member; or
- (b) has been absent from meetings of the Corporation for a period longer than 6 consecutive months without the permission of the Corporation

the Corporation may, by notice in writing to that member, remove the member from office and the office shall then be vacant.”

(Ref: Instrument 9.2)

The permission of the Corporation for absence must be clear and definite. Merely accepting apologies for absence at meetings would not be considered giving permission for absence.

In circumstances where, for example, the Corporation believes the member is not acting in the best interests of the College, the Corporation must present a clear case for consideration and must give notice in writing.

The Role of the Search & Governance Committee

The Search & Governance Committee has a key role in monitoring individual and whole Board performance in some detail. It does this in the following ways:

- Review of the annual governor self-assessment returns
- Review of the annual Committee/Board attendance figures
- Review of individual performance at the end of a term of office, prior to any re-appointment
- Annual review of individual and group training needs
- Receive reports from the Head of Governance.

Implementing the Guidance

Where it is acknowledged by the Search & Governance Committee and/or the Chair, Principal/CEO and Head of Governance that there may be a problem regarding an individual's performance, the action taken will depend upon the circumstances and seriousness of the case. It is, therefore, not practicable to prescribe a fixed procedure. In general terms, the Chair would wish the following steps to be implemented:

Stage 1

- The problem identified and facts considered
- Informal approach from Head of Governance, Principal/CEO or Chair, as appropriate Resolution, determination of way forward, or

Stage 2

- Problem persists
- Formal intervention by the Head of Governance, Principal/CEO or Chair, as appropriate Resolution, determination of way forward, or

Stage 3

- Problem persists
- Exchange of formal correspondence
- Resolution, determination of way forward, or

Stage 4

- Problem unresolved
- Preparation of case for consideration by the Search & Governance Committee
- Recommendation to Board
- Board decision

Resolution of the problem may be addressed by action at any of the four stages. The starting point would depend on the seriousness of the issue in question.

There is no provision for appeal.