



South Tyneside College

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

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

- We will consider any request for this policy to be made available in an alternative format or language. Please contact: Clerk to the Board.
- 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.
- All our policies are subject to equality impact assessments*. We are always keen to hear from anyone who wishes to contribute to these impact assessments. Please contact: Clerk to the Board.

*Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a negative impact on grounds of: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

Approved by:	Version:	Issue Date:	Review Date:	Contact Person:
Board	1	July 2015	July 2018	Clerk to the Board

Equal Opportunities: **Impact Assessed**

Review:

POLICY NUMBER 85

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

The Board of South Tyneside 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 16 of the Instrument of Government states:

The Corporation shall decide any question as to whether a person should be allowed to attend any of its meetings where that person is not a member, the Clerk or the Principal and in making its decision, it shall give consideration to clause 17(2).

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 Clerk. 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 and sectioned into specific areas e.g. Strategic, Governance, Finance and Resources etc. 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 Clerk to the Board.

- 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 Clerk to the Board shall give the reasons for any item remaining confidential.

- Performance Review and Appraisal 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 Members to withdraw as described in paragraph 14 of the Instrument of Government shall also be highlighted.

The Instrument specifies that staff members should withdraw for items which relate solely to that staff member, the appointment of a successor and, if required by a resolution of other members, matters relating to a member of staff holding a post senior to a staff member present except those relating to the pay and conditions of all staff or all staff in a particular class.

- Reports and documents circulated to Members, co-optees 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 Clerk in the first instance by Members, 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 as determined by the Chief Executive and Clerk to the Board*. 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.

**In addition to a SPH Lead for a particular committee.*

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 Clerk to the Board
- 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 South Tyneside College.

3.1 Publication of Minutes and Papers – Clause 17 of the Instrument of Government.

17—(1) Subject to paragraph (2), the Corporation shall ensure that a copy of—

- (a) the agenda for every meeting of the Corporation;
 - (b) the draft minutes of every such meeting, if they have been approved by the Chair of the meeting;
 - (c) the signed minutes of every such meeting; and
 - (d) any report, document or other paper considered at any such meeting,
- shall as soon as possible be made available during normal office hours at the institution to any person wishing to inspect them.

(2) There shall be excluded from any item made available for inspection any material relating to—

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

(3) The Corporation shall ensure that a copy of the draft or signed minutes of every meeting of the Corporation, under paragraph (1), shall be placed on the institution’s website, and shall, despite any rules the Corporation may make regarding the archiving of such material, remain on its website for a minimum period of 12 months.

(4) The Corporation shall review regularly all material excluded from inspection under paragraph (2)(d) 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 Clerk to the Board’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 Clerk to the Board.

- 3.4 Non confidential minutes of the Board and Committees will be made available from the Clerk to the Board 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 Clerk to the Board'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 Clerk to the Board'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
Clerk to the Board
South Tyneside
College
St George's Avenue
South Shields
Tyne and Wear
NE34 6ET

Telephone 0191 4273903
E-mail neil.longstaff@stc.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 Members 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.