



Public Access to Governing Body Meetings & Publication of Minutes & Papers of the Governing Body and its Committees Policy

Policy / Procedure	Public Access to Governing Body Meetings & Publication of Minutes & Papers of the Governing Body and its Committees Policy
Responsibility	Richard Atkinson Assistant Principal -Registry, Estates &Governor Services
Who is affected	All staff and learners.
Number of Pages	7.

Impact Assessed	23 November 2009	1. Age	<input checked="" type="checkbox"/>
	23 November 2009	2. Disability	<input checked="" type="checkbox"/>
	23 November 2009	3. Gender	<input checked="" type="checkbox"/>
	23 November 2009	4. Race Equality	<input checked="" type="checkbox"/>

Approved by the Senior Management Team	7 December 2009.
Approved by the Governing Body	25 January 2010.
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Review Date	24 months.



Public Access to Governing Body Meetings & Publication of Minutes & Papers of the Governing Body and its Committees Policy

The Governing Body of Middlesbrough College 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.

1.0 Public Access to Meetings

1.1 Agendas for all meetings shall be divided as detailed below

- All agendas at Committee and Governing Body level distinguish between Decision, Information and / or Confidential based items.
- Items classified as Confidential shall be done so prior to the agenda being sent out and agreed by the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation) with the Principal / Chief Executive and the Chairman of Governors.

The agenda and corresponding report(s) will indicate this status and the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation) will request when circulating the papers to Governors and the Senior Management Team (SMT), that the item(s) are kept confidential.

- Remuneration minutes, which are discussed at the end of the Governing Body meeting, shall be classified as confidential at all times. (Staff Governors, Student Governor(s) and the Senior Management Team with the exception of the Principal / Chief Executive (Governor) will leave the room prior to discussing this item.)
- 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.

- 1.2 The full Governing Body meeting is open to any member of the College or member of the public, the capacity of the meeting room permitting. Any non member of the Governing Body attends as an observer and has no right to speak unless invited to do so by the Chairman of Governors.
- 1.3 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.
- 1.4 Senior Management Team members will normally be in attendance at Governing Body and Committee meetings as determined by the Principal / Chief Executive and Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation).

Those in attendance may be invited by the Chairman of Governors and / or the Chairman of the respective Committees to take a full part in discussion, but are not entitled to vote.

- 1.5 The Governing Body may invite others to be in attendance at a meeting to act in an advisory capacity or to make a presentation.
- 1.6 The Governing Body will hold an Annual General Meeting (AGM) open to the public in the Autumn or Spring Term at which an annual report will be presented and approved for circulation.

2.0 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 and all items that are deemed confidential shall be done so prior to the agendas being sent out to Governing Body members

- 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 Governing Body.
- Material relating to a named student at, or candidate for admission to, the College.
- 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.
- Exceptionally, information which by reason of its nature the Governing Body or its committees is satisfied should be dealt with on a confidential basis.

2.2 The Governing Body will agree, at the end of each meeting under the agenda item "**Matters for Publication**" which items, if any, should be kept confidential, bearing in mind the criteria for confidentiality listed above.

This will be minuted by the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation) and any confidential agenda papers and minutes will be listed under this heading prior to the circulation of the minutes.

As a general rule, confidential papers will come into the public domain after 2 years of their first publication unless deemed otherwise by the Governing Body. However there will be papers that must remain confidential - either because they contain information relating to individuals, or contain information which the Governing Body has decided for specific reasons should not be made public.

2.3 On request the Clerk shall give the reasons for any item remaining confidential.

3.0 Public Access to Agenda and Minutes

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

- (1) Subject to paragraph (2), the Governing Body shall ensure that a copy of -
 - (a) the agenda for every meeting of the Governing Body;
 - (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, in each case as soon as may be, 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 required to be made available in pursuance of paragraph (1), any materials 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) Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation) or
 - (d) any matter which, by reason of its nature, the Governing Body is satisfied should be dealt with on a confidential basis.

3.2 The agenda of each Governing Body meeting will be made available for public inspection in the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation)'s Office and agendas will be made available after it has been forwarded to Governing Body members, but before the meeting, if deemed appropriate. Agenda papers of the Governing Body will not be made public until a meeting of the Governing Body has taken place. Agenda papers for committees will not be made public unless agreed by the Governing Body.

3.3 Non confidential papers considered by the Governing Body will be made available in the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation)'s Office.

3.4 Non confidential minutes of the Governing Body and Committees will be made available in the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation)'s Office after approval by the Chairman and circulation to members of the Governing Body.

- 3.5 the unconfirmed minutes will only be published on the Governors' Website (www.mbro.ac.uk/governors), following approval by the Chairman of Governors **and** if no adverse comments have been received regarding the content of the minutes within five working days of the Governing Body receiving the unconfirmed minutes from the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation).
- 3.6 Full Governing Body meeting papers are lodged for reference in the College's Learning & Resource Centre as well as the master copy remaining in the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation)'s Office.
- 3.7 Signed copies of the minutes of all Governing Body and Committee meetings, together with supporting papers, and the Register of Members' Interests are available for public scrutiny in the office of the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation).
- 3.8 Requests to see, or acquire, copies of any Governing Body or College document should be addressed to

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Dock Street
Middlesbrough
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TS2 1AD

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- 3.9 The College will aim to provide information requested within 10 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.

4.0 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 Governing Body, may raise their complaint under this procedure. Alternatively, they may wish to write direct to the Assistant Principal - Registry, Estates & Governor Services (Clerk to the Corporation).

The Complaint's Procedure is detailed in the Standing Orders of the Governing Body.