

OPEN UNIVERSITY STUDENTS ASSOCIATION

Central Executive Committee (CEC)

22 – 24 January 2021

APPOINTMENTS COMMITTEE

The CEC is asked to:-

- i) **approve** changes to the Bye-laws in relation to the Association's Appointments Committee.

- 1.1 The Appointments Committee is a sub-committee of the Board of Trustees with delegated authority to appoint student representatives (Central Committee Representatives or CCRs) to the committees within the University's academic governance structure wherever the Association has student places, from Senate through the tiers of governance down to Boards of Studies.
- 1.2 The Association has the right to have student representation on any University academic governance committee dealing with any aspect of the student experience. It also has the right to make those appointments. All CCRs are appointed for a term in line with the University's academic governance cycle.
- 1.3 Student volunteers apply to be appointed as Central Committee Representatives and their applications are considered by the Appointments Committee. We have a mixture of long-serving representatives (who may apply to continue as CCRs from one term to the next) and new representatives who apply to join the cohort. Appointments are made against a *role description* and agreed *principles of appointment*.
- 1.4 The Appointments Committee serves a two-year term and as per the Association's Bye-Laws (section 13 covers the Appointments Committee – appendix 1 below) it is currently comprised of the following members:

Vice President Education

President (or nominee)

A member of the Board of Trustees (elected by the Board)

A member of the Central Executive Committee (elected by the CEC)

Two experienced CCRs (self-nominating, must have at least one years' experience and are appointed by the Appointments Committee)

A Deputy Chief Executive of the Association (Secretary, non-voting)

- 1.5 At their meeting dated 3 November 2020, the Board of Trustees agreed to move all operational aspects of the Committee into a complete Terms of Reference (appendix 1) to ensure that the Trustees had full oversight of their subcommittee, including an annual review of the Terms of Reference and quarterly reports submitted to each Trustee meeting from the Appointments Committee. These changes meant the removal of operational aspects from the Bye-laws. The recommended changes which have been approved by the Trustees and shared with Appointments Committee are shared below for your approval. Appendix 2 is the current Byelaws, much of which has been removed and clarified in the in Terms of Reference. Appendix 3 is the suggested change.

Matt Porterfield
Vice President Administration

Beth Metcalf
Head of Student Volunteering and Representation

**Open University Students Association
Appointments Committee
Terms of Reference**

Approved by the Board of Trustees: (3 November 2020)

Purpose

The Appointments Committee is a sub-committee of the Open University Students Association Board of Trustees.

It has delegated authority to consider and make decisions on applications from candidates for appointment as Central Committee Representatives (CCRs), to Senate Reference Group (SRG), to Central Disciplinary Committee (CDC), as the six student members of Senate and the two CCR Appointments Committee members.

All appointments must be made in accordance with the Terms of Reference for the committees they are being appointed to.

The Appointments Committee has the authority to appoint CCRs and the Board of Trustees may accept, amend or reject recommendations made by the Appointments Committee, providing reasoning and/or recommendations to the Committee via the Chair or Secretary.

The Appointments Committee will report quarterly to the Board of Trustees, sharing recruitment updates, appointments, reasons individuals were unsuccessful and any declarations of interest.

Membership

1. The Appointments Committee will consist of:
 - a. the Vice President Education
 - b. the President (or President's nominee from the Central Executive Committee)
 - c. a Member of the Board of Trustees (self-nominated and then elected by simple ballot by the Board)
 - d. a member of the Central Executive Committee (self-nominated and then elected by simple ballot by the Committee)
 - e. two experienced CCRs who will be self-nominations and who have at least one year's experience as a CCR will be chosen by the outgoing Appointments Committee. The Principles of Appointment specify how we will ensure all CCRs are made aware of this opportunity.
 - f. a Deputy Chief Executive of the Association (Secretary, nonvoting).

All appointments are linked to the role held and any member ceasing to hold the related role will no longer be eligible to be a committee member.

2. The Board of Trustees will approve membership of the panel.
3. Four voting members will constitute quorum. Where quoracy is not met because of declarations of interests from Committee members, the Board of

Trustees will be informed of the decision made, as well as actions taken to allow Trustees to ratify the decision.

4. VP Education will chair the Appointments Committee. If the position of VP Education is vacant, the President or Deputy President will assume the position of Chair. The Board will be available to support this decision as required.
5. Members may resign by providing reasonable notice in writing to the Committee Chair. The Board will be kept informed of any resignations. In consultation with the Appointments Committee, the Chair will appoint any mid-term replacements with the approval of the Trustees. The term runs 1st August- 31st July.

Meetings

1. Committee members will review applications in their private forums, meeting as and when required via remote or face-to-face means to make final decisions. Decision making will be minuted within the private forum. Minutes will be shared with Trustees at their quarterly Board meetings.
2. Any decision making that occurs off the forum because of declarations of interest should include all voting and non-voting members of the Committee and evidence of the discussions should be shared with the Volunteering and Representation team and is to be stored for a period of six months. These declarations of interest will be minuted and observed during decision making. Decisions and declarations will be included in the quarterly report to the Trustees.
3. In large recruitment cases, such as the start of a new governance term, the Committee will come together to discuss and agree the appointment and placement of representatives either face to face or via an appropriate online meeting platform.
4. The Trustees may request the chair of the Appointments Committee to attend Board meetings when review of these Terms of Reference, any other supporting documents and the appointments of any Representatives are to be discussed or approved as part of the agenda.

Duties of the Appointments

1. Operating on behalf of the Board of Trustees, to be responsible for the appointment, training and induction for representative groups named above.
2. To consider all factors which it deems necessary in accordance with the Principles of Appointment and role description whilst ensuring that candidates are treated equitably.
3. To ensure all personal data and details of any specific application are treated confidentially.
4. To refer to the relevant Terms of Reference for committees being appointed to and to adhere to the Principles of Appointments.
5. To consider and follow the Association Volunteer Policy and best practice for volunteer management and recruitment.
6. To support the Chair with the planning of annual training and ongoing development opportunities for Representatives.

Mode of Operation

1. Only members of the Appointments Committee can vote at meetings.

2. Members cannot send a stand-in; however, the Deputy President will receive AC training along with the Committee to allow for deputising for President should the situation occur.
3. Members will be supported by the Secretary and the Volunteering and Representation team, who will be responsible for providing applications for approval and discussion (after administering the appropriate safeguarding and eligibility checks), organising and recording meetings, relaying decisions and enabling and facilitating attendance to meetings where required.
4. All meeting and forum discussions will be entirely confidential, though applications will not be anonymised to the committee to allow for the declaration of any conflict of interest and to allow the Committee to refer to previous experience as a volunteer or representative in accordance with the the Principles of Appointment.
5. Decisions will be minuted, with final decisions recorded. Minutes will be shared with the Panel for approval within the private forum before being submitted to the Trustee's monthly meeting.
6. No member or attendee shall be involved in decisions relating to their own appointment should this case arise, individuals will not be involved in discussions about the appointment of representatives to the position they have applied for.
7. Members must be vigilant of their own and each other's conflicts of interest and ensure that these are declared to the Chair as soon as they become aware of such conflicts of interest. This will include any significant personal relationship with the volunteer or nominee in accordance with the processes and principles of appointments.
8. Following approval, these Terms of Reference can only be amended by a decision of the Board of Trustees.

Reporting

1. The Panel shall formally report their meeting minutes quarterly to the Board of Trustees. The Committee shall also report annually its Terms of Reference, Processes and Principles of Appointment and CCR, SRG and CDC role descriptions to the Board along with any recommended changes. The Appointments Committee has the power to make small logistical or informal changes to role descriptions in order to keep them updated and accurate; however, major remit changes will need approval of the Board.
2. The Appointments Committee will meet any other appropriate and relevant requests for information from the Board of Trustees as may occur from time to time; these shall be requested through the Secretary or Chair.

Support

1. Members and their meetings will be supported by the Secretary and the Volunteer and Representation team to capture minutes of the proceedings and to collate any information needed to report to the Board.
2. Members will be required to undertake and engage with an induction process and appropriate training to fulfil the role. The Chair and supporting staff team will ensure this is appropriate to the nature of the role.
3. Where a face-to-face meeting is necessary, the Association will support this with the provision of resources to cover the cost of reasonable expenses for committee members.

4. The Appointments Committee will be provided with a secure private online forum, to which all members will have access.

Appendix 2: Current Bye-laws which refer to Appointment of Reps

13. Representatives' Appointments to Open University Central Committees

13.1. Central Committee Representatives

13.1.1. The Association appoints representatives as Student Members of OU Academic Governance Committees in accordance with the Terms of Reference for those committees (as approved by the Senate). These are known as Central Committee Representatives (hereinafter referred to as CCRs).

13.1.2. CCRs must be full members of the Association as defined by the Articles at the time of appointment.

13.2. Appointments Committee

13.2.1. There shall be an Appointments Committee with responsibility for considering applications from candidates for appointment as CCRs.

13.2.2. The Appointments Committee has the authority to appoint CCRs

13.2.3. The Board of Trustees may accept, amend or reject recommendations made by the Appointments Committee.

13.2.4. The Appointments Committee shall consist of:

a) The Vice President Education b) The President (or President's nominee from the Officer Team or the Student Member of Council c) A member of the Board of Trustees (elected by the Board) d) A member of the CEC (elected by the CEC) e) Two experienced CCRs who will be self-nominating, have at least one year of experience and will be chosen by the outgoing Appointments Committee f) A Deputy Chief Executive of the Association (Secretary, nonvoting)

13.2.5. Appointment Committee members will elect a Chair from the membership. 13.2.6. Four voting members shall constitute a quorum.

13.2.7. All members of the Committee should have the opportunity to comment on applications and agreements reached will be by consensus.

13.2.8. The Board of Trustees shall approve annually the Principles of Appointment and role description against which applications shall be considered.

13.2.9. The Appointments Committee will convene when needed, either face to face or online.

13.3. Central Committee Representatives Seminar

13.3.1. A seminar will be held annually to provide training, information and guidance to CCRs usually in late August/early September prior to the first meeting in the new timetable. This will be organised by Vice President Education with support from the Appointments Committee, existing CCRs and Association staff.

13.4. Term of Appointment

13.4.1. The term of appointment for CCRs will ordinarily be for two years, beginning on 1st September and ending on 31st August to coincide with the University's committee timetable. At the conclusion of this term, the CCR must reapply if they wish to continue.

13.5. Applications as part of the main appointment period

13.5.1. Applications shall be sought from continuing and potential CCRs between June and July.

13.5.2. These applications will be considered by the Appointments Committee in an online forum during August and applicants will either be approved or rejected.

13.5.3. The Appointments Committee will appoint representatives to fill vacant positions on Committees.

13.6. Applications made outside the main appointment period

13.6.1. Applications will be accepted and processed at any point during the year between August and April.

13.7. Removal of Central Committee Representatives

13.7.1. A CCR may be removed by the Board of Trustees, on recommendation from the Appointments Committee, from any committee to which they have been appointed if:

- a) They have failed to attend two or more meetings within one committee year without prior agreement;
- b) Their conduct while acting as a Central Representative has been investigated and deemed to be unacceptable.

13.7.2. Any investigation necessary under 13.7.1 will be conducted in accordance with the process outlined for appointed posts in the Association's Disciplinary and Complaints Procedure

13.8. Senate Reference Group

13.8.1. The membership of the Association's Senate Reference Group shall be as laid out in the constitution of that group and approved by the Senate of the Open University.

13.8.2. Where that constitution includes representatives, who are not ex officio from other roles, these are to be selected by a process approved by the Senate Reference Group

13.8.3. The term of appointment for these representatives is the same as outlined in 13.4 for CCRs. Representatives with ex officio roles will be members only as long as they are still in post.

Appendix 3: Suggested changes to the Bye-laws

13. Representatives' Appointments to Open University Central Committees

13.1. Central Committee Representatives

13.1.1. The Association appoints representatives as Student Members of OU Academic Governance Committees in accordance with the Terms of Reference for those committees (as approved by the Senate). These are known as Central Committee Representatives (hereinafter referred to as CCRs).

13.1.2. Student Representatives must be full members of the Association as defined by the Articles at the time of appointment.

13.2. Appointments Committee

13.2.1. There shall be an Appointments Committee with responsibility for considering applications from candidates for appointment.

13.2.2. The Appointments Committee has the authority to appoint CCRs, SRG members (including the three non ex-officio members of Senate) and CDC members.

13.2.4. The Appointments Committee are governed by a Terms of Reference and Processes and Principles of appointment which are approved annually by the Board of Trustees.

13.3. Removal of Student Representatives

13.3.1. A Student Representative may be removed by the Board of Trustees, on recommendation from the Appointments Committee, from any committee to which they have been appointed if:

- a) They have failed to attend two or more meetings within one committee year without prior agreement;
- b) Their conduct while acting as a Central Representative or Senate Reference Group member has been investigated and deemed to be unacceptable.

13.3.2. Any investigation necessary under 13.7.1 will be conducted in accordance with the process outlined for appointed posts in the Association's Disciplinary and Complaints Procedure

13.4 Senate Reference Group

13.4.1. The membership of the Association's Senate Reference Group shall be as laid out in the constitution of that group and approved by the Senate of the Open University.

13.4.2. Where that constitution includes representatives, who are not ex officio from other roles, these are to be selected by a process approved by the Senate Reference Group to meet membership requirements for a diverse group.

13.4.3. The term of appointment Senate Reference Group members is one or two years (at the member's choice) from 1 August – 31 July. Representatives with ex officio roles will be members only as long as they are still in post.