

Code of Practice for the removal of Chair, Vice Chair or any other Governor

The Code sets out the circumstances in which a corporation member can be removed. Any resolution to remove the Chair or Vice-Chair or any other governor will need to be passed by a majority of the other members. Where it is proposed to remove the Chair or the Vice-Chair another member of the Corporation will propose the resolution to remove and a member or the Clerk is authorised by the Corporation to give notice to the Chair of that resolution. Once notice is given the office becomes vacant immediately though the person remains a member of the Corporation unless he or she is to be removed as a member of the Corporation as well. If this is the case, the resolution will make this clear. Members can be suspended by a specially convened meeting of the Corporation where more than 51% of members should be present pending investigation.

A resolution should be put to the Corporation in the following terms:

“THAT the Corporation is satisfied that [name of member] is unfit/unable to discharge the functions of a Member of the Corporation, and that the Chair (or nominee) of the Corporation be authorised to give notice to that effect in writing to [name of member] to remove him or her from office in accordance with clause 10(2) of the statutory Instrument of Government, this decision to take effect from [the time] on [date of this meeting].” (Or immediate effect if the Chair)

If the Chair has had any direct participation or personal involvement in the debate over the individual concerned or is the governor proposed then the resolution will be proposed by another governor.

The member concerned will be given a minimum of seven clear day’s notification of the action proposed to be taken and of the charge that he or she will be called on to answer. The particulars set out in the notice should be sufficiently explicit to enable the member to understand the charge to be answered and to prepare his or her own case. A lack of detailed specification may be held to be immaterial if the member concerned is, in fact, aware of the case against him or her or if the deficiency does not cause any substantial prejudice.

The member concerned will be given an opportunity to reply to the complaints made against him or her and to make representations either in writing or at the meeting. If the Corporation is considering removing more than one member, each case should be dealt with separately.

The resolution will be determined by a simple majority vote in accordance with clause 14(1) of the Instrument and Articles of Governance.

If the resolution is passed, the Chair or Corporation nominee will give notice in writing to the member:

- (i) informing the member of the resolution, its date, and the fact it was passed
- (ii) removing the member from office in accordance with clause 10(2) of the Instrument and Articles of Governance.

Staff members and the Principal shall automatically cease to hold the office if they cease to be members of staff.

A student member's office will end when he or she ceased to be a student but will be allowed to remain a member until the end of the academic year in which he or she ceases to be enrolled as a student, so a student who finishes a course in June can remain a member until the end of the academic year. Membership will automatically come to an end if the student is expelled.