



THE SIXTH FORM COLLEGE, COLCHESTER

Minutes of Corporation Meeting No. 140

Monday 30 January 2023

[Meeting held by virtual conferencing facility]

Chair: M Atherton,

Members Present: A Beatty, S Codling, I Vipond, I MacNaughton (Principal), D Stebbings, J Owens, J Johnson, H Hallworth, J Tallentire, J Leslie, K Finnigan, Q. Boakye-Ansah, D. Rusecki, D Morran

In Attendance: Assistant Principals: J Cadman, S Townshend, I Fraser, A Frost, S Prince
S Williams (Senior HR & Administration Manager), N Goldsmith (Finance Manager)
T Harrison (Director of Premises, Estates, and Facilities)

Clerk: T Johnson

Members of the Corporation are both governors and trustees. For the purposes of these minutes and with the acknowledgement that minutes are published on the public website, the generic term 'governor' has been used where it has been deemed appropriate to do so.

140.1 Apologies for absence

Apologies were received and accepted from members M Sherer and attendee G Rayner
The Chair welcomed the new student governors to their first meeting.

140.2 Any other business

140.2.1 None

140.3 Declarations of interest

140.3.1 No interests recorded on the registers held by the Clerk, related to any of the matters proposed for discussion.

140.3.2 The Principal and Clerk declared an interest in agenda item 140.9 Senior Post Holder- application of pay awards

140.4 Minutes of the previous meeting

140.4.1 The minutes of Corporation meeting No. 139 held on 12 December 2022 were agreed as a true record of the meeting.

140.4.2 Matters Arising:

The Board's key efficiency indicators had been updated following recent resignations and appointments – to be discussed under agenda item 140.9

There were no other matters arising from the meeting held on 12 December 2022 that were not covered by the agenda.

140.7 Principal's strategic update

The Principal's first spring term report, circulated in advance of the meeting, was taken as read. The Principal provided updates on the following matters:

140.7.1 Teacher pay awards

The most recent talks between the Secretary of State and the teaching unions had been unproductive and therefore, further days of national, cross sector NEU strike action is expected to take place during February and March 2023.

In response to a [governor question](#) regarding the impact of strikes on teaching and learning, the Principal confirmed that the College would remain open; however, as experienced on the November strike day, the college could see approximately 30% of teaching classes cancelled. Additional to those on strike, some other staff's attendance may be impeded by childcare issues due to the closure or partial closure of local primary and secondary schools.

140.7.2 UCAS

The Assistant Principal (Pastoral) reported that this year's UCAS application numbers were similar to those recorded 5-10 years ago. This is in a context of more students considering degree apprenticeships and general concerns around the cost of Higher Education and the rising costs of student living.

Proportionally, the number of students receiving offers from Oxford and Cambridge for 2023 entry has been higher than in previous years.

18.30 A Frost and D Rusecki joined the meeting

140.7.3 Mental Health – student support

The Assistant Principal (Pastoral) reported on the outcomes of the recent meeting with Lee Bailey, Suffolk NHS Foundation Trust, including the potential offer of non-recurrent funding to support a second day of in college counselling, delivered by the Youth Enquiry Service and the commitment to finding recurrent funding that would be used to fund the provision of higher level 'in-house' mental health support for students through the engagement of a clinical psychologist (or equivalent).

140.7.4 Student behaviour

The Assistant Principal (Pastoral) informed governors that there has been a small but noticeable increase in low level disruption outside of lessons by a small minority of students (in a context of a national trend of increased levels of negative and immature behaviour across schools and colleges, since 2021). In response to a [governor's question](#), the Assistant Principal provided examples of the types of behaviours exhibited. Senior tutors are closely monitoring the situation to ensure that each incident is followed up. Tutorials covering college expectations and student behaviours have also been delivered.

The Assistant Principal explained that the College's Student Charter, contained within the student handbook, outlines College's behaviour principles and expectations which work alongside the student disciplinary policy. However, consideration is now being given to whether there needs to be a more explicit student behaviour policy.

18.46 J Leslie joined the meeting

Government review of Level 3 and below qualifications

For the benefit of new governors, the Principal explained that since 2013 the government has been in favour of and working towards moving from three post 16 pathways (A Levels & GCSE resits, Applied General Qualifications and vocational and technical' qualifications and pathways) to a more binary 16-18 framework of either A Levels or Apprenticeships/T Levels/vocational pathways.

The most recent government announcements, whilst not of great direct strategic significance for the College, have made it clear that a (predominantly) binary 16-18 qualification/programmes framework will be in place in England from 2025, with new criteria that (in scope) academic and technical qualifications will need to meet to be approved for funding. In this context, the College continues to be concerned about the impact this framework will have on some year 11 students who, at age 16, are not ready to make a determined choice about their future careers. In some instances, this will mean that students who may previously have chosen to follow an applied general pathway will choose to apply to study A Levels, for which they may not wholly be suited but which will be seen as the only route by which they can keep their future options open. The College therefore expects to undertake some additional work with students, parents and schools around post 16 choices and preparedness for A Level study.

A [governor asked](#) what criteria the government had applied to determine which subjects and courses would be defunded. The Principal commented on the extensive consultations that had taken place and the impact on the College's offer to students. The College currently offers eight Applied General courses at Certificate/Extended Certificate level (AS/A level 'size'), of which it is understood that Applied Business, Applied Law, Food and Nutrition, and possibly Criminology will be defunded. Whereas it is understood that ICT, Health and Social Care, Performing Arts and Sport will continue.

In the context that socio-economically there is a disproportionate number of students studying BTECs from disadvantaged backgrounds, a [governor raised](#) the question of whether reducing students' post 16 options was in keeping with the government's widening participation policy.

A [governor asked](#) whether there would be a negative impact on those students who currently choose to take two A Levels with an Applied General course (perceived to be a less academically challenging option) as their third subject and who seemingly will now have limited options, and whether the College can foresee a situation in which these students will be required to undertake a third A Level, which they may not attain. In response, the Principal reminded governors that a strength of the College is the vast range of subjects and alternate course choices, including other Applied General courses and less academically challenging A Levels on offer and therefore all students with suitable GCSE qualifications for an A level programme will be able to access a full programme suitable to their needs and aspirations.

The [Chair reported](#) on his attendance at the SFCA winter conference and the discussions held around the level 3 reforms and the negative consequences for students.

The Principal was thanked for his report.

140.8 Operational and statutory reports

To ensure student governor input to the pastoral discussions it was agreed to discuss agenda item 140.8(ii) at this point.

140.9.1 Pastoral

The Assistant Principal (Pastoral) introduced a paper (circulated in advance), outlining the current expulsion appeals process and three potential alternatives. The paper outlined the perceived difficulties with the current process and the potential for timescales to become protracted when a governor appeal panel is required.

In response to [governor questions](#), the Assistant Principal informed the meeting that the college preference was for a different approach to the current appeals procedure (appeal to governors).

In the context of the Corporation's duty to '*make rules concerning the conduct of students, including the procedures for suspension and expulsion,*' and its duty to stakeholders, the Chair asked governors to provide their views on the current process and the alternate options.

Governors provided their opinions and those governors who had experience serving on appeal

panels also provided their first-hand experiences and shared feedback received from appellants parents/guardians. In response to a governor question, the Clerk confirmed there had been 4 expulsion appeals in the past 10 years.

The Chair provided an overview of his experiences as an appeal panel member and informed the meeting of some basic analysis undertaken re the role played by the Board in other colleges. The Chair informed the meeting that a vote would be called; however, a clear majority would be required before a change to the appeals process would be taken forward.

A [governor asked](#) why panel members were chosen from one specific committee. The Clerk provided an overview of the criteria used to identify panel members and 3.5.4 of the disciplinary policy, which requires the appeals panel to meet to consider an appeal within 15 working days of receipt of a valid notice of appeal.

[Subsequent to the meeting the clerk provided a copy of the appeals committee terms of reference as approved by the Board July 2022, showing membership was drawn from across eligible members of the Corporation]

The Chair asked governors to vote on the options outlined in the paper. More votes were cast in favour of retaining the current process, but there was no clear majority. In the context of the outcomes of the vote and the college view being 'fairly agnostic', the Chair informed the meeting that unless any governor had a strong view, the decision of the Corporation would be to retain the current expulsion appeals process.

The decision of the Corporation was to retain the current expulsion appeals process.

19.30 T Harrison joined the meeting

140.9.2 Curriculum Offer & Educational Quality

Quality Assurance

In addition to the summary circulated in advance of the meeting, with links to departmental Self-Assessment Reports (SARs), the Assistant Principal (Pastoral & Quality) provided governors with a verbal overview of the SAR panel process.

The panels comprised of heads of department meetings with the Assistant Principal (Pastoral & Quality) and Assistant Principal (Curriculum & Assessment) together with their link Assistant Principal. The panels provided an opportunity to finalise the review of the academic year, refine the current year QIP, report on progress, and discuss any current issues. The Assistant Principal (Quality) and Assistant Principal (Curriculum) then considered the self-assessment grades (for overall effectiveness) proposed by heads of departments, and undertook a standardisation process across the 18 departments.

In response to a [governor question](#) regarding common themes emerging from the panels, the Assistant Principal reported that whilst there has been a common sense of relief that TAGs (Teacher Assessed Grades) and CAGs (Centre Assessed Grades) are no longer part of the examination landscape, there has also been a recognition that departments are still dealing with the effects of the pandemic e.g. impact on student resilience. Across all departments, A Level results were good, and as the College had not overinflated prior results, they had 'held up' well compared to prior years. Particularly pleasing were the high grades. Common themes running through the departmental improvement plans were notably retention, attendance, diversity data and employability- a reflection of themes in the overall College QIP.

Learning from the pandemic: whilst a greater use of IT in teaching & learning and communications with students was undoubtedly a positive outcome, there has also been a notable commitment from heads of departments and departments in general to standardised assessments (which became fundamental during Covid as the basis of the CAGs and TAGs). The departmental processes that were developed during the pandemic to moderate and standardise continue to ensure assessments are robust and valued indicators for in year tracking.

The Covid years also highlighted the value and importance of embedding a culture of resource sharing both within and across departments - a valuable, workload reducing tool.

An evaluation of process and format identified that departments would welcome parts of the SAR review taking place before results day, with data and the associated matrix completed in the autumn term. If this is implemented in 2023, this should eliminate the need for departments to produce headline SARs.

19.46 D. Rusecki left the meeting

The Curriculum and Quality Lead Governors, reported on the meetings held with the Assistant Principals, and the confidence they had in the rigour of the quality assurance processes.

A [governor suggested](#) that for future SAR panel reports the Board would find it useful to have included within the written report a short summary highlighting the findings from the SAR panel exercise e.g. common themes and the factors influencing decisions on the overall effectiveness gradings.

Action: College

140.9.3 Estates and Facilities

Property Strategy

The Principal provided a verbal summary of the updated property strategy received in advance of the meeting. There were no substantial changes. One addition had been made to reference a potential property acquisition (in a long-term context should suitable property and funding become available). The Strategy Lead Governor reported that potential property acquisition was in accord with the strategic plan.

The government's FE reclassification capital allocation is expected to be circa £400k, for the 2023 and 2024 years. The College is currently considering which of the many priority projects the funding will be allocated to.

The Director of Premises, Estates, and Facilities reported on the progress with the 16-18 Capacity Fund bid made in November re the Caretaker's House development, currently at the pre-planning application stage, and reported that the College is hoping that the bid to the fund to support the new development on the footprint of the former Caretaker's House would be successful. It had been understood that Government announcements should be made in February.

Bids to the Condition Improvement Fund have also been made and outcomes are awaited.

The [Chair asked](#) what considerations had been given to the planning of any work that may be required to comply with Martyn's Law (introduction of new legislation to provide better protection from terrorism by requiring proprietors to increase their preparedness for and protection from a terrorist attack). The Director of Premises, Estates, and Facilities confirmed that steps had already been taken, such as the introduction of student lanyards.

There were no revision or additions that required Board approval.

ILT Report & ILT Strategy 2023-2025

The Director of Premises, Estates, and Facilities provided an update to the ILT report, circulated in advance of the meeting.

The College has purchased Cedar, a product used for collecting a range of student data and a useful tool for communicating with parents. Unfortunately, installation has been delayed pending completion of the acquisition of the company by the ParentPay group, who had also purchased Capita's UNIT-e (the College's Management Information System) at the beginning of the year. The College has allocated resources to employ a staff member to support the implementation of Cedar.

The current file servers will become unsupported at the end of the academic year. The College has been investigating replacements, although the current economic situation has made supply and prices very volatile. Governors were provided with an overview of one option: the use of an inhouse cloud solution with servers hosted on site for a monthly charge. Quotes and specifications are being obtained, and it is hoped that the college will be able to finalise the solution in the coming weeks.

There were no questions arising from the presentation of the ILT Strategy 2023-2025 (broad aims)

The ILT Strategy 2023-2025 was approved.

The references within both the Property and ILT strategy to specific aims within the Strategic Plan (2022/23 to 2026) were favourably commented upon. Governors and asked for this model of reporting, where applicable, to be included in other reports to the board.

20.08 T. Harrison left the meeting

140.9.4 **Health & Safety**

Discussion on the Health & Safety report for the 2021-2022 year, received in advance of the meeting was deferred.

Action: College/Clerk

140.9.5 **Finance**

The December Management accounts recorded a total operating surplus for the 5 months to 31 December 2022 of £655k. The Finance Manager highlighted that the key variances contributing to the improvement to actual outturn (to a surplus of £959k) and reported that the variance is expected to reduce significantly after the application of the teachers' pay award 2022-2023 and the support staff standards payments. The Finance Manager advised governors that it is too early in the year to accurately prepare a re-forecast and therefore the forecast is equal to budget and will remain so until the January management accounts are prepared (when the figures will be re-forecast).

The Balance Sheet showed that the cash and bank balances at 31 October 2022 were £5.6 million, compared to the budget figure of £4.68 million. In response to governor questions the Finance Manager explained the composition of the £927k positive variance.

The Finance Manager drew attention to energy costs. In prior years the electricity costs were iro £240k. Due to the expected increase in the cost of electricity the budget had been increased to £480k. The College had also received the government subsidy of £43k (for the 3 months October – December 2022). However, the cost of electricity has been such (expected to be nearer £600k) that the budget will need to be increased by a further £120k. The government support arrangements from April 2023 are not yet known but expected to be less generous.

In response to a [governor questions](#) regarding the student bursary (vulnerable groups and discretionary), the Finance Manager outlined the new ESFA methodology of requiring colleges to reimburse students for their expenses rather than providing a set amount to students per term. In response to a [governor question](#) regarding students without the means to pay and reclaim, the Finance Manager explained that the College can, in some instances, provide cash for purchases in advance and for example, the College will make purchases for students e.g. student travel permits.

A [governor asked](#) for clarification on the Private Fund donation transfer. The Finance Manager explained that this is the donation requested when students enrol at the College.

The Finance Lead Governor (Chair of the Audit Committee) advised, in the context of the significant rises in costs, that there is a need to ensure that the College can continue to deliver its

mission within the resources and facilities available and that financial planning, underpinning the strategic plan, is comprehensive and detailed.

The Principal reminded governors that as a consequence of increased expenditures due to inflation and exam board fees, pay awards and other costs, the College will be facing a real-terms reduction in unit resourcing in 2023-2024, and therefore, it will be a very tough year financially with a likely reduction in the number of FTE teaching and support staff required and a potential increase to the percentage of income spent on staffing, in order to maintain the College's high quality teaching, learning, and support.

Insurance cover

The Finance Manager confirmed that the College had maintained insurance over the course of the year. The current insurance broker, FE Protect, had advised that the College should obtain an up to date valuation of the buildings to ensure that the sums insured are adequate; this is in progress.

A governor raised a query as to whether the professional indemnity is per event. This will be clarified and report to the May Audit Committee meeting.

Action: College/Clerk

It was agreed that in future, the Audit Committee should be delegated the responsibility of receiving insurance cover reports.

Action: Clerk

20.20 Attendees and Q. Boakye-Ansah left the meeting

140.10 Governance Matters

140.10.1 Key Efficiency Indicators

Governors received the January update to the 2022-2023 key efficiency and performance indicators, together with an analysis of departmental visits and reports.

The Chair drew attention to member attendance, reporting that two members with poor attendance had recently resigned, and as expected the December attendance report and the attendance for this meeting showed a significant increase in the overall attendance percentages.

The Clerk provided a verbal summary of the data provided, highlighting the number of departments visited during the November visit day (15). Records indicate that by the end of the academic year, 40 -45 departmental visits will have been made, providing governors with first-hand knowledge to assist with their strategic thinking and decision making. It was agreed that as governors are now following the ETF governor development pathways (in addition to the SFCA webinar programme and in-house development), the afternoon governor development session should be removed from the visit day timetable to allow for further departmental visits.

While every effort is made to ensure each department is visited at least once during the year, the Chair asked governors to bear in mind that not all departments are available or have the capacity to accommodate a visit on a Friday. Governors were asked to let the Clerk know if there were any objections to holding the next visit day on a Thursday.

Action: Governors

140.10.2 Remuneration Committee

Due to a change of meeting date, the Committee's annual report will be presented to the Corporation at the next meeting.

140.10.3 Search and Governance Committee

The recommendation of the Search and Governance Committee to appoint Gyorgyi Callegari as a Member of the Corporation for a period of four years was unanimously agreed.

The recommendation of the Search and Governance Committee to appoint Lindsey Russell as a Member of the Corporation for a period of four years was unanimously agreed

In accordance with the Corporation's recruitment procedures the term of office of the new appointees will commence on the date that DBS clearance is received.

Action: Clerk

140.10.4 Committee Memberships

J. Johnson and J. Owens were appointed members of the Remuneration Committee.

Action: Clerk

20.38 At this point I. MacNaughton, and T. Johnson, declared an interest in the following item and left the meeting

140.11 Confidential Matters

Senior Post Holder- application of pay awards

The recommendation of the Remuneration Committee, to apply the nationally agreed-upon support staff pay award to senior post holders was agreed.

Action: Chair

There being no other business the Chair closed the meeting at 20.43

These minutes were approved by the Corporation on 27.03.2023 Minute No. 141.4(i)
