



THE SIXTH FORM COLLEGE, COLCHESTER

**Minutes of Corporation Meeting No. 117
16th September 2019**

Chair: D Morran

Members Present: I MacNaughton (Principal), N Gerrard, M Perrin, C Goldsworthy, S Nolan, S Carmel, G Gardiner, J Owens, B Shahrabi, I Vipond, M Atherton, J Leslie, D Williams, K Finnigan

In Attendance: A Johnson, J Harker, J Cadman, E Gibson, G Rayner, A Frost and S Williams

Clerk: T Johnson

Agenda

117.1 Apologies for Absence

117.1.1 Apologies for absence were received and accepted from governors: J Johnson, A Beatty, R Wilson & I Hutchins.

117.2 Any other Business

Governors agreed to discuss:

- (i) the appointment of the second lead governor for IT, as an addition to agenda item 117. 9 - *Governance Matters*
- (ii) the paper circulated prior to the meeting re the future of the International Baccalaureate Diploma programme, as an addition to agenda item 117.5.8 – *Principal's Matters*

117.3 Declarations of Interest

117.3.1 No interests were declared.

117.3.2 Those present were reminded that any outstanding declaration forms should be returned to the Clerk as soon as possible.

117.4 Minutes of Previous Meetings

117.4.1 The minutes of meeting No.116 held on 15 July 2019 were agreed and signed by the Chair as a true record of the meeting.

117.4.2 Matters Arising

None

117.5 Principal's Report

Governors considered the autumn term report and examinations summary report prepared by the Principal. In response to governor questions the following points were noted;

117.5.1 Funding

During the summer period the Government's plan for a 2020-23 Comprehensive Spending Review (CSR) was postponed in favour of a one year 2020-21 spending review¹. Subsequently a 3 year financial planning framework for 4-16 education but only a 1 year framework for 16-18 education were put in place.

The Treasury, on 01.09.2019, then made announcements re the Government's plan for a £400m (approx.) uplift in post 16 funding (within the context of the Government's spending plans for 2020-21).² Within this framework, the plan is for the 16-18 'National Funding Rate' to rise from £4k to £4.188k per student per annum in 2020/21 (an increase of only 4.7%). For the College the increase will probably equate to approx. £250k - £300k of net additional funding, i.e. it will be offset against the final year of funding cuts (result from the 8 year programme of funding cuts that commenced in 2012). Therefore, the increase will barely cover the cost increases of the 2019/20 and 2020/21 year periods - that are as yet are still in part unknown.

The Government funding allocation for 16-18 education providers for 2020/21 is therefore very disappointing. The Sixth Form College Association's (SFCA) campaign had stressed the need for the National Funding Rate to rise to a minimum £4.8k per student per annum (the Association of Colleges (AOC) had highlighted the need for £5k per student per annum). This is in the context that the Government has committed to ensuring that all 11-16 year olds are funded at a rate of £5k per student per annum from 2020/21 (the average national funding rate for 11-16 year olds in 2020/21 will be close to £7k) - and schools/academies do not pay VAT from their allocations.

It is expected that much of the additional 16-18 funding allocation will be used for further development of a series of specific Government initiatives including T levels – and there is unlikely to be any significant extra resourcing for most Sixth Form Colleges. There is also no expectation that the 'little extras grant' awarded to schools and colleges for the 2018/19 year will be repeated in 219/20.

Due to the current political uncertainty it is possible that the Government spending plan for the 2020/21 year may not progress as currently reported.

16-18 funding and resourcing for 2021/22 and beyond is currently unclear.

S. Nolan joined the meeting

117.5.2 Employers Pension Contributions

It is understood that in 2020/21 the Government will continue to support the cost to Colleges of the additional Employer's Teacher's Pension Contributions introduced from September 2019 (at an annual cost of approximately £100m per annum for 16-18 education).

¹ <https://www.bbc.co.uk/news/business-49286339>

² <https://www.gov.uk/government/publications/spending-round-2019-document/spending-round-2019>

117.5.3 Higher Education (HE)

Gavin Williamson, Education Secretary has recently backed a review of Higher Education (HE) admissions systems, being carried out by the Office for Students (OfS).³ The Education Secretary's letter of direction to the OfS, outlined an expectation that the review will include consideration re potential models of post-qualification applications (PQA) and a review of the growth in the number of unconditional offers being made to students. However, the Government will have to acknowledge that a post - qualification application process would require considerable changes to the 4 -16 academic calendar or post 18 enrolment timetables.

117.5.4 Augar Report

Thus far there have been no announcements from the Government re changes to be instigated in light of the outcomes of the Post 18 Education and Funding Review, published May 2019. It is now felt to be unlikely that any discussions will be made with impacts which will affect 2020 year university entrants.

117.5.5 Premises

Over the summer period and the start of the autumn term the College has experienced a series of water leak related issues.

A failed newly fitted condenser unit at the top of the Midsite building, within the first weeks of term, caused significant damage and disruption affecting the English, history, religious studies and philosophy, and the sport and P.E. departments. Repairs and remedial works are being undertaken, although it will be some months before the affected rooms are all fully operational. Costs are largely covered by our insurance - a £1K insurance excess is payable by the College.

During the enrolment period a small leak occurred in the pipework at the top of the main driveway (pipes originally laid in 1912). Unfortunately, the leak became increasingly worse with investigations showing that the repairs required to fix the leak would be more complex than the contractors had initially thought. It is now believed that the repairs are complete.⁴ The repairs are estimated to be iro £2.5 - £3K.

117.5.6 Examination Results

Overall the College is pleased with the 2019 examination results which are similar to the 2018 year (which had been 'up' on the previous year's results). The College is particularly pleased in the context that the cohort had on average a slightly lower GCSE point scores on entry and a higher proportion of students with safeguarding issues.

The following 2019 headline examinations data was discussed:

- A Level A - E 98% (98% in 2018) national average 98%
- A Level A - B 45% (44% in 2018)
- IB Diploma pass rate 93% (international average pass rate 79%)

³ The higher education regulator for England.

⁴ 17.09.2019: Unfortunately, further issues that emerged during the repairs meant that due to running out of water and useable toilets the College was forced to send students home (for half a day).

- GCSE pass rate – 99% (98% in 2018) national average 95%
- Retention rates remained high – 97% (average overall programme ‘within year’)

Governors were reminded that although the JCQ publishes national data on results day in August, the DfE national benchmarks are not released until late autumn/early spring.

117.5.7 Advance Foundation Programme (AFP)

The number of students enrolled on the Advance Foundation programme for the start of the 2018/19 year surged to 110, predominately due to the turbulence following the introduction of the reformed GCSE curriculum and assessments. Enrolments for the 2019/20 year have returned to the norm level of 80 (approx.) students.

117.5.8 International Baccalaureate (IB) Diploma

Governors considered the paper tabled by the Principal (appendix A). The following points were noted;

The Government has recently placed the IB Diploma ‘under review’ re funding eligibility and eligibility re inclusion in performance and Ofsted criteria, for state sector schools and colleges from 2023 (iGCSEs and iA Levels have previously been withdrawn).

The College has offered the IB Diploma Programme since 2003. However, in recent years the numbers of students opting to study IB at the College has steadily declined (in line with the national trend). In the last 2 - 3 years numbers have fallen to approximately 30 per year group. In the context of poor levels of 16-18 resourcing, and a hostile environment created by the Government to international qualifications, many other state sector providers have already ceased offering the IB Diploma for cohorts with very low numbers.

In response to governor’s questions the following points were elucidated:

- 30 new Year 1 IB cohort enrolments were expected for the 2019/20 year, however only 15 students enrolled as of last week (12 ‘swapped’ to A level in the first two weeks).
- The level of financial and resource cross-subsidisation for IB from other curriculum areas, has now risen from moderate levels to high and unacceptable levels - for a cohort of 15 students the level of cross-subsidisation (for both year cohorts) will be approximately £80k - £90k per annum.
- With very low student numbers the quality of a student’s educational experience will not generally be as high as the College would wish. In particular subject group sizes of 3-7 are not effective in a number of subjects including English, humanities and social science subjects.
- If the recommendation to cease offering the IB Diploma were accepted by governors, the commitment to the Year 1 cohort (enrolled for the 2019-21 cycle) would be honoured.
- The College view of the value of IB is unchanged. The IB is a very good, broadly based, pre-university education programme.

- Not running the IB Diploma may free up staffing resources within particular departmental areas but now will vary. For example, psychology group sizes may be reduced due to the reallocation of teaching time currently timetabled for IB classes and the languages department are likely to be able to expand the current programme of additionality.
- In the context that the College has always strived to maintain a strategic policy of no redundancies (in the context of funding cuts and unfunded cost increases) no posts would be 'at risk' arising from this potential development.

Following due consideration governors unanimously approved the College's recommendation to cease offering the IB Diploma from September 2020.

Governors asked that the minutes reflect their disappointment that this decision has needed to be made and that the decision is in no way a reflection of the teaching of the IB within the College or the achievement of IB students.

117.5.9 2019/20 Enrolments

Overall student enrolments are currently approximately 10 down compared to the same point in the 2018/19 year – we have approximately 10 less Year 3 students (resits), 65 less Year 2 and 65 more Year 1 students. Within Year 1;

- Year 1 A level up approximately 110 students
- Year 1 IB down approximately 10 students
- Advanced Foundation Programme down approximately 35 students (see also minute 117.5.7)

Overall the enrolment trends are in line with local demographic trends. However, the cost and availability of public transport from geographical areas outside of Colchester has contributed to micro level trends in recent years, as does the smaller group sizes and higher levels of enrichment offered by the independent sector sixth forms.

117.5.10 Condolences

Governors expressed their sincere condolences to the family and friends of a Year 2 A Level student (last academic year), who had very sadly died unexpectedly in early August. The student's A level results, released approximately 2 weeks later, were excellent. His funeral, held last week, was attended by over 350 people, including College staff and students.

117.6 Strategic Plan and Strategic Priorities

117.6.1 (a) Mission and Vision Statements Consultation with Stakeholders

The Chair reminded those present that during the meeting held on 15.07.2019 governors had agreed to seek stakeholders' views on i) the proposal to revise the current Mission Statement and ii) the content of the proposed Vision Statements for the period 2020/21 – 2023/25.

An invitation to provide feedback about any aspect of the proposals had been placed on the governance page of the College website.⁵ To date no responses have been received.

Prospective stakeholders will also be provided with an opportunity to provide feedback on the Proposed Mission and Vision Statements, during the College's Open Evenings to be held during October.

Mission and Vision statements will be placed for final consideration and approval as part of the overall strategic plan, at the December meeting.

Action: Clerk

117.6.2 (b) Strategic Priorities 2018/19

Governors considered the final progress review including the report on 2018/19 examination results/performance.

The Chairman expressed the view that the data evidenced that the year had been one of progress and achievement.

In response to governor questions the following points were elucidated:

The Assistant Principal (Curriculum & Quality Assurance) reminded governors that many national benchmarks are not yet known. Benchmarks will be added as and when received. This includes Level 3 Value Added (L3VA) expected to be received late October/early November 2019 and validated data (performance tables) published January 2020.

The recently received ALPs data was positive, and shows that the College is sustaining the improvements demonstrated and achieved in the 2017/18 year.

117.6.3 (c) Performance, Self- Assessment Impact Measures and Targets 2018/19

[See also minute 117.5.6 – Examination Results]

Student Satisfaction - The Principal drew attention to the section of the report detailing student outcomes and experiences and in particular, the Year 1 student feedback questionnaire benchmarked against 14 other SFC providers. The questionnaire asked students to respond to the statement 'I feel safe at college' Governors were pleased to note that the college's response was 90% compared to an average benchmark response of 80%

A governor asked if the outcomes of the questionnaire and in particular the question re 'feeling safe' are reported by ethnicity. Although not immediately available the College would look into this but Governors were advised that data capture should be undertaken in the context of the data outcomes being statistically significant. It was also noted that students self-report ethnicity which on occasion may be reported incorrectly or withheld.

Action: College

J Leslie joined the meeting

⁵ Information provided, included notification that the online section of the consultation would be open from 26 August 2019 to 12 noon on 19 September 2019

Gender - The Principal reported that the student cohort continues to follow the national trend of greater female participation levels re A Levels, with 58.2% of the student body being female (57.8% 2018/19 year) and 58.6% of the lower sixth 2019/20 cohort are female.

GCSEs - Governors were pleased to note that the College's 2018/19 Maths and English resit results were again significantly above nationally benchmarks. English 66% (national 30%) maths 39% (national 21%)⁶.

Marketing & Admissions - It was noted that at least one local sixth form provider appeared not to have recruited as well they had as expected for 2019/20 and had deployed several innovative recruitment techniques to entice students to their institution. Governors asked the College to consider whether there is a need for a more persuasive message to be communicated to future stakeholders re the College offering high achieving students a post 16 education equal to or better than independent and/or selective sixth form providers, including preparing for studying post 18 at an Oxbridge College. A governor in supporting this comment suggested that there may be a need to further consider the College's strategic marketing strategies in the context that that competition between local 16+ education providers appears to be becoming more vigorous.

117.6.4 (d) Early SAR Summary

Governors received the Early SAR summary. It was noted that the documentation reflects the latest headline examination information available but is liable to be added to and change following the receipt of further examination data e.g. national benchmarks will be added as and when received. The summary was deferred for discussion at the next meeting.

Action: All governors/College

117.6.5 (e) Strategic Priorities - 2019/20

Governors considered the 2019-20 Strategic Priorities, populated with targets and key performance indicators. Benchmarking data will be added as and when received.

Action: All governors/College

117.6.6 (f) Strategic 3-5 Year Plan 2020 -2023/5 (appendix B).

The draft Strategic 3-5 Year plan was tabled for governor consideration.⁷

It was noted that the plan will be populated with benchmarking & validated examination data, when received. In the context of the Governors' decision re the future of the IB Diploma it was acknowledged that the plan will have some adjustments made before being considered at the next meeting.

Action: College

Governors agreed that the structure of the document was as expected and that the plan should be reviewed as a 3-5 rolling programme. with annual focused strategic

⁶ For 17 year olds

⁷ Immediately after the meeting absent governors were provided information re how to access an electronic copy of the plan

reviews taking place in October & December of each year (prior to approval of any updates to the plan in the following January).

Governors were asked to consider the draft plan ahead of the next meeting and to notify the College if there were any questions that would require detailed consideration prior to the next meeting.

Action: All governors/College

117.7 Finance & Audit Matters

117.7.1 (a) Cost Centre Review July 2019

The Finance Lead Governors and Finance Manager gave a verbal report on the current budgetary position. Governors noted that the Cost Centre review did not include the LGPS operating charge or pension fund loss/gain – the report from the actuaries is due soon but not currently available.

The total operating deficit is in line with the May 2019 forecast. The main variations were increased costs of catering and premises maintenance offset by reduced costs in departmental expenditure and depreciation.

The balance sheet shows the cash and bank balances at 31 July 2019 of £3.80m against the budget figure of £3.95m – predominately due to the higher operating deficit.

It was noted that although the accounts are as yet unaudited no material changes to the accounts are expected. The College's self-assessed financial health grading remains 'Good'.

In response to a governor question re the debtors on the balance sheet showing as increased from a budget of £60k to an actual of £141k the Finance Manager explained that the anomaly is due to the way that the balance sheet is formulated. Historically the year-end debtors have been recorded as £50k - £70k hence a budget of £60k. The increase to £141k is due to prepayments of computer software and licences.⁸

In response to a governor question re the Performance Studio roof, the Principal reported that a patch repair had been undertaken during the summer break. However, in the future a completely new roof will be required.

117.7.2 (b) Audit Code of Practice Self-assessment Questionnaire

The Regularity and Propriety Self-Assessment questionnaire for the 2018-19 year was received, reviewed and approved. The Chair signed the questionnaire on behalf of the Board.

It was noted that this is the last year with the current auditors.

⁸ In addition, suppliers are invoicing earlier. A large number of licences are for the academic year 1st August to 31st July, in prior years many of these invoices were dated 1st August and received during the 1st week of August. Suppliers are moving towards dating their invoices 1st July so they receive full payment before the 1st August - these invoices are now included at year-end as pre-payments.

117.7.3 (c) Financial Regulations 2019-20

The Financial Regulations for the 2019-20 year was received, reviewed and approved. It was noted that once the Financial procedures have been rewritten, post the introduction of BACs payments the Financial regulations will be reviewed.

117.7.4 (d) Pension Liabilities - Corporation's (Governing Body's) Financial Statements

The Board considered the report from the Clerk. The Senior Manager – HR and Administration advised that an actuarial valuation had already been undertaken by Essex County Council, as part of their management of the local government scheme (LGPS) - the liability is expected to be around 0.8% of current payroll. The Finance Lead governor clarified that the 0.8% would be of the employer's total liabilities rather than payroll. The TPA have not yet undertaken an actuarial exercise and have advised scheme members to wait pending further court decisions and their actuarial assessment. Once the extent of the additional liability is known, a full report will be submitted to the audit committee and relevant data included in the Financial statements.

The Board noted the position and asked to be kept informed of developments.

The Principal suggested that the Government may consider covering the cost of the additional liability (arising from the McCloud judgement) through an extension of the teachers' pay grant and if this is forthcoming, the Government may take similar action re the costs associated with the additional liabilities in respect of the Local Government Pension Scheme (LGPS).

117.8 2018-19 Pastoral Report (including 2018-19 Safeguarding Report)

117.8.1 The Assistant Principal (Pastoral) presented the annual pastoral report incorporating 2018-19 achievements and developments, challenges and responses and plans for the 2019-20 year. It was noted that the KCSiE guidance has recently been revised.⁹ The following points were highlighted:

Staff Training

All Senior Tutors are Level 3 Safeguarding trained and several senior members of staff are WRAP trained. Over 100 college staff received mental health awareness training from an external trainer. All staff receive the yearly face to face safeguarding training. This year's safeguarding update for teaching staff incorporated discussions of the ways in which subject tutors can support students whose mental health difficulties are causing high levels of absence.

Welfare Provision

The new Welfare Hub offers students a drop-in service for well-being support. The service is being well used and is already at maximum capacity. A peer mentoring scheme for socially isolated students has also been initiated. 137 students engaged with the student counselling service during the 2018-19 year.

Safeguarding Files

The total number of safeguarding files held on current students has risen (350 2016-17, 464 in 2017-18, 690 in 2018-19). The College joined with the

⁹ A copy of the September 2019 KCSiE guidance and other safeguarding documentation including the child protection policy are available to governors via SharePoint and the college website.

Safeguarding Leads at Colchester Institute to express concern at the quality of safeguarding files being passed on from schools. Consequently, the Essex Safeguarding Lead for Schools has issued new guidelines for schools. If followed, the guidelines should result in more timely information being received thus allowing earlier support for the most vulnerable students. A new system of weekly monitoring of the highest risk students has been introduced.

There were no formally reported incidents of racism in 2018/19 - the fewest number of reported incidents of student bullying since 2014/15.

High Level Needs

In response to governor questions it was noted the College is still waiting for the Local Authority to confirm funding for a few students - the College is confident that the funding will be forthcoming. The Principal informed governors that although the number of students enrolling with high level needs has increased the College believes that these students will 'stick'.

Governors commended the College on the high retention levels of students with additional and safeguarding needs.

117.8.2 Pastoral Policies

The 2019-20 **child protection policy**, circulated in advance of the meeting was **approved**.

The Assistant Principal (Pastoral) informed governors that the student disciplinary policy had been drafted following consultation with a student and parent governor as required by the Articles of Government.¹⁰

The student disciplinary **policy** was **approved**

At this point observers left the meeting

117.9 Governance Matters

117.9.1 (a) Instruments & Articles of Government

The Chair reported that in the context of new information recently received from Eversheds, the review of the I&As would be postponed until the next meeting.

117.9.2 (b) Corporation Self-Assessment

The summary prepared by the Chair and circulated in advance of the meeting was considered. The Chair gave an overview of the main outcomes arising from the self-assessment review.

It was agreed that the following points should be given further consideration;

Stakeholder Engagement (Social Media) - the Principal explained that marketing and admissions focus groups had previously considered various social media strategies however concerns re data protection and the resource intensiveness of setting up and maintaining social media platforms were prohibitive. A governor gave

¹⁰ Article 18 (3) After consultation with representatives of the students, the Corporation shall make rules concerning the conduct of students, including procedures for their suspension and expulsion

the opinion that the college website is difficult to navigate and mobile responsiveness is slow. The use of Moodle as a source of information for staff, students & governors was noted.

It was agreed that the following points should be actioned;

- A summary of the stakeholder surveys undertaken by the College will be prepared and circulated to governors.

Action: College

- Training for governors on the new Ofsted framework will be delivered during the autumn term.

Action: KFi/DMo

- Risk awareness/management –sources of risk awareness training will be investigated.

Action: Clerk

- Staff Pay frameworks/CPD processes - a summary paper and/or information session will be provided (possibly as part of the spring term visit day)

Action: DMo/College

- Executive summaries will be introduced for all documents presented to the Board. However, management would be allowed discretion as to what documents executive summaries would be suitable for.

Action: DMo/College

(c) Other Matters

Meeting Structure: Governors expressed the view that the 5-minute break, allowing observers to leave prior to the commencement of governance agenda items, has been a positive change that is working well.

Governors visits: a summary of the visit reports submitted after the April visit day had not been undertaken at the direction of the Chair, not all reports were submitted and the allocated clerking hours had been expended. It was agreed that the clerk should now proceed with producing the summary report.

Action: Clerk

Governor Visits: The Chair recommended that governors visit and familiarise themselves with the College whenever possible. Induction days, the 3-day programme, performances and other special events were all valuable opportunities to visit and engage with the College and its stakeholders. A governor queried what was happening re the link governor scheme in the context of the governor visit days.¹¹ The Chair reminded governors that for the Spring term 2020 individual governor visits are suspended in favour of a 2nd governor visit day to be held in March. However, if governors wished to maintain links informally with their AP (and their departments) during the trial year that would be fine.

Terminology: Immediately prior to the meeting the Clerk had been asked to provide clarification on the correct use of the terminology 'Corporation' and the generic term of 'Governing Body'. The Clerk advised the meeting that the correct term to be used in documentation is Corporation, as per the Instruments & Articles of Government.

¹¹ Historically, governors have agreed, at the request of the College not to undertake departmental visits during the busy autumn term period. For the autumn term 2019 the number of departmental visits will increase 100% due to the first autumn term visit day.

To illustrate the Clerk tabled a paper (Appendix B) detailing a number of DfE statutory documents citing the number of times Corporation is used compared to the term governing body which as a generalisation is only used in cross-sector quotes or where the document allows for an institution to insert its own wording.

The Clerk informed the meeting that over the past few years there had been a gradual review of documentation with terminology amendments made as required, – more recently there had been an increased focus on this area of work. Moving forward, uniformity of terminology will continue to be addressed, with the dual aim of minimising any future confusion and also ensuring clarity of information for stakeholders. All documentation will use the appropriate terminology as per the I&As and DfE statutory documentation, with the non-specific term of ‘Governing Body’ (ordinarily used by stakeholders - many of whom will be used to the term being applied to an academy’s local governing body) included in documentation made available on the website or generally available to stakeholders. This approach should also ensure that stakeholders do not confuse the role and responsibilities of Corporation Members, with those of a local Governing Body in a primary / secondary school MAT.

To further aid stakeholders understanding and where applicable, internally generated governance documentation will include the DfE standard wording; *‘Sixth-form corporations are entities that operate one or more colleges. They have the legal status of statutory corporations and exempt charities. A college is a charitable activity undertaken by its corporation.’*

Signed

Dated