



**THE SIXTH FORM COLLEGE - COLCHESTER**

**Minutes of the Search, Governance & Remuneration Committee  
Meeting No 51 held on June 6<sup>th</sup> 2018**

<b>Chair</b>	Chris Graves
<b>Present</b>	John Stenhouse, David Morran
<b>In Attendance</b>	Ian MacNaughton (Principal), Mark Goacher (NUT representative), Sue Edwards (UNISON representative)
<b>Clerk</b>	Tina Johnson

**Agenda Item**

**51.1 Apologies for Absence**

Apologies were received and accepted from governors Nick Gerrard, Kevin Finnigan and Andy Beatty.

Apologies were also given by Lee Juby (NUS representative).

**Meeting with Union Representatives**

The meeting commenced with an informal discussion covering current and future resourcing.

The Principal tabled two papers, one relating to the forecast outturn for 2017/18 and the indicative 2018/19 and predicted 2019/20 budgets and the other showing the trends in Government recurrent funding allocations and real term resource levels available to the College between 2007 and 2021.<sup>1</sup>

It was noted that since 2010, the College has had to respond, on an ongoing basis, to the extensive Government cuts in the real level of allocated resources (arising from funding cuts and unfunded cost increases). Due to the imposed 'affordability' issues there have been significant reductions in the average hours of taught provision for students and very significant reductions in staffing volumes, affecting both teaching

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<sup>1</sup> The tabled papers have been placed on SharePoint

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and support staff).

Between 2007 and 2021 there will have been a 62% cut in real terms funding per student. In the context of scarce and declining resources the Principal reiterated the Governing Body's commitment to security of employment but highlighted the expectation that all staff will continue to demonstrate flexibility. In the context of resource reductions, the Principal advised the meeting that a further reduction in staffing equivalent to 9 FTE and a reduction in hours for some posts will need to be made. It is anticipated that the reductions will be achieved through natural wastage and staff movement. In response to a concern regarding the way forward if the anticipated natural wastage doesn't occur for example if the College has not predicted correctly the intentions of staff reaching retirement age, the Principal explained that the College has already been made aware of a retirees and those staff wishing to reduce their hours. The Principal reiterated that he is confident that the required reductions of 9 FTE can be made without the need for redundancies.

The Principal advised the meeting that the indicative budget for the 2018-19 academic year has been based on assumptions including predicted student numbers and a national collective bargaining pay award of 1%. If the pay award is greater than 1% then further adjustments to the budget would need to be made. It is possible that the Government's FE resilience review may provide positive news for the sector, however any subsequent increase in funding this would not 'kick in' until 2021.

The Principal reminded those present that it is critical for the sustainability of the College that quality is maintained. In response to governor questions the Principal informed the meeting that prudent management of resources (in the context of the funding cuts) has meant that although staff numbers a have been reduced there has been minimal negative impact on teaching and learning.

Governors were assured by union representatives that staff fully understand the importance of maintaining quality. However, the impact of the required cuts have been noticeable; in some cases support staff are finding the requirement to deliver additional work a challenge and there has been a demonstrable impact on staff morale (in the context of the funding constraints, lack of career progression and the Government's general treatment of public sector employees).

*Governors thanked the representatives for attending the meeting.*

*6.40pm M. Goacher & S Edwards left the meeting*

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### 51.2 **Any Other Business**

None

### 51.3 **Declarations of Interest**

The Principal and Clerk declared an interest in Part B of the agenda - *Performance Management and Salary Review of Senior Post Holders.*

### 51.4 **Determination of Confidential Items**

None in addition to those identified on Part B of the agenda

### 51.5 **Minutes of Meeting No. 51 June 2017**

The minutes of meeting No.51 held on 7<sup>th</sup> June 2017 were agreed and signed as a true record.

### 51.6 **Matters Arising**

All matters arising had been placed as discrete items on the agenda.

### 51.7 **Membership Matters**

#### 51.7.1 a) Resignations and Retirements

Governors were informed that notification of two resignations had been received

- Mr. C Garrett has tendered his resignation effective from 1<sup>st</sup> August 2018
- Mr. C Graves (Governing Body Chairman) has tendered his resignation effective from 1<sup>st</sup> September 2018

#### 51.7.2 b) Recruitment

##### Community Governors

In the context of the Governing Body's most recent skills audit advertisements for prospective governors had been placed with several on line recruitment agencies including Women on Boards, Inspiring Governors, Inspiring FE Governors and Governors for Schools and Colleges. Application invitations were sent to four women who had expressed an interest in governance in the area, all had declined the

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invitation predominately due to seeking a governance post in the school (rather than FE) sector or travel time.

One other woman who had previously expressed an interest will be contacted by the Clerk at the appropriate time. The Clerk will also contact the Law Society and Local Authority with a view to inviting self-nominations.

The Principal informed the meeting that he had held discussions with a senior leader from the University of Suffolk, with a view to ascertaining whether there would be interest in putting forward a nomination.<sup>2</sup>

The Governing Body are mindful of the gender balance of the Board however the predominate criteria will be to fill identified skills gaps. The Clerk will circulate an updated skills matrix (taking account of the above resignations) as soon as practicable.

**Action: Clerk**

In the context of the Board's most recent skills audit, governors unanimously agreed to recommend to the Board the appointment of June Leslie (current parent governor) to the post of community governor effective from September 1<sup>st</sup> 2018.

**Action: Clerk**

### Parent Governor

An election for the post of parent governor will be held during the latter half of the autumn term. This time frame will allow new year 1 parents to be included.

**Action: Clerk**

### 51.7.3 c) Automatic Disqualification Regulations

The information supplied in advance of the meeting (including the January 2018 Government guidance and the flow chart for identifying relevant managers) was considered. Governor's agreed that relevant senior manager positions would be the Principal and Finance Manager. It was noted that the Finance Manager would have signed the relevant declaration pre-appointment and therefore only a declaration signed by the Principal was required.

**Action: Clerk/Principal**

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<sup>2</sup> *Governors, C Goldsworthy and C Garrett have also indicated that they will be working to identify any colleagues from local HE providers who may have an interest in becoming a governor*

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### 51.8 Strategic Matters

#### 51.8.1 a) Governing Body Self-assessment (Code of Good Governance)

The progress, made towards the statutory and good practice benchmarks was agreed to be 'very good', with the majority of benchmarks achieved. Outstanding action points were reviewed. An updated version of the Code will be shared with all governors via SharePoint.<sup>3</sup>

**Action: Clerk**

#### 51.8.2 b) Operational Structure

The Clerk informed the meeting of the process undertaken thus far including action taken to encourage participation with the survey monkey questionnaire 'Informing the scope of the forthcoming review'.

It was noted that the anonymous survey opened on 25<sup>th</sup> May 2018 with an anticipated closure date of June 1<sup>st</sup>. On June 1<sup>st</sup> the survey was extended to Monday June 4<sup>th</sup> with further reminders sent to non participants.

Those governors who were known not to regularly access their college email accounts were also sent an email to their personal accounts or a text message informing them that a link to the survey had been sent to their college email address. This action resulted in an additional 2 responses being received.

9 responses were received before the initial deadline date including one response sent via email (via phone due to temporary lack of internet access).

The extension to the deadline date elicited a further two responses. In total there were 11 of a possible 16 responses.

The governor responses to the survey, were noted. In order to fully inform the forthcoming review it was agreed that non-participants should be provided with further opportunity to complete the survey. It was agreed that the Clerk should email a reminder (plus new link) to non-participants<sup>4</sup>

Governors discussed the process leading up to the forthcoming review and agreed that a task and finish group of C. Graves. J. Stenhouse and K. Finnigan plus other interested governors should be formed. It is anticipated that the group will provide clarity on the 'direction of travel' at the July Governing Body meeting.

**Action: Governors/Clerk**

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<sup>3</sup> Version 15 June 2018

<sup>4</sup> This action was completed. A further two responses were received- total of 13 out of 16 responses  
Chairs and Search Minutes No.51-07062018

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### 51.8.3 c) Governing Body Development Plan

The progress made towards the 2017-18 development priorities and draft targets for the 2018-19 year will be circulated to committee members via email and for comment. Approval will be sought at the next meeting.

**Action: Clerk**

### 51.8.4 d) Role and Independence of the Clerk to the Corporation

The Chair and Vice Chair notified the meeting that a review of the Clerk's current role descriptor is being undertaken in the context of further ensuring governors and college management understand the Clerk's role and responsibilities. The review is being based on the AoC publication 'The Effective Clerk' and the SFCA publications 'The Essential Guide to Governance'<sup>5</sup> and the ICSA/SFCA publication the role and duties of a Company Secretary. The requirement for the Clerk to be independent of the College was stressed.

### 51.9 Governor's Budget

The Lead Governor for Finance, present at the meeting requested a line to be inserted into the budget to distinctly show the governor's budget (as held by the Clerk). This would better enable the governor's to monitor the budget.

**Action: Principal**

### 51.10 Committee Terms of Reference 2018-19

The committee's draft terms of reference 2018-19 were agreed. The terms of reference will be placed for Governing Body approval at the June 2018 meeting.

**Action: Clerk**

### 51.11 Policy & Procedures Review

#### 51.11.1 a) Policy and procedures schedule 2018-19

The policy and procedures schedule 2018-19 was received. It was noted that the Chairman had not yet had the opportunity to meet with the HR Manager to discuss content of the two HR policies (Grievance and Bullying & Harassment) deferred from the last meeting.<sup>6</sup> The Chairman informed the meeting that it is his intention to meet with the HR Manager as soon as possible in order that the policies can be placed for approval at the July

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<sup>5</sup> A copy has been purchased by the College for each governor

<sup>6</sup> Having first been deferred from the Governing Body meeting No100

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### Governing Body meeting

51.11.2

#### b) GDPR

Governors had received in advance of the meeting documentation detailing the steps taken by the Clerk to ensure governance documentation and process comply with the new GDPR regulations and 2018 Data Protection Act. The following activities were noted;

- Training (Clerk's)
  - EIGS, Winkwood Sherman and Article 9 (special category data), and Articles 12-14 (PNs) briefings/workshops
  - Essentials of GDPR training & assessment - CPD certified training
- Information sharing
  - Briefings for governors and guidance documentation - shared via email and SharePoint
  - Meeting with College's DPO & EIGS
- Implementation
  - Data flows prepared
  - Privacy Notices  
Privacy Notices written, issued to Governors and placed on college website<sup>7</sup>  
Privacy Notices written, issued to Directors of Fuel Channel and placed on college website
  - Confidentiality and Proprietary  
Governor's confidentiality & propriety declaration documentation & procedure reviewed – no changes required  
Annual governor declarations revised to include more explicit confidentiality and proprietary information.
  - Accessibility  
Illustrative data processing / flows created  
Meeting arranged with student governors to talk through the governor's privacy notice to ensure understanding of the right to withdraw etc.  
  
Statement on accessibility included within the privacy notices for Governors & Directors
  - Administration  
  
Established retention and disposal strategies documentation now extended to explicitly record security applied  
  
Established document register (post 2014), expanded to provide

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<sup>7</sup> 'Governors' are included within the staff privacy notice – no notification to clerk prior to publication but anticipate this is to cover the data HR processes for the DBS checking process.

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for disposal to be formally recorded and 'signed off'.

Template 'notification of data processing' rewritten (for use, for example when unsolicited enquiry re governor posts is accompanied by personal data i.e. contact details and/or CV)

Template 'consent' letter reviewed – no changes required

Records destruction logs reviewed – no changes required

Checklist for disposal of documentation reviewed. Expanded to provide for confirmation of disposal to be received from other college departments e.g. main office / HR / IT

- Action to be taken June - September 2018

- Meeting with student governors - provision of illustrated data processing information
- Continued review of historical electronic documentation to identify where personal data has been retained.
- Review and cataloguing of pre 2014 hard copy files (and confidential documentation) - action taken as appropriate [it is likely that this work will take up to 18 months to complete].
- Governor information session to be held re: security of personal devices, secure destruction of records, reporting of a data breach etc.

The Clerk reported that following the enactment of the 2018 Data Protection Act on May 25<sup>th</sup> 2018 careful consideration is being given to whether any of the above procedures require revision. If required an update will be provided to governors via the appropriate Governing Body meeting. A copy of the 2018 Data Protection Act has been shared with Governors via SharePoint

**Action: Clerk**

51.11.3

c) The statement for the arrangement by which the views of stakeholders on the character and mission of the College was agreed. The statement will be placed on the governance section of the College's website.

**Action: Clerk**

## **PART B**

### **CONFIDENTIAL MATTERS**

51.11

#### **Annual review of the Pay and Conditions of Service for Senior Post Holders**

The Chairman reported that he will be meeting with the HR Manager to receive training on the online performance management recording process. The subsequent performance management reviews of the

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Principal & Clerk will inform the annual pay and conditions of service review.

**Action: Chairman**

*There being no other business the Chairman called the meeting to a close at 8.15pm.*

Signed .....  
Chairman

Dated.....

Date of the next meeting: TBC