



THE SIXTH FORM COLLEGE, COLCHESTER

**Minutes of the Search & Governance Committee No. 53**  
**9<sup>th</sup> October 2020**

[Virtual Meeting held via Microsoft Teams]

**Chair** K. Finnigan  
**Present** J. Leslie, N. Gerrard, D. Morran, I Vipond, A. Beatty  
**In Attendance** I. MacNaughton (Principal)  
**Clerk** T. Johnson

**Agenda Item**

**53.1 Apologies for Absence**

None – all committee members and observers were present.

**53.2 Determination of Confidential Items**

None.

**53.3 Minutes of Meeting No. 51**

The minutes of meeting No. 52 held on 14<sup>th</sup> June 2019 were confirmed as a true record of the meeting.<sup>1</sup>

**53.4 Matters Arising**

53.4.1 52.6 - the meeting with union representatives, scheduled to take place March 2020 had been cancelled following the required closure of the College due to the Coronavirus Pandemic. The meeting has been deferred to the autumn term 2020 and will now take place via MS Teams. The Chair, Vice Chair and Principal will attend the meeting.

**Action: Clerk**

53.4.2 52.9.1<sup>2</sup> - in the context of the huge pressures facing the College since the onset of the Coronavirus pandemic, consideration of stakeholder engagement/ consultation re the strategic plan will be ongoing.

**Action: DMo/KFi**

53.4.3 52.12 – Arrangements are being made to conduct the end of year performance reviews for Senior Post Holders.

**Action: DMo/KFi**

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<sup>1</sup> Received by members of the Corporation July 2019

<sup>2</sup> 'The Chair reported his intention to consider further how best to meet the requirements of the Code [of Good Governance] re obtaining the views of stakeholders on specific matters.'

## 53.5 Membership

### 53.5.1 Skills Audit

The skill set and experience of members of the Corporation was considered. The committee agreed that the required skills were adequately covered. The skills audit showed marginal gaps in the areas of estates, marketing & communication, health & safety. It was agreed that although there was no urgency, it would be beneficial to add additional expertise to the Board in these areas.

### 53.7.2 Recruitment & Retention

Community Governor Vacancy: The Clerk provided a report on the strategies currently deployed to recruit new governors and in particular identification of potential members with a social care background, including, contact with Essex Child and Family Services.<sup>3</sup> It was noted that new adverts had been placed with governance recruitment agencies. With a view to improving diversity of the Board, the Clerk's suggestion that time be allocated to a focused recruitment campaign, involving a direct and more personal approach, was agreed to be a positive step forward. Governors requested, that the clerk make personal contact with local businesses and known voluntary groups during the autumn term. Members will be kept updated via email.

**Action: Clerk**

Parent Governor Vacancy: It was agreed that nominations for the parent governor vacancy should be sought during the second half of the autumn term, when it is hoped that the College will have moved into Phase 2 re-opening.

**Action: Clerk**

Pastoral Lead Governor: The Clerk will email Corporation members with a view to seeking a volunteer to fill the current Pastoral Lead Governor vacancy. The difficulty in securing volunteers for this post will also be taken into account when new governors are appointed.

**Action: Clerk**

### 53.7.3 Review of the Constitution of the Corporation

The overall number of members of the Corporation and the number of members of each variable category under the Instrument of Government, were considered. Members agreed to recommend to the Corporation that the constitution of the Corporation should remain unaltered.

**Action: Clerk**

### 53.7.4 Appointment /reappointment of Members

Members were provided with copies of the Corporation's skills audit, detailing outcomes both with and without the member proposed for reappointment.

In the context of the skills audits, the committee agreed to recommend to the Corporation the re-appointment of the following member:

- John Owens, as a Community Governor, for a further term of 4 years  
Commencing 1<sup>st</sup> December 2020

**Action: Clerk**

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<sup>3</sup> One expression of interest has been received.

## 53.8 Operational Governance [Self-Assessment]

The self-assessment reports circulated in advance of the meeting were considered. The following points were elucidated:

### 53.8.1 Review & Benchmarking of Corporation Attendance 2019/20.

It was noted that the Corporation had set an aspirational attendance target for the 2019-20 year of 85%. The actual combined committee & full corporation meeting average attendance for the year had exceeded the target and at 87% was the highest recorded attendance, since electronic records began circa 2008. Significant to this increase was the introduction of virtual meetings - notably, impacting positively on attendance at full Corporation meetings. Prior to the introduction, attendance for the 4 Corporation meetings held September 2019 to February 2020 averaged 66.5%. Whereas, the 4 Corporation meetings held May 2020 to July 2020 (post the introduction of virtual meeting options) attendance rose to 79.3%.

2019-20 Benchmarking Data: The Corporation's attendance, for board meetings and committees combined rate at 87% was higher than the 83.9% mean average attendance rate for the 95 Sixth Form (SFC) and Further Education (FE) Colleges, included in the 2019-20 benchmarking survey. For only SFCs [17 colleges] the figure was largely the same at 83.6%.

There were no significant matters arising from consideration of individual member attendance. Where attendance had fallen below expected levels the agreed protocols had been followed. In all instances, offers of apologies had been accepted.

### 53.8.2 Review of Key Efficiency Indicators 2019/20 & draft targets 2020/21

Although the impact of the pandemic significantly and negatively affected the College, its staff and students during the March 2020 - August 2020 period (and continues to do so), the impact on the Corporation's key efficiency targets had on the whole been minimal. In the main, this was due to the second of the two annual governor visit days having already taken place prior to the announcement of national lockdown - the visit days influence achievement of many of the 2019-2020 targets.

### 53.8.3 Anonymised Self-Assessment Questionnaire

In response to the outcomes of the 2019 Corporation self-assessment questionnaire, specific action points had previously been identified.<sup>4</sup> The actions to be undertaken during the 2019-2020 year aimed to further strengthen operational practices and inform self-assessment and corporation development. A summary report on progress made was provided for member information. It was noted that due to the Coronavirus situation some of the actions have not yet been completed.

- identification of Board training/ development needs [*identified and incorporated for the 2019/20 year - this action point will be continual*]
- the development of a member succession plan [*initial draft completed - this action point will be continual*]

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<sup>4</sup> Minute No 116.8

- Exit questionnaires, to be completed as part of the non-disclosure exit/retirement process, will be drafted by the Clerk for approval by the Chair *[complete]*
- Link governor roles to be mapped against clear terms of reference - as detailed in the Corporation Development Plan and Policy & Procedures record. *[due to workload drafting of remaining ToRs has been deferred to autumn term]*

#### 53.8.4 Code of Good Governance - Charity Code - Remuneration Code

In furtherance of demonstrating outstanding governance, the Corporation previously adopted bespoke versions of the Code of Good Governance, the Charity Code and the Remuneration Code, as applicable to Sixth Form Colleges.<sup>5</sup>

Subsequent to the introduction of the 3-5 year business plan, structured Corporation visit and development days and confirmation of the permanency of lead governors as an integral part of the Corporation's operation structure, additional governance codes' principles have been met. 6 principles were determined to be not applicable at the time of assessment.

2019-20 end of year review:

- 100% of the Corporation Code of Good Governance key principles have been met or the rationale for part or non-compliance documented.
- All aspects of the Charity Governance Code (as applicable to SFCs) not currently reported under the Corporation Code of Good Governance, have been met or the rationale for part or non-compliance documented.
- 100% of the action points arising from adoption of the Remuneration Code (as applicable to SFC's), not currently reported under the Corporation Code of Good Governance, have been met or the rationale for part or non-compliance documented.

The end of year compliance review will be presented to the Corporation at the December 2020 meeting.

**Action: Clerk**

#### 53.8.5 2020-2021 Efficiency Indicators

The 2020-21 draft efficiency indicator targets and supporting commentary were considered and the following targets subsequently agreed:

- Maintain at least 87% attendance for overall attendance at Corporation and Committee meetings combined
- 80% of external members to engage with staff (and students, where applicable) in curriculum and support areas during the academic year
- 100% of monitoring visits made by external members to curriculum/support areas result in written reports
- 75% of members to attend at least one social event /exhibition /show staged by the College

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<sup>5</sup> The Corporation Code of Good Governance contains 113 key principles and the Charity Governance Code a further 10.

- 80% of all members to attend at least one training /strategy event (in addition to safeguarding refresher training) and at least 25% of external members to attend a conference and/or engage in knowledge enhancing study of direct relevance to college governance
- 100% of external members who have not received training (or refresher training) in the past 18 months to complete safeguarding training (as applicable)
- 100% of eligible members (optional for Principal, staff and student governors) to complete the corporation self-assessment questionnaire
- 100% of new members to complete induction programme

It was noted that the ongoing impact of the Coronavirus (Covid 19) pandemic will undoubtedly influence achievement of some of the targets.

53.8.6

#### Review of Standing Orders

The interim (comprehensive) review had taken into account; modifications to the Corporation's operational model of governance, compliance monitoring outcomes (revisions required to ensure compliance with, for example, the I&As and adopted codes of governance) and the replacement of superseded information, whilst also seeking to ensure that the Standing Orders serve the functional purpose of recording the rules and byelaws of the Corporation.<sup>6</sup>

The revisions to the Standing Orders were agreed and will be placed for Corporation approval at the December meeting.

Current local and national restrictions, social distancing and other Government Coronavirus control measures, have added significant difficulty to obtaining either members wet ink signatures on relevant documents or scanned copies of signed soft copy documents. In this context the Clerk was asked to draft a Corporation protocol regarding the use of electronic signatures. The protocol will form an appendage to the Standing Orders.

**Action: Clerk**

53.8.7

#### Corporation & Members Development

During the period that governors have not been able to routinely visit the College, Corporation members have been supplied with numerous opportunities to join governance, FE and SFC sector webinars and access other external sources of online training. The Corporation has also bought into the SFCA 2020-21 webinar programme available to governors and managers.

Population of the Corporation development plan for the 2020-21 year has been on hold due to the Coronavirus situation. In due course, the clerk will populate the development plan with the latest self-assessment/ board development and FE white paper outcomes<sup>7</sup> and actions required to 'deliver Ofsted outstanding governance' including advancing the diversity of the board.

**Action: Clerk**

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<sup>6</sup> At this point the review is being classed as 'interim' pending the full review and redrafting of the I&As.

<sup>7</sup> The SFCA have reported that the FE white paper will almost wholly related to Post 18 with very little for the post 16 sector.

*14.04 J. Salmon left the meeting*

Members requested that information be resent regarding the webinars that are available and a generic information session on 'Six Dimensions' be considered.

**Action: Clerk**

The November 2020 Corporation visit day has been cancelled due to the impact of the Coronavirus. Any alternative activity will not involve managers at this time due, to the extraordinary additional work load. The Clerk will to provide governors with access to an alternative online activity, linked to a previous topic discussed at Board level.

**Action: Clerk**

It was agreed that a spring term, virtual information session on resourcing, facilitated by senior staff will also be offered.

**Action: Principal**

*14.10 I. MacNaughton left the meeting*

Discussion was held regarding the Corporation's role as employer and its duty to ensure the wellbeing of staff and in particular, the Principal.

There being no other business the Chair closed the meeting at 14.25pm

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*These minutes were approved by the Search & Governance Committee on  
07.07.2021*

*[Minute No. 54.4]*

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