



THE SIXTH FORM COLLEGE COLCHESTER

MEETING OF THE CORPORATION BOARD

HELD AT 5.30PM ON MONDAY 25TH MARCH 2024

AT THE COLLEGE

MINUTES (PART A)

Meeting 148

The core functions of the corporation board include:

- *Preserving and developing the college's educational character*
- *Setting and communicating the college's strategy and goals*
- *Holding executive leaders to account for the educational performance and quality of the college, and for the performance of staff*
- *Exercising effective control to ensure that funds and assets are protected, the organisation remains solvent and legal obligations are met*

Business commenced at 5.30pm

Meeting closed at 8pm.

The meeting was quorate.

Governors Present:

Community Governors: Mike Atherton (Chair), Gyorgyi Callegari, Susan Coding (Vice Chair) (*until 7.36pm*), Kevin Finnigan (Vice Chair), Joanna Johnson (Virtually), David Morran, John Owens, Lindsey Russell, Joanne Tallentire, Ian Vipond, Ian MacNaughton (Principal).

Staff Governors: Jane Sadler, Dan Stebbings.

Parent Governor: Sarah Greatorex.

Student Governors: Chinedum Onunkwo (*until 7pm.*)

In Attendance:

Assistant Principals: Jo Cadman, Graham Rayner, Adrian Frost, Ian Fraser, Scott Townsend.

Sarah Williams, Senior Manager (HR and Administration)

Sophie Gardiner, Wigan Governor Services, Clerk to the Corporation (Virtually).

1. Apologies and consideration of consent to absence

Apologies were **received** in advance of the meeting from Naomi Goldsmith (Finance Manager), Michael Sherer, Bill Midzi and Sarah Prince and were **accepted** by the Corporation. June Leslie was not in attendance.

A formal welcome was extended to Sarah Greatorex, newly elected Parent Governor.

2. Any other Urgent Business

There were no additional items to be included on the agenda.

3. Declaration of Interest

Item 12 – Student Governor would withdraw for this item.

The Corporation invited staff members and staff Governors to remain if they wished to do so.

4. Minutes of the previous meeting held on the 29th January 2024

There were no actions to review and no matters arising.

5. Minutes of the Committee Meetings

The Corporation received verbal reports from the Committee Chairs (*actions addressed on this agenda*):

Remuneration Committee – 15th February 2024 – *action to be taken at agenda item 6.6.*

Joanna Johnson reported that the committee had agreed to meet once each year, in July, to coincide with the annual appraisal cycle.

Audit Committee – 8th March 2024 – *action to be taken at agenda item 6.7.*

Susan Codling reported that the committee had recently increased the number of meetings it held, from two to three. There had been no fundamental changes and the committee agreed that an internal audit function would not be required (but it recognised that this would be required at trust board level within an academy).

After the meeting, the external auditors had reported that they had been bought by a new company and would provide a new letter of engagement. This was a positive move aimed at building resilience into the company.

Search and Governance Committee – 22nd March 2024 – *actions to be taken at agenda items 7.1 & 7.3.*

Mike Atherton reported that the committee had requested that all Governors complete the annual skills audit which would now be in a new, simplified format and should be returned to the Clerk by Friday 19th April 2024.

6. COLLEGE ITEMS

6.1 Student Governor Report

Chinedum Onunkwo highlighted the following areas of the impact of the student council:

- The culture day was well attended, and students had expressed an interest for this event to be extended.
- The main areas of concern raised by students had been food prices, the notice of allergens (which were now displayed), the availability of Halal meat (meeting arranged to review this with the Catering Manager) and the timing that the canteen was closed (to accommodate student timetables).
- Toilet sanitation – student council had advised students to leave the facilities clean and this had been raised in the college bulletin.

- Student notifications – agreed this was a good communication method and that students could silence notifications if they wished to do so.
- The introduction of the drop down day, where timetabled lessons were given over to PHSE (Life skills), had been well received.
- Easter revision sessions – this had been implemented with the provision of library facilities for which students were grateful.
- Lunch time extra-curricular activities in the sports hall now provided.
- An additional prayer room for Muslim women was now available on site.

Chinedum Onunkwo was thanked for an insightful report.

6.2 Ofsted

The Principal was delighted to comment on the outcome of the inspection. Leaders felt that the inspection had been a fair process conducted by an experienced team. Outcomes were in line with the college self-assessment. There had been a team of nine inspectors involved (including seven HMI's). The oral feedback had been very positive with no areas for improvement noted. The response rates from the range of surveys including parents, students and staff were reported to have been 'overwhelmingly positive'.

The Principal extended thanks to students who had been involved in the inspection process, the Governors who had met with inspectors and all colleagues. Inspection nominee, Jo Cadman, and shadow inspection nominee Adrian Frost and skills nominee, Graham Rayner were also particularly thanked.

Ofsted had drawn leaders' attention to the 'Big Listen', and all were encouraged to respond to the consultation.

The feedback around the format of the inspection included positive comments around the process of the three nominees working with inspectors, leaders also liked the current whole student experience led inspection and the deep dive approach. Previous experience had shown that having an ongoing link inspector in place who maintained contact with the college between inspections had been advantageous and the suggestion to reinstate this would be made.

Jo Cadman reported further on the feedback from the parent, student and staff surveys. The actual outcome was not shared with the college but there had been 1,045 replies. 97% of students stated that they would recommend the College. There had been 932 responses from parents, 92% of whom agreed that they would recommend the college. Many parents had also taken the time to email the College directly with messages of positivity that they felt the survey did not provide them with the opportunity to include.

The staff survey had over 200 responses. 97% of staff agreed that they were proud to be a member of staff at the college and there was a lot of positive responses around the support for professional development and the quality of leadership.

Verbal comments from the inspectors were shared and these included positive comments around student behaviour and the quality of teaching (staff felt that they were empowered and trusted).

There were no formal actions, however areas to be considered for further development would include reinforcing lessons from tutorial within subjects (around British Values and Prevent).

Adrian Frost acknowledged the fantastic job done by all staff during the process and complimented the performance of Heads of Departments and teams during the deep dives.

Graham Rayner explained that the skills inspection was new and that this was a statutory requirement under the FE skills inspection framework. Of the four categories the College achieved the strongest outcome in three areas. There remained some room for development around the involvement of stakeholders in the design of the curriculum to meet employer needs. Thanks were expressed to all involved and to the Skills Governor (Ian Vipond).

Verbal feedback received from Ian Vipond regarding the Skills Inspection was positive and complimentary.

The Chair reported that he had attended the feedback session at the end of the inspection. The inspector was infusive with feedback. This was a phenomenal result for the college and to received validation of the college's own self-assessment was an amazing achievement recognising the years of preparation behind the outcome. This was a testament to the leadership of the college

The Corporation recorded sincere thanks to the leadership team, and all involved in the inspection.

The inspection outcome would remain confidential until the report was published.

6.3 Principal's Updates

The Principal confirmed that the funding agreement had been received and the uplift per student for 2024/2025 was fractionally under 2.3%. The general inflation rate and annual pay award figures remained unknown.

One specific factor that would keep the rate of inflation down a little was that new, more favourable contracts had been negotiated for the electricity price from 1 October 2024 (even as the Government subsidy would cease on the 31st March 2024). The combined cost of gas and electricity from October 2024 onwards would be around £350,000 (without the government subsidy this would have been £700,000).

January exams results were positive (BTECH/AG modules and Functional Skills English and Maths). There had been some national deflation around the top grades but none on the Applied Generals were significantly deflated last year. Grades between distinction and pass were very pleasing. Distinction stars were a little down and this was in line with the national trend. Mid-year Functional Skills results were pleasing. Maths and English data was above national benchmarks.

Applications for 2024 entry had been very stable (similar to last year). Total enrolments for 2024/2025 were still expected to be around 30-50 higher than this year (2023/2024).

Staffing - anticipate the need to appoint two more teachers (linked to last minute decisions around retirement and maternity leave).

Support staff – likely to appoint an accounting apprentice at level two or three (AAT accounting apprentice).

Finance – move to *Blue Cube* would require some embedding and training (anticipated financial savings).

Cedar product – MIS system, next stage parent facility launched. Graham Rayner provided a verbal explanation and update. The System would be used to share timetable and attendance data with parents.

Leaders responded to questions.

Q Wonderful comments from parents and students in response to the parent survey, would these comments be used across the marketing campaigns?

A Yes in some way.

Q Considering the traditional problems around the use of questionnaires, had anything different been done to encourage so many responses?

A No. The request (from Ofsted) was only sent out once. The response rate tells us that parents and students were very supportive of the College.

Parents present confirmed that the process of the online questionnaire had been quick and easy to use.

Q Regarding the finance apprentice, were we looking at employing one of our own students

A No. Ideally, we would like an apprenticeship slightly older than our students.

Q Regarding *Blue Cube*, was this the same software used by Long Road College?

A Yes.

6.4 February 2024 Cost Centre Review/Financial Forecasts

The Principal provided a verbal update and responded to questions.

There was a small positive variance on the budget (£40,000) which was good news despite the year's challenges. The staff pay award had been higher than expected. From April onwards there would be an increase on support staff salaries due to the national increase to the minimum wage (at the bottom of the pay scales). A national broker had been used to identify new suppliers. It had been challenging due to the fluctuations in the market.

Q Last time energy was discussed, it was raised about the previous broker charging VAT – did you find any evidence of overcharging and, if so, had this been recouped?

A This had been checked and the college received a refund of £37,000 (from 2019).

Q I am puzzled why 'green' energy costs more than 'brown' energy. Was this correct as there seems to be a large difference?

A There was a substantial difference from all companies around 'green' and 'brown' energy costs. However the prices were much better than in the domestic market.

Q What percentage of energy used by the College was gas?

A Consumption was around 80% for electricity and 20% for gas.

6.5 Pastoral and Safeguarding Report – Mid Year Review

Jo Cadman talked to the previously circulated report and explained that 775 files had been passed from schools in September 2023. Many of these were in fact pastoral files due to the

way in which schools record the information. Sarah Prince had built good relationships with the schools to help speed up the process of identifying the genuine safeguarding files. Progress against objectives was very good and these had been positively reviewed during the Ofsted inspection. Safeguarding was judged to be effective.

Q In regard to harassment – was this student on student within the College?

A The majority of the reports were around incidents that happened outside of College. The most frequent incidents were female students being harassed in town by older males. There had been two or three incidents each term, reported by female students, of incidents outside of College, where in some cases the perpetrator had been a student. Incidents in College were less frequent.

Q This term, all victims of sexual harassment were female, and all perpetrators were male. Did we offer young men the same system to report incidents – had we seen young males reporting?

A Very occasionally. A lot of the reports come via the welfare hub. The number of male students seen in the welfare hub was high but it was unclear if the data indicated if there was a problem. It was less of a natural forum for young men to provide feedback.

A BME students – were they the victims?

Q Both victims and perpetrators.

Q What can you tell us about attendance?

A Attendance had improved on last year (which had also improved on the year before). Up to March 2024, attendance was 90%. Nationally, attendance had fallen.

6.6 Annual report of the Remuneration Committee and Remuneration Statement

The Corporation received the recommendation from the Remuneration Committee and **approved** the statement.

The Corporation recognised that there was only one senior post holder in post – the Principal.

6.7 Risk Register

The Corporation noted the outcome of the Audit Committee's review of the Board Assurance Map.

Susan Codling confirmed that there had been no changes. The committee had discussed cyber security and agreed that it should remain as a high risk. There were no areas of concern. Ofsted did ask for a copy of the Risk Register.

Graham Rayner explained that the risk register remained pertinent. The Business Continuity Plan was to be tested. This must be in place to meet the requirements of the accountability agreement. A simulated 'phishing' attack had taken place. About 50% of College staff were taken in by it but it had been considered successful in raising awareness and cyber security remained high profile.

Governors were encouraged to set up Multi Factor Authentication on Governor Hub accounts.

6.8 College Friends Information

Graham Rayner reported that there was £33,000 currently in the account.

The Board were asked to consider an appropriate use of funding. The Principal stated that it would be ideal to partly refund the refurbishment or replacement of the Drama Studio seating unit.

7pm Chinedum Onunkwo left the meeting.

6.9 Complaints and compliments report

The report was received and noted.

7. GOVERNANCE ITEMS

7.1 a) Governing Board Membership

b) Committee Membership

i) Remuneration Committee - appointment of Governor to Committee to ensure quoracy:

Lyndsey Russell volunteered

ii) Appointment of new Governor to Committees – Sarah Greatorex appointed to Corporation (no Committees).

The Chair addressed item 7.3 at this point in the meeting.

7.3 External Review of Governance

Governors had previously agreed that they were reluctant to spend a significant amount of money to complete an ERG (External Review of Governance) prior to academisation. *Stone King* were already contracted to submit a report to the Board by the 31st July 2024.

The Principal reported that enquiries had been made with the DfE adviser as to the requirements of the corporation to undertake an ERG this year. A reply had not yet been forthcoming. Confirmation had however recently been received that the Annual Strategic Conversation would not be required nor would the completion of the annual accountability statement.

Q Do we have an obligation in terms of the contract with *Stone King* or based on proportion of work already completed?

A Yes an obligation to pay. *Stone King* had been appointed as the legal advisers for the due diligence process. It was anticipated that they would take a reasonable approach. The risk of punitive measures was low.

7.2 Academisation

Governors noted the update shared by the Chair.

Expressions of interest had been requested for the posts of Chief Executive Officer, Chief Finance Officer, the Human Resources Director and Governance Professional. The outcome of interviews and shadow board recommendations would be reported back to the Corporation. Senior Management at both colleges were due to meet. The College Chairs

and Principals had met with the DfE and agreed to aim for a conversion date of the 1st September 2024.

The shadow trust board would review the scheme of delegation. It was anticipated that there would be a high level of delegation granted to the local governing bodies.

The Public Consultation period would commence on the 17th April 2024 and last for one month. This would involve all stakeholders including staff, students, parents, local schools and local MPs. A meeting would take place with all staff on the 16th April 2024.

A legal notice of intention to dissolve the corporation (which could be revoked) would be issued.

The Principal explained that the consultation would largely be electronic and would be standard for all groups of stakeholders and would be conducted by both colleges simultaneously.

Q Could the consultation be extended beyond current sitting MPs and open to all main party candidates?

A Yes.

Q Would Governors be considered as a stakeholder consultation group?

A Governors would be able to see the consultation questions and have access to the Public Consultation document including the response proforma.

Q Having attended a Sixth Form College Association (SFCA) webinar about the relationship between the Local Governing Body (LGB) and Trust Board, it seemed to promote a separation of people appointed to the different layers of governance within the trust – was this correct?

A The Trust Board would make appointments. It was proposed that three Governors from each of the college LGBs would become Trustees. The Chair and Vice Chair of the trust board would not also be LGB Governors.

Mike Atherton confirmed that he had been elected as the Chair of the shadow Trust Board and if elected to the position on the trust board, then he would step down from the Local Governing Body. This arrangement would be mirrored at Long Road where the current chair of Governors had been elected as the Vice Chair of the shadow Trust Board.

Q Who would the Members be?

A These have not yet been appointed. The shadow trust board was looking to appoint five Members. At present there were two nominees from each College and one independent nominee. The Chair explained the role of the Members.

It was noted that the next Governor visit day was scheduled for the 26th April 2024 where some time would be dedicated to understanding the structure of governance within a MAT (multi academy trust).

The Chair confirmed that to achieve 1st September 2024 target conversion date, documents must be with the DfE by the 1st July 2024. The consultation must be launched four months out from target conversion date.

The Corporation **agreed** that it was committed to proceeding with the consultation process.

In response to questions, Sarah Williams confirmed that support staff would also be consulted with. Meetings had been arranged with support staff section heads. The official TUPE consultation included the staffing unions. No impact was anticipated as staff would TUPE across and would continue to be employed on the same terms and conditions. Local and regional representatives would be officially notified.

Q Had we considered the optics for official communications regarding the Ofsted inspection and the academisation news? Had the timing been considered? Could the timing be perceived negatively?

A This had been considered by the shadow Trust Board.

The Chair shared that the proposed name for the MAT – *The Sixth Form Colleges Trust*. The web domain had been secured.

Q Was there a risk of Long Road not achieving a good Ofsted?

A The last Ofsted judgement from December 2019 was ‘Good’ and the next inspection was due next year. The self-assessment from 2022/2023 was a strong ‘Good’.

The Corporation ratified the appointment of *Stone King* (legal advisers) and *Mazars* (financial advisers). Governors had indicated their approval prior to the meeting via email to the Chair.

8. POLICIES FOR APPROVAL

The following policies were recommended for adoption by the Remuneration Committee and were **approved** by the Corporation. There had been no changes.

8.1 Senior Post Holder Remuneration and Appraisal Policy

8.2 Senior Post Holder External Employment

8.3 Remuneration Code

7.36pm Susan Coding left the meeting.

STANDING ITEMS

9. Urgent Items

There were no additional items to be addressed.

ACTION: Skills Audit – The Chair requested all Governors to complete the skills audit (to be circulated post meeting by the Clerk) and to return this to the Clerk **by Friday 19th April 2024**. Governors were encouraged to be honest and consider drawing in experience from personal, professional and voluntary work.

Governor training and development – The Chair encouraged all Governors to make use of Wigan Governor Services online training and to update their Governor Hub training record with all relevant training attended.

10. Confidentiality

Item 12 was deemed confidential.

11. Date and time of next meeting committee meetings:

Corporation Board - Monday 20 May 2024 **and** Monday 24 June 2024.

Audit Committee - Thursday 09 May 2024.

Search & Governance Committee - Friday 28 June 2024.

There being no further business to discuss, the Chair thanked all in attendance for their contributions and closed the meeting at 7.43pm.