



THE SIXTH FORM COLLEGE, COLCHESTER

Minutes of Corporation Meeting No. 135

Monday 16th May 2022

[Virtual Meeting held via Microsoft Teams]

Chair: M. Atherton / K. Finnigan

Members Present: J. Tallentire, I. Vipond, I. MacNaughton (Principal), M. Sherer
H. Hallworth, D. Morran, D. Stebbings, J. Owens, O. Pearson

In Attendance: Assistant Principals: J. Cadman, A. Johnson, G. Rayner, A. Frost, E. Gibson

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.

The Clerk informed the meeting that K. Finnigan, Corporation Chair, would be late to the meeting due to an unavoidable delay. The meeting commenced with M. Atherton, Corporation Vice Chair in the Chair.

135.1 Apologies for absence

Apologies were received and accepted from members, A. Beatty, J. Johnson, J. Leslie, S. Codling and H. Skeggs
Apologies were received from attendees S. Williams and S. Townshend

135.2 Any other business & chair's action

135.2.1 Approval of the 2022 -2023 Strategic Priorities – agenda item 135.6.2

135.2.2 The Clerk reported that the Chair had not been required to implement any emergency action since the last meeting [later in the meeting the Chair later confirmed this position].

135.3 Declarations of Interest

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

135.3.2 Governors were reminded it was their responsibility to declare any interests. No Member of the Corporation or attendee declared an interest in any matter itemised on the agenda.

135.4 Minutes of the previous meeting

135.4.1 The minutes of Corporation meeting No.134 held 28 March 2022 were agreed as a true record of the meeting.

135.4.2 Matters arising

All actions noted on the post meeting action report had been completed or were due for consideration at the meeting.

There were no other matters arising from the previous minutes.

135.5 Principal's strategic matters

135.5.1 The Principal's report, circulated in advance of the meeting, was taken as read. The report covered College and sector issues, including Covid related matters, 2021/22 resourcing, 2022/23 re-current funding, summer 2022 examinations, staffing updates and prospective student applications.

The Principal provided updates on the following matters and answered governor questions in relation to items within the report:

135.5.2 **Summer 2022 examinations**

Year 1 internal examinations (all year 1 A Level subjects) were held 9-13 May. In the context of the disruption to learning experienced by this cohort over the past 2 years (for many, this will be their first experience of formal examinations), the pre-examination period had been very purposeful and calm, and the examinations held to date had been very well attended. Year 2 public examinations largely take place May 16 to the end of June (an extended examination period as a Covid mitigation measure).

135.5.3 **Staff recruitment**

Recruitment continues to be a very big preoccupation for the College (reflecting the increase in student numbers, new government initiatives and the need for additional pastoral support staff re levels of mental health and safeguarding work undertaken including by senior tutors). The Principal was pleased to report that, despite the national trends and the College experiencing a level of difficulty in filling vacant teaching and support staff positions, the majority of positions have now been filled, and the appointments made to date are of high quality. It is expected that the College will be fully staffed for September 2022.

Action: College

135.5.4 **Covid/staff absence**

A governor commented positively on the number of new staff recruited and asked the College to comment on 'covid related' staff absences.

The Principal informed the meeting that the high levels of Covid infection levels seen at the end of the spring term have decreased, with now only 1 or 2 staff absences occurring daily. This is good news for both staff and students – particularly at a time when the public examinations are due to commence.

135.5.5 **Student enrolments**

Re the report on 2022/23 predicted enrolments, the assessment of 'market share' in the report is based on the number of applications received. For the seventh year in a row, application figures for the September 2022 intake show an increase in market share. Expectation is that the College will be oversubscribed by at least 60-70 students. Very few late applications are likely to lead to offers - and generally only for courses where there are openings.

A governor asked, in the context that enrolments for the current year 1 cohort were significantly above the planned enrolment number, whether the criteria used to determine 'oversubscription' was against the target number or maximum capacity.

In the context of that applications are again likely to exceed the College capacity, a governor asked how confident managers were in the robustness of the admissions process, to manage applications and stay within capacity.

The Principal highlighted that prior to the 2012-20 period local demographic dip in the number of 16-year-olds the College had become very accustomed to dealing with significant oversubscription. The Principal referenced the details within the admissions policy, highlighting that the secondary school attended by the student, the date of application and the geographical location are all significant factors.

A governor asked, where there is oversubscription which students are we turning away and it was indicated that this would be students who apply late without valid reason or who reside a significant distance from the College and for whom a nearby provider may offer the course they require or for whom we cannot offer an acceptable course, who are generally those who are denied admission under the admissions policy. Distance from the College will become a more key factor in two or three years in the context of a 'demographic boom'. The College's first obligation is to the students residing in Colchester and the immediate surrounding area.

135.5.6 **Capital bids**

The College has again been successful in its bid to the Condition Improvement Fund – this time for replacement fire doors. The total project cost will be around £500k for the necessary programme of upgrades in the main building (south site) and possibly a little in the Midsite building. This will require 30% match funding of approx. £165k.

This is the 3rd consecutive year that the College has been successful with its bid to the CIF - which is known to be difficult to successfully access. The continuing increases in construction related cost inflations are a concern and will be closely monitored.

135.5.7 **Equality, Diversity, Inclusion (EDI)**

EDI has been restructured within the College. A new steering group has been formed, and a senior level position of EDI co-ordinator has been created - which will be a member of SMAD (Senior Management Advisory group). The new position will assist in coordinating EDI work across the College and will ensure that student voice is central to EDI work alongside, preparing, analysing, and reporting data, developing staff EDI groups, and investigating accreditation opportunities for the College.

A report including EDI targets and objectives will be presented at the July Corporation meeting.

Action: College

The College reported conversations held with the Chair regarding the appointment of an EDI lead governor – an active governor with a special interest or expertise in both staff and student EDI matters. The Vice Chair (acting Chair) informed the meeting that he would discuss the matter with the Chair and report to the next Search and Governance committee meeting.

Action: Vice Chair/Search & Governance Committee

135.5.8 **Staffing**

The College had been hopeful that the SFCA would instigate a national restructure of support staff salaries, but as this has not occurred. Recruitment and retention to support staff positions has been impacted by pay awards that have for many years been below the rate of inflation - in real terms, a decrease in salaries as well as (unfunded) increases in the national living wage eroding salary differentials. The

College will now proceed with a restructure of support staff salaries. The College is confident that there will be several unfilled support positions unless the salary issue is resolved.

In response to a [governor query](#) regarding provision within the budget for the restructuring, the Principal informed governors that it is estimated that the impact of the restructure will be £100K in the first year, with tapering costs in the following years 2-5.

A [governor queried whether](#) the estimated costs included on-costs.

A [governor asked](#) managers to explain the methodology to be used to determine the restructure in the context that there are two separate but related issues; the pressures applied from government increasing the national living wage and salary increases being below the rate of inflation and the other is addressing the differentials.

The Principal explained that a fusion of the two related issues informs the methodology. The methodology which will for the greater part be driven by affordability will be 'tapered' with the biggest percentage rises at the lower-end of the salary scales.

135.5.9 [Meeting with Will Quince \(MP and DfE 'Children's Minister'\)](#)

A [governor asked](#) whether there was a tangible outcome from the meeting held on 30 April or any potential for progress to be made?

The Principal reported on several historical meetings held with Will Quince since 2015 during which mental health issues were raised. During the meeting on April 30, attended by the Principal, Assistant Principal (Pastoral), Principal of Colchester Institute and Head of Student Services at Colchester Institute, attention was drawn to growing concerns about the rising prevalence of mental health and safeguarding issues among young people, as well as the inadequacy of the external support mechanisms; the underfunding of colleges and schools, which affects their ability to support the large number of young people with mid and high level needs; and the growing concern about the amount of resources diverted from education to support mental health and wellbeing.

The funding proposals in the recent Government [green paper](#) on the special educational needs and disabilities (SEND) which will diminish the level of support available for 16-18 students were also highlighted - Essex County Council has already made retrospective adjustments. Will Quince promised to contact some of the mental health strategic leads in the area.

135.5.10 [De-funding of Applied General Courses](#)

The government has recently published the list of proposed defunded applied general qualifications and other vocational and technical qualifications. Notably engineering, IT and health & social care have been defunded. However, none of the applied general courses offered by the College (of an equivalence to A Level 'size') are to be defunded. T Levels and apprenticeships in these areas, although significantly different from the full applied general programme are seen as the learners' alternative.

135.5.11 [Staffing](#)

Related to levels funding, particularly and for the benefit of new members, a governor highlighted the real terms cuts in 16-19 funding that had occurred over the past 10 years and the impact that this had on staff salaries (along with reduced student contact time, larger class sizes, and reductions in additionality).

In response to a [governor query](#) regarding staffing for the start of the 2022/23 academic year, the Principal reported that the College is confident that the appointments made to

date are strong appointments and that progress is being or will be made with all other vacancies.

18.16pm K Finnigan joined the meeting. The meeting resumed with K. Finnigan in the Chair.

135.6 **Strategic plan and priorities**

135.6.1 **Strategic Priorities 2021-2022**

The Assistant Principal (Quality) provided a verbal overview of the progress made towards the 2021- 2022 Strategic Objectives.

Attention was drawn to:

- staff recruitment and the impact this has on the delivery of the curriculum and the number of places the College can offer within subject areas
- January examinations data. The examinations (mainly applied general) highlighted a lack of student understanding around formal examination behaviours. In the context of Covid and disruption to learning, this was understandable. Significant work has been done to ensure students understand the formal rules of engagement.
- the College will significantly reform its approach to teaching and learning, as well as how quality is monitored, evaluated, and recorded. As part of this, the College has internally recruited a significant number of lead practitioners in a wide variety of areas
- Covid absences – level of staff and student absences across the year
- a trial of new initiatives and evaluation of student and staff feedback has taken place and will be used to inform the delivery of tutorials in the coming year. Staff feedback showed that whilst the twice weekly tutorial delivery model worked well, tutors considered daily contact with their students to be a critical element of pastoral care.
- sustaining improvements and securing efficiency gains made through the greater use of IT.

Governors asked:

135.6.2 **Departmental observations:** should we conclude from the lesson observation data that support is required in specific departments or does the data show that the gradings are a general spread across all departments.

The gradings are across all departments. The data is linked to the College's revised lesson observation systems, incorporated into curriculum reviews in alignment with Ofsted inspection practice. It does not indicate that any single department has more or less, good or outstanding lessons.

135.6.3 **Staff wellbeing referrals:** does the data show any emerging trends.

When reflecting on the numbers of referrals supported by the College, the data from the previous year shows that this year is broadly similar. The College also links to the Essex Employee Assistance Scheme (self-referral scheme - anonymised, annual summary provided via the annual HR report). A member of the counselling team is also undertaking some work with staff.

135.6.4 **Grade allocations 2022:** how will the government's intention to reduce grade allocations back to 2019 levels, significantly affect students' university offers in terms of being able

to access their preferred university choice and what mitigations might the College be putting in place.

The biggest impact will be the unknown of A level grade boundaries. The government has indicated that the summer 2022 national grade allocation may not be as good as in 2021 but it is expected to be in line with 2020 and above the allocation in 2019. As the College did not artificially inflate its teacher /centre assessed grade allocations in 2021, there is an expectation that students will achieve grades in line with College expectations. The high cost of HE education and the demographic dip still affecting HE, with many universities not realising their planned year 1 admission numbers, will mean that the cohort will have a more favourable framework than the 2018 and 2019 cohorts.

18.32 O. Pearson and D. Morran left the meeting

135.6.5 [Strategic Priorities 2022-2023](#)

The Assistant Principal (Quality) provided an overview of the drivers and key details behind the draft Strategic Objectives 2022-2023. Governors agreed these were the right priorities for the College at this time, reflecting the provision of an outstanding quality of education and pastoral care. The Assistant Principal stressed the importance of sustaining outstanding practice.

18.34 A. Frost joined the meeting

18.36 D. Morran re-joined the meeting

No questions were raised.

The Strategy Lead Governor reported that achieving an Ofsted Outstanding grading will be a primary aim of the 'The College Offer' component of the Strategic Plan. The lead governor emphasised the importance of the strategic objectives echoing the drivers that will take forward the strategic plan. It was felt this had been achieved.

It was agreed to vote on the approval of the objectives to aid timely implementation across the College (rather than seek approval at the next meeting). The Chair asked members present to vote by a show of hands.

There were 0 votes against and 2 abstentions.

The Strategic Priorities for 2022 -2023 were approved

135.6.6 [Strategic Plan 2023-2027/28](#)

The Strategy Lead Governor provided a verbal summary of the work undertaken to progress the delivery of the Strategic Plan including the programme of consultations with stakeholders. Consultation outcomes will inform the draft plan, to be delivered to the board for approval during the autumn term of the 2022/23 academic year.

The lead governor provided oversight of work undertaken to progress the 3 elements of the strategic plan:

- College offer: the key point in the offer is the drive towards outstanding, alongside many other positive and important drivers
- College capacity: in addition to identifying the numerical capacity figure, the governance side of college capacity including academisation will be included
- Community and Inclusion: key issues of wellbeing and mental health and an inclusive admissions policy

The intention is for an early draft to be brought to the July corporation meeting for discussion.

Action: Strategy Working Group

135.7 Cross college operational & statutory reports

135.7.1 Personnel

(i) Staff Code of Conduct

The Chair reported that the Code of Conduct will be deferred and will be circulated for approval by email. The Chair thanked those involved in the formation of the Code.

(ii) Staff Disciplinary policy

The Chair thanked those who had worked on the policy and, in the absence of the HR Lead Governor and HR Manager's introduced the policy, reporting that some additional comments had been put forward for consideration.

At the request of the Chair, the Clerk provided a brief verbal overview of the accessibility considerations governors should be taking into account, including those published within the board's own accessibility statements, advising that whilst documents should be sufficient and effective, they should not, through language or design, be a barrier to understanding or participation.

The Chair reminded governors that policies are subject to staff consultation.

In response to a governor query it was noted that 8.6 should read Principal or Chair.

Action: College

The Support Governor (HR), requested 2 policy changes. It was noted that these changes had been discussed with the HR Manager however agreement had not been reached.

- 8.5. Suspension: a change from 'the staff member *should* not visit the College premises' to 'while suspended, the staff member *must* not visit the College premises'.
- 2.3. Circumstances in which a staff member may be subject to disciplinary procedures: 'other substantial reason'. A strengthening of the wording to include the relevant text from the 1996 Employment Rights Act i.e. 'some other substantial reason, *such as to justify the dismissal of the employee holding the position that the employee held*'

The Chair asked the Clerk to provide relevant guidance. The Clerk drew attention to relevant sections of the Corporation's policy on the presentation of policies, procedures and protocols and the agreed accessibility statements.

The Vice Chair and Lead Governor for Curriculum Offer and Educational Quality, challenged the policy's appeals processes, providing a view that; *the policy puts the responsibilities for all appeals onto the Corporation - a major change from the existing policy, which has the Principal dealing with appeals*. The Clerk drew attention to para 12 of the policy, which clarified that all disciplinary appeals are heard by the Principal except in the circumstances of a dismissal appeal, i.e. where the Principal has made the initial dismissal decision. The Clerk also advised on related sections of the Instrument and Articles of Government.

The Principal reminded governors of the timescales involved in drafting policies and more generally the resources expended when policy writing become protracted potentially detracting from a manager's core responsibilities.

The support governor (HR) advised the meeting that the changes proposed were necessary both for clarity and to ensure staff were aware of the legislation (test) behind the text.

Discussion was held on both proposed revisions.

The Chair asked the Clerk to provide an overview of governor responsibilities in relation to the policy.

The Chair summarised the position and asked governors to vote on the proposed revisions by a show of hands. The outcomes were as follows:

- 2.3. Circumstances in which a staff member may be subject to disciplinary procedures: 'other substantial reason'
Proposal additional wording to read; 'some other substantial reason of a kind, such as to justify the dismissal of an employee holding the position which employee held'

1 vote in favour
2 abstentions

The proposed addition was rejected.

- 8.5. Suspension: change from 'the staff member should not visit the College premises' to 'while suspended, the staff member must not visit the College premises'

2 votes in favour
1 abstention

The proposed revision was rejected.

The Chair asked governors to vote by a show of hands on the approval of the staff disciplinary policy as presented.

2 votes against
1 abstention

The **staff disciplinary policy was approved** subject to staff consultation outcomes.

Action: College

19.16 D. Morran left meeting

135.7.2 Finance

(i) Management accounts

The March management accounts were taken as read. The Finance Manager informed the meeting that the April accounts were in the process of being finalised and would be circulated in due course. No queries were raised.

(ii) Financial Regulations 2022/23

The Finance Manager reported that there was one revision proposed at point 4.6 re Assistant Principal signatories. **The Financial Regulations were agreed.**

(iii) Review of College charges

The Finance Manager reported that there was one change proposed re the internal recharge for use of the College minibus. **The change was agreed.**

135.7.3 Cross College

(i) Communications

The verbal update from the communications discussion group was deferred.

Action: comms group

(ii) Sustainability

The 2020 -2021 sustainability report including actions taken to reduce carbon footprint and increase sustainability was noted. The Principal reminded governors that the College's bids to the decarbonisation fund had not been successful. A positive outcome would enable the College to make substantial improvements that are not possible without financial support.

A **governor queried** the use of the onsite electric vehicle charging points. At present, 4 - 5 staff use the charging points daily.

A **governor asked** the College to explain why single-use plastics and recycling doesn't appear in the report, something the students can positively get involved with. The College confirmed that recycling does take place at a macro level, however it was not possible to include everything in a single report.

(iii) Lettings Report

The Finance Manager introduced the annual lettings report. Governors noted that lettings income had returned to a level consistent with pre-pandemic years (during Covid 2020 and 2021 lettings income dropped from circa £35K to circa £15k).

19.25 At this point observers were thanked for attending the meeting and invited to leave. D.Morran re-joined the meeting

135.8 Governance matters

135.8.1 Recruitment

The Clerk reported that the spring term recruitment process included a targeted Equality, Diversity, Inclusion, Engagement advertisement. Following initial systems related issues, it is expected that the advert will be sent out to parents and carers in the coming week.

Action: College

135.8.2 Meeting dates 2022 - 2023

The 2022/23 schedule of meetings and meeting formats were agreed.

It was agreed that the next meeting of the Search and Governance Committee should take place on June 13th via Teams.

There being no other business the Chair closed the meeting at 19.38

These minutes were approved by the Corporation on

Minute No.
