

THE SIXTH FORM COLLEGE, COLCHESTER

Minutes of Corporation Meeting No. 134

Monday 28th March 2022 [Virtual Meeting held via Microsoft Teams]

Chair:

K Finnigan

Members

A Beatty, M Atherton, S Codling, J Tallentire, I Vipond, I MacNaughton (Principal),

Present:

H Skeggs, H Hallworth, D Morran, D Stebbings, J Leslie, J Johnson, J Owens,

O Pearson, A Banarse

In

Assistant Principals: J Cadman, A Johnson, G Rayner, A Frost

Attendance: S Williams (HR & Admin Manager) T Harrison (Director of Premises and ICT)

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 Chair opened the meeting by welcoming the student governors to the meeting and informing those present that T Harrison, Director of Premises and ICT would be joining the meeting for item 134.7.

The Chair reported that the intention had been for this meeting to be run as a hybrid meeting however, the recent rise in Covid rates had indicated that maintaining virtual meetings, for the present was advisable.

Apologies for absence 134.1

Apologies were received and accepted from members, J Tallentire and E Calderbank.

134.2 Any other business & chair's action

- 134.2.1 No other business was requested.
- 134.2.2 The Chair had not been required to implement any emergency action since the last meeting.

134.3 **Declarations of Interest**

- No interests recorded on the registers held by the Clerk, related to any of the matters 134.3.1 proposed for discussion.
- 134.3.2 No Member of the Corporation or attendee declared an interest in any matter itemised on the agenda.

Minutes of the previous meeting 134.4

- The minutes of Corporation meeting No.133 held 24 January 2022 were agreed as a 134.4.1 true record of the meeting.
- 134.4.2 Matters arising

None

134.5 Student Voice and Stakeholder Feedback

134.5.1 Student Council

Student governors provided a verbal report on activities undertaken by the Student Council including, the initiatives to run online forums and increase the number of student-led clubs and activities. Students have responded positively and all clubs and activities have been exceptionally well attended. The Council are planning a Year 2 leavers event and the Environmental Committee are looking into the use of recycled plastic benches.

Governors commented on the positivity students were showing - a good sign as the College emerges from the pandemic and thanked student governors for their report.

134.5.2 Ukraine Aid Group

The Principal reported on the work of the Ukraine Aid group. The group has already raised more than £2,000 for the Ukraine humanitarian appeal.

134.5.3 College Friends

The Assistant Principal (Examinations and Risk) reported that due to the pandemic no recent fundraising events had taken place. It is hoped that a quiz night will be run later in the year. After the 2021/22 year enrolment donations have been taken into account, the College Friends Fund is circa £30,000.

A. Beatty, as Chair of the College Friends Association, informed the meeting that in addition to supporting the college with the purchase of resources, the fund has, for example been used to support individual students, with the costs of travelling to university interviews etc. Views and ideas on how the funds could be spent are always encouraged.

The Assistant Principal reported that the College is likely to need a new minibus, as upkeep of the current bus is becoming increasingly expensive, due to its age. A change in DVLA policy also means that bus must be fully serviced and repaired every two months. In this context long term leasing rather than owning a bus may be a more cost-effective option. A paper for discussion, including any donation request to the College Friends, will be provided in due course.

Student governors indicated that they would also discuss with council members whether there were any urgent issues that the fund could help with.

Action: College/Student Governors

134.5.4 Complaints & Compliments

The Assistant Principal (Quality & M.I.S) presented the complaints and compliments report May 2021 to March 2022, as circulated in advance of the meeting. The Assistant Principal explained that in addition to general information on 'complaints' the report provided governors with a high-level summary of other significant areas under the 'complaints & compliments' umbrella i.e. outcomes of student satisfaction surveys and subsequent college responses, staff related complaints, queries and complaints received in relation to the TAGs/GAGs process and a summary of compliments.

Safeguarding: the Assistant Principal took governors through the main elements of the report, highlighting that student complaints and any other issues relating to harmful sexual behaviour, peer on peer abuse and bullying and harassment are taken seriously, investigated, referred to the appropriate agency and/or internal disciplinary process.

In response to governors' queries re safeguarding data trends, the Assistant Principal (Pastoral) explained that although data is collated, including in relation to equality and diversity issues and is used to identify year on year trends, new government safeguarding directives has meant that some of the recently collected information is no longer directly comparable to historical data.

Coronavirus pandemic: a governor queried the costs associated with liaison with the parent, who through the Peoples Union of Britain, had engaged in legal action relating to the College's part in the government's COVID-19 vaccination policy. The Principal confirmed that the College had not incurred any legal costs, although there was an imputed cost related to the expenditure of staff time. Ultimately, the College's insurers had dealt with the matter. The parent formally withdrew the complaint/ legal action in October 2021.

Governors congratulated the College on the very minimal number of formal queries to exam boards, arising from the summer 2021 Teacher Assessed Grades (TAGs) process applied to over 1600 students.

In response to governor requests for future reports to include data on the overall number and categories of complaints, in order for governors to see trends over time and evaluate the accessibility and effectiveness of the complaints policy, the Assistant Principal (Quality & MIS), explained that the report provided was a strategic overview, showing high level complaints i.e. those received by or escalated to, Senior Tutors and Assistant Principals, alongside data collated from other sources such as student surveys. Due to complaints being very varied in their nature and reported and managed at different levels within the College, it would be too onerous to record every complaint, at every level for a governor report. However, mechanisms are in place to ensure complaints are recorded, additionally all students' complaints are held by the Assistant Principal Pastoral and staff complaints are held by the Human Resources department.

Within the report a selection of 'compliments' had been provided for governor information. In response to a governor question, it was noted that compliments are mostly anecdotal and other than via satisfactory surveys, the College does not formally record compliments.

134.6 Principal's strategic matters

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:

134.6.1 College operational arrangements - Covid

The levels of staff and student absences due to Covid had, compared to national statistics, been very low. However, reflective of the local area, rates had risen rapidly in recent weeks. At the date of the report, staff absences were at their highest level since the start of the pandemic. Data held by the College suggests that student infection levels are not quite as high. However, in the context that free testing has ended and there is now a total reliance on students self reporting, the accuracy of the

data cannot be guaranteed. Student infections rates may therefore be higher than the recorded student data held indicates.

In response to a governor question the Principal confirmed that the College is prepared, should the Covid rates spike again in the late autumn/winter period.

134.6.2 Summer 2022 examinations

In the context that the government is planning for summer 2022 external assessments to be based on examinations, a governor asked if the College had a view on what level of disruption e.g. teacher absences, would trigger a government decision to cancel examinations and deploy TAGs/CAGs. The governor also asked whether the College was prepared for this scenario.

The Principal responded, confirming that the College is ready to instigate TAGs/CAGs should examinations be cancelled. As usual students are sitting formal assessments at key points in the year, which record and monitor their progress. These assessments, will be used if Teacher Assessed Grades (TAGs) arrangements are deployed. Currently the national level of teacher absence is 1:10 whereas the College absence rate is 1:15 and although this places a significant pressure on institutions, it is not high enough to trigger a government change to the examination plans at this point. The College is currently confident that the summer 2022 examination series will go ahead.

134.6.3 Resourcing

The Principal reported that most areas of education and significant parts of the public sector are likely to experience real terms budget cuts in 2022 and 2023 due to the increasing levels of inflation. Due to the government increase in the 16-19 money level funding per student in 2022/23, the College's 2022 to 2023 budget per student is expected to be a standstill position in real terms.

In response to a governor query regarding provision within the budget for staff pay awards, the Principal informed governors that it is anticipated that next years' pay awards will be near the rate of inflation (having for the past 10 years been under the rate of inflation – in real terms a decrease in salaries year on year). It will therefore be prudent to make provision for this within the 2022/23 budget.

In the context that the government has recently published a <u>green paper</u> on the special educational needs and disabilities (SEND) and alternative provision (AP) systems and is undertaking a <u>public consultation on the paper's proposals</u> ending July 2022, the <u>Chair asked</u> the Principal to explain the impact of the reduced funding for High Level Needs (HLN) students.

The Principal explained how the centralised HLN funding has historically partly been applied by Essex County Council and advised governors on how this might be applied in future, in line with the SEND white paper. The Principal informed the meeting that the government white paper indicates that the application of 16-18 SEND funding will be more restrictive and specifically it is expected that students with non-physical high-level needs i.e. emotional, societal and mental health needs, will generally not be supported. This will include, for example, students with high level Asperger syndrome or Autism.

The Assistant Principal (Pastoral) explained how EHCP funding claims currently operate and the impact of the new banding systems.

134.6.4 **Staffing**

Recruitment continues to be a big preoccupation for the College. The Principal informed governors of the continued challenges faced in recruiting to vacant teaching and support staff posts. The College has already filled 6 of its externally advertised posts. 3 new vacancies have recently arisen and a significant number of internal roles including a new senior tutor role (reflecting the increase in student numbers and the levels of mental health and safeguarding work undertaken by senior tutors) need to be filled.

For perspective, the Senior HR Manager informed governors of the many teaching posts currently being advertised, highlighting that some adverts are for multiple teachers. The May 31st resignation date is a key date for the College - the date by which resignations must be received by an employer if the employee is to end their employment on 31st August.

Related to funding 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 (alongside 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 will be made with all other vacancies. At this point it is expected that the College will have a full staffing complement for September. An update will be given at the next meeting.

Action: College

134.6.5 Capital Bids

Government 'Decarbonisation fund' - the Principal informed the meeting that although the College's bid in late 2021 to phase 3 was considered acceptable, it was not successful. The amount allocated to the Public Sector Decarbonisation fund is restricted and therefore, not all bids matching the criteria and reaching the required thresholds are granted funding.

Condition Improvement fund - the College is currently awaiting the outcomes of its bid.

134.6.6 Storm Damage

Although some of the damage caused by the storms Eunice and Dudley in February 2022 will be covered by insurance, the water ingress through the Bell Tower is predominately considered a maintenance issue and therefore, unlikely to be covered by the insurance – the majority of the significant expenditure on this repair will be the cost of the high level of scaffolding. Those present at the meeting were provided with a link to view drone footage of the damage.

134.7 Property & Estates Strategy 2022

The Principal introduced the aims of the 2022 property strategy, received in advance of the meeting and requiring the board's approval.

In response to governor questions, it was noted that after the Corporation's approval of the high level aims of the 2021-2024 property strategy, the government had, in 2021, confirmed the introduction of the Post 16 Capacity Fund (see also minute 134.8 – strategic plan). It had also recently been clarified that any future bids to the Capacity and Condition Improvement funds, will need to be supported by a

comprehensive and up to date property strategy. It is also expected that a property strategy will be required for any future bids to the De-carbonisation Fund.

Broad aims: the Principal reported that in order to progress the preparation and delivery of underlying detail within a comprehensive property strategy, the College had commissioned, Ingleton Wood, our property consultants, to prepare some of the necessary components including a detailed capacity and space survey. In this context and in order to direct specific aspects of Ingleton Wood's work the Corporation's high level, 'broad aims', for the property strategy, needed to be agreed.

The Property Strategy broad aims had been considered in the context of prior strategic discussions and notes distributed containing summary information on the interim findings of the strategic plan working group. It was noted that the aims had also been based on the main elements contained within the general property strategy 2021-24, the strategic paper presented by the College October 2021 whilst also taking into account governor's recent strategic considerations and discussions.

- 134.7.3 Student numbers College capacity: the strategy lead governor informed the meeting that a critical element of the property strategy, will be maintenance of the existing buildings. Additionally, the strategy must support the accommodation of the projected 3,420 full time students in the 2022/23 academic year and also in response to rising demographics and the demand for places at the College, the further projected increase in potential student numbers through to 2033.
- Teaching rooms: in response to governor observations it was noted that the draft aims outlined the means by which the College could accommodate the expected increase in student enrolments for the 2022/23 year. Governors agreed that to accommodate the increase, the number of general teaching rooms would need to be increased and correspondingly an increase in the level of support infrastructure, e.g. toilet facilities, would be needed.

To respond to the rising demand for places at the College through to 2033. Governors agreed that the College should aim to achieve a further increase, by approximately 150 students per year (up to approximately 3,570 students). In addition to the 7 teaching rooms required to comfortably accommodate the student numbers for the 2022/23 year, Governors acknowledged this would require a further 3 teaching rooms.

- New build: although the College does not have any listed buildings, due to the historic nature of the site and its location within a conservation area, development options are constrained and restricted. Governors agreed that the perceived most efficacious option available would be to place a new build on the site currently occupied by the Caretaker House. Governors requested that the new building to be designed and constructed in the most efficient and sustainable way possible, to ensure value for money. It was agreed that outline planning permission for a new build on the footprint of the Caretaker House should be sought. The Director of Premises and ICT reported that an outline design from Ingleton Wood, has recently been received.
- Future funding: the Principal advised governors that the College is only likely to be able to access current government capital funding streams by contributing 'match' funding (the criteria for match funding and whether it is 'for the applicant to decide what level of contribution is affordable' as per the current post 16 capacity funding criteria or a set percentage, is identified within the guidance documentation published for each fund. In addition to use of a college's own reserves, examples of match funding in the capacity funding guidance for 2021/22 include; corporate or other donations, works undertaken to prepare a site and the purchase of buildings or land at market value).

- 134.7.7 Property (estates) strategy Broad aims: in the context that members of the Corporation are responsible for overseeing the management of land and buildings, and for ensuring estates are used in the most efficient way for the benefit of students, governors **unanimously agreed** the 7 aims of the property (estates) strategy.
- Planned maintenance: the Director of Premises and ICT reported on the estate maintenance plan, drawing attention to the £60,000 expenditure for the refurbishment of the front staircase and informing governors that Ingleton Wood had also been commissioned to undertake a condition survey of the site, to inform forward planning.

A governor asked managers for their views on what expansion capacity other local sixth form providers may have and the impact any expansion in local institutions may have on the College's future enrolments. The Principal explained that almost all local providers are academies and as such expansion plans are not ordinarily discussed outside of their own MAT [the requirement to consult on admission arrangements when increasing pupil admission numbers (PAN) does not apply to an academy]. The Principal provided an overview of each provider and their estimated expansion potential. None of the potential expansions were believed to significantly impact the College.

The Chair thanked the Director of Premises and IT for attending the meeting and presenting his reports.

19.27 At this point T Harrison, O Pearson and A Banarse left the meeting.

134.8 Strategic Plan Working group

Governors had been provided with notes from the recent meeting of the working group. The notes, provided information on the aspects considered in relation to the strategic plan under the main headings of College Offer; College Capacity; Community & Inclusion and were taken as read.

The Strategy Lead Governor provided a verbal, summary of the work undertaken to progress the delivery of the Strategic Plan including, identification of the strategic aims. The lead governor expanded on the complex issue of the known increase in student numbers v college capacity and which remains a fundamental element of the strategic plan.

134.8.2 Capacity: the lead governor reported that having considered all the evidence and driven by the need to preserve the academic and pastoral College offer, the group consider a broad figure of approximately 3,500 students to be the current maximum capacity of the College and the group have found no compelling evidence on which to base a strategic business case for expansion beyond the current College site. The lead governor, expanding on these points, explained that acquiring property or undertaking a new build offsite would be considered too 'high risk' in the context that circa 2033/34 it is known that the demographics relating to the number of 16-year olds will start to decline.

In response to a governor question, the lead governor explained that to expand above the 3,570-student capacity number [see also minute 134.7.4] and /or beyond the current site, there would need to be firm assurance that the higher number of student enrolments and therefore the funding that follows, would be a permanent increase. However, the projected demographics currently indicate this would not be the case.

134.8.3 Stakeholder consultation: The group recognises the importance of meaningful consultation with a wide range of stakeholders. In this context, the group will be consulting with stakeholders on the fundamental elements of the strategic plan, with

an expectation that the 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.

Action: Strategy lead governor

134.8.4 College offer: a governor concurring with the views of the group added that beyond the College's academic and pastoral offer, the location of the college on a single, safe site, with easy access and public transport links is an additional and attractive part of the offer that shouldn't be overlooked.

The Principal responded, adding that the College's central town location allows the majority of students use sustainable public transport. A move to an out of town site would require students to use less environmentally sustainable methods of transport.

The Principal counselled governors that the 'current criteria for the 16-18 expansion fund has a maximum grant of £4million and requires match funding iro 30-40% which would need to cover elements that the grant cannot be used for e.g. purchase of land. Therefore, if an offsite new build was considered, college reserves would need to fund 45-50% of the very substantial cost of a total new build would be required. In reality, if governors were to consider an out of town new build, an application for a new free school would be the only financially viable option.

Community and Inclusion: In relation to the information provided within the Community and Inclusion (CI) section of the working groups' meeting notes, a governor advised that in addition to capturing CI from a student's perspective, it is of equal importance to capture CI from a staff perspective. There is a recognition that our staff should represent our student body but equality, diversity and inclusion is equally important across all aspects of the college, including governance.

The strategy lead governor reported that the community and inclusion section of the document has been identified as a work in progress and will at a strategic level look at improving outcomes for identified student and staff groups.

Action: Strategy Working Group

134.9 Cross college operational & statutory reports

134.9.1 Pastoral

Safeguarding report

The Safeguarding lead governor provided a verbal report on safeguarding and related pastoral matters. In the context of reporting on activities relating to the fulfilment the lead governor terms of reference the Lead Governor asked those present to particularly note the points arising from recent meetings held with the Assistant Principal (Pastoral & DSL)

- the extensive work undertaken by the pastoral team to ensure students are safe, not only in college but also ensuring they are equipped with the knowledge and awareness to keep themselves safe at other times.
- the increase awareness and reporting around harmful sexual behaviours. The
 increased reporting believed to be due to heightened media attention, local
 school issues and greater awareness of what harmful sexual behaviours are,
 including through the delivery of planned tutorials. There is a very positive no
 tolerance culture developing across the college.
- the introduction of the 'MYCONCERN' software programme.

The introduction of the software has had positive impact in providing a more streamlined central process for the reporting, recording and managing of concerns – staff can record and manage safeguarding concerns on any on any device in any location. The transfer of data from feeder secondary schools to MYCONCERN would save significant administration time however, at present schools are not engaging with this option.

- the lead governors are confident that the required safeguarding processes are in place and are being completed including the required staff training and the maintenance of the single central record
- although the college is supporting students and where required referring them
 to the appropriate agencies, often the required support is then not available or
 only available after a considerable waiting period. At a time of dire need in a
 student's life, it is of grave concern is no government agency with the capacity
 to help
- The Assistant Principal no longer has a teaching commitment and although this
 has helped with staffing pressures and the college has maximised resources
 there is still considerable pressure in relation to the number of students
 presenting with safeguarding issues is a concern

The lead governor concluded by informing governors that she is confident that the reporting lines are in place, operational and working well.

The Principal reported that the Assistant Principal, the Principal and DSL from the Colchester Institute and himself have a meeting scheduled for April with Will Quince, MP and Schools Minister. The meeting has been arranged to discuss student mental health and safeguarding and the inadequacy of government systems and support.

The Chair thanked the lead governor for her report

Pastoral policies

The Assistant Principal (pastoral) introduced the Bully & Harassment Policy. The SEND pastoral lead governor had worked with the Assistant Principal on the policy which had been through a consultation process with the College Council.

The Bullying and Harassment policy was unanimously approved.

19.57 Hayley Hallworth left the meeting

134.9.2 Personnel

The Chair reported that work on the Code of Conduct and Disciplinary policy is ongoing. It is anticipated that both policy documents will be presented at the May Corporation meeting.

134.9.3 <u>Curriculum</u>

Quality Improvement Plan (QIP) 2021-2022

The Curriculum Lead governors reported on the meetings held lead with the Assistant Principal (Quality) and the Assistant Principal (Examinations)

Lead governors were happy to report that following recent meetings, they are confident the College is making good progress on delivering on the QIP. Discussions had included, how the additional 40 hours of funding from 2022/23 year is being planned to be delivered, particularly for second year students for whom it would not

be practical to offer an additional two year course, the updating of CPD procedures and processes and the new assessment strategy (the bed rock on which the College will be able to demonstrate that the procedures and processes in place deliver realistic TAGs/CAGs).

19.59 A.Beatty left the meeting

The Assistant Principal (Quality) with reference to the 2021/22 QIP March update, circulated in advance of the meeting, reported that the lead governor had recently challenged the outcomes of the Year 2 January mock exams, in the context that it appeared that students had achieved universally below their interim targets.

The Assistant Principal explained that as usual the College had set aspirational target grades for students and although attendance for the January mocks had been exceptional, the data did not take account of students' attitude to mocks, individual departmental approaches to the setting of the mock questions, how departments marked the mocks or distributed grade allocations (in the context of the pandemic and no recent external examinations data). At the point the mocks are taken there is still 5 months of teaching and therefore, the mocks should be seen as a formative stage on the journey towards students' target grades, rather than a reflection of where they will be at the end of the course.

Since the mocks the awarding boards have released detail of how the exams will be modified to take account of the disruption to learning for this cohort of students.

The Assistant Principal (Examinations) reminded governors the mock exams are supposed to be formative and not summative and this cohort of students had not previously sat formal examinations.

The Assistant Principal is in the process of writing an exams briefing for students that will also be shared with governors. This year the briefing will need to cover some very basic issues that have arisen because students have not sat external examinations before e.g. the start time of an examination cannot be changed and it is not permitted to talk during the exam.

The lead governor drew attention to the lesson observation outcomes and process, how it fits with the new Ofsted strategy. The clerk advised the meeting that the Quality of Teaching & Learning SAR incl. Lesson observation summary and effectiveness of improvement measures is diarised for the October meeting.

Departmental Self-Assessment Reviews 2020/21 and early progress review

The report received in advance of the meeting was taken as read.

Departmental self-assessments

The curriculum lead governor reported that 8 departments had moved from an overall grading of 2 or 2/1 to an overall grading of 1/2 and no department currently required focussed management support.

The Assistant Principal (Quality) reminded governors that the focus for departments had been Covid recovery, getting students back into the classroom, learning and moving forward. Departments are embedding the positives from Covid in their practice including the greater use of technology. The departmental SAR review meetings, held with individual department heads had also helped to provide a platform from which any fears of the unknowns such as what the government might implement around examinations could be discussed and assuaged.

In response to questions from governors, the Assistant Principals were pleased to report that 100% of the College's curriculum coverage is graded good or better and, in a vast number of areas, there is outstanding practice.

A governor queried the support given to departments self assessing a standstill position from 2019 -2021 and in particular a department graded overall 2 in 2019/20 and in 2021/22. The governor asked, in the context of that the department had self assessed as a 2 for the quality of education, why the department did not warrant management focus. The Assistant Principal explained that discussions had been held and data scrutinised with the head of department. The outcomes for most subjects within the department were very good however the head of department is very determined that the department can do better. In some instances, subjects rely on students' skills in other curriculum areas e.g. maths which may be weak. The Assistant Principal informed governors that there were no concerns that the department is a good department and likely an improving good department.

Governors thanked the Assistant Principal's for their reports.

134.9.4 Cross College

Communications discussion group - to be reported at the next meeting

20.11 At this point attendees left the meeting.

134.10 Governance matters

134.10.1 Audit Committee

The Chair reported on the review of the performance of the auditor and the recommendations of the committee. The recommendation of the committee to reappoint Scrutton Bland as the External Auditors was agreed.

134.10.2 <u>Search and Governance Committee</u>

The recommendation of the Search and Governance committee to appoint M. Sherer as a community governor for a period of 4 years, in accordance with the Corporation's recruitment policy was agreed.

20.20 At this point the Clerk left the meeting. D Morran was appointed Clerk for the duration of the following item.

134.11 <u>Confidential Matters</u>

The Confidential minutes of meeting No. 132 held 13 December 2021 were agreed as a true record of the meeting.

There being no other business the Chair closed the meeting at 20.23

These minutes were approved by the Corporation on 16.05. 2022 Minute No.135.4