

**The Corporation of Newham Sixth Form College**

**Minutes of the Meeting held on 11 December 2019**

**Members**

Gail May (Chair)	Independent Member	Present
Ismail Abdirahman Abdillahi	Student Member	Present
Fabiha Ahmed	Student Member	Present
Joanne Dean	Independent Member	Present
Mandeep Gill	Principal & Chief Executive	Present
Elizabeth Harris	Staff Member – Support	Present
Sohidul Hoque	Independent Member	Present
Julianne Marriott	Independent Member	Present
Jay Nair	Independent Member	Present
Martin Oakeshott	Independent Member	Present
Miklos Sarosi	Parent Member	Present
Julia Shelton	Independent Member	Apologies - Unwell
Rayon Walters	Staff Member – Teaching	Present

**Non-Members in attendance**

Adrian Cottrell	Interim Director of Finance & Resources	Present
Ray Ferris	Vice Principal	Apologies
Robin Jones	Clerk to the Corporation	Present
Florah Mugwanya	Interim Head of Finance	Present
Tracy Oko	Assistant Principal Student Services	Present

**1 APOLOGIES FOR ABSENCE**

The Corporation NOTED and ACCEPTED the apologies for absence submitted by Member Julia Shelton.

**2 DECLARATION OF INTERESTS**

The Members and the Clerk confirmed that there were no declarations of interest to be recorded on this occasion other than Joanne Dean whose recommended re-appointment would be considered during the meeting (see item 5 below).

**3 DIRECTOR OF FINANCE & RESOURCES**

The Corporation NOTED that Nick Christoforou had decided to leave the College and, therefore, the post of Director of Finance & Resources and Adrian Cottrell had been appointed on an interim basis to cover the role.

The Chair, on behalf of the Corporation, welcomed Adrian Cottrell to the College and the meeting.

#### **4 MEMBERSHIP OF THE CORPORATION – RESIGNATION OF INDEPENDENT MEMBERS**

The Corporation NOTED the recent resignations of Katharine Young and Shawab Iqbal from membership of the Corporation as from 24 October and 4 November 2019 respectively.

The Governance & Search Committee continued to pursue opportunities to fill current and anticipated vacancies on the Corporation.

#### **5 MEMBERSHIP OF THE CORPORATION – RECOMMENDED RE-APPOINTMENT OF AN INDEPENDENT MEMBER**

*Note: Joanne Dean left the meeting room.*

The Corporation APPROVED the recommendation of the Governance & Search Committee that Joanne Dean be re-appointed as an Independent Member to serve on the Corporation for a second term of office for the period to February 2024.

*Note: Joanne Dean returned to the meeting room.*

#### **6 MINUTES OF THE MEETING OF THE CORPORATION HELD ON 9 OCTOBER 2019**

The Minutes of the meeting of the Corporation held on 9 October 2019 were agreed to be a correct record and were signed by the Chair.

#### **7 MATTERS ARISING FROM THE MINUTES OF THE MEETING OF THE CORPORATION HELD ON 9 OCTOBER 2019**

The Corporation considered the matters arising from the Minutes of the last meeting and noted the following items including those not covered elsewhere on the Agenda:

- Item 17 – Training Policy for Members of the Corporation – this would be published on the Governance Section of the College Internet for ease of reference but, given other priorities, this would not be immediate
- Item 18 – Remuneration Committee – the Chair would be Martin Oakeshott and the first meeting of the Committee would take place on 16 January 2020

#### **8 CORPORATION DECISION TRACKER**

The Corporation received the updated Decision Tracker and NOTED in particular:

- The position with regard to the establishment of the Campus Group would be addressed later in this meeting of the Corporation (item 23)
- The appropriateness of some aspects of the Section 11 Annual Report for a post 16 institution would be raised again with the London Borough of Newham at the next scheduled meeting but it was anticipated that, given previous comments by the Local Authority, there would be no changes to the Safeguarding requirements placed on the College
- That Members would be welcome to visit the new Reflection and Faith Room when they were in College and had the time without other immediate commitments

The Decision Tracker would be updated in the light of developments and presented to the next scheduled meeting of the Corporation.

## **9 REPORT OF THE PRINCIPAL & CHIEF EXECUTIVE**

The Corporation received and discussed the report of the Principal & Chief Executive which provided updates on a range of issues including:

- the approach of the College to support students to complete the UCAS applications notwithstanding that there was not yet a full complement of Tutors in post
- attendance of students during the Autumn Term with those enrolled on English and Maths course being carefully tracked
- the focus of all three main political parties to increase the level of support for further education in the run up to the General Election
- the AoC manifesto which had five key points including colleges at the heart of the national infrastructure
- the publication of a report on special Education Needs and Disabilities (SEND) by the House of Commons Education Select Committee

The Principal & Chief Executive took the opportunity to advise the Committee that he had raised with the ESFA the opportunities to seek in-year funding to reflect the fact that enrolment was well in excess of the number of students covered by the funding allocation for 2019/20. The position was that there was no hard and fast process to follow so it was not about making a formal application. However, it was hoped that funding would be made available even if it was of the order of 50% of the value of the students if funded at the full value as they would be in 2020/21 under the national funding arrangements.

Particular attention was given to the positive indicators in terms of increased numbers of applications for 2020/21 relative to previous years.

Martin Oakeshott made it known to the Corporation that he had recently completed a Link Member review of Marketing and his report would be shared with other Members at the February 2020 meeting of the Corporation. He went on to suggest that the comprehensive report prepared by the Head of Marketing reviewing 2018/19 should be made available to all Members together with any newsletters prepared for prospective students on an ongoing basis.

The Corporation AGREED after discussion:

- 1 to thank the Principal & Chief Executive for such an informative report
- 2 to note the current position with regard to the possible allocation of in-year funding from the ESFA to reflect actual enrolment in 2019/20 being well in excess of the funding allocation for the year
- 3 to look forward to receiving the Marketing Report and, on an ongoing basis, any newsletters prepared for prospective students

## **10 PERFORMANCE AGAINST STRATEGIC OBJECTIVES**

The Corporation received and NOTED the updates against the 3 strategic objectives:

- Strategic Objective 1 – to have the best teaching, learning and curriculum
- Strategic Objective 2 – to be recognised as an inclusive and supportive College providing a holistic student experience
- Strategic Objective 3 – ensuring financial stability to allow continual investment in our resources and estate

It was recognised that the key issues arising from the latest updates had been covered during the discussion of the report of the Principal & Chief Executive.

#### **11 AUDIT & SCRUTINY COMMITTEE – 13 NOVEMBER 2019**

The Corporation received and NOTED the unconfirmed Minutes of the meeting of the Audit & Scrutiny Committee held on 13 November 2019.

#### **12 ANNUAL REPORT OF THE INTERNAL AUDITORS – 2018/19**

The Corporation received and NOTED the Annual Report of the Internal Auditors for 2018/19 as presented to and discussed by the Audit & Scrutiny Committee on 13 November 2019.

#### **13 ANNUAL REPORT OF THE AUDIT & SCRUTINY COMMITTEE – 2018/19**

The Corporation received and NOTED the Annual Report of the Audit & Scrutiny Committee for 2018/19.

#### **14 FINANCIAL STATEMENTS – 2018/19**

The Corporation received the following:

- The Report of the Financial Statements Auditors
- The draft Financial Statements
- The Regulatory Self-Assessment
- The draft Letter of Representation

The Interim Director of Finance & Resources highlighted a number of points in the draft Financial Statements which need to be addressed before approval and signing. These included:

- The wording of certain statements to aid clarity and to reflect the up-to-date position for the College
- The Performance Ratios which needed to be updated in a number of respects and inclusion of confirmation that, based on the most recent plan, the financial health in 2020 would be “Good”
- Staff costs were higher than indicated in the draft Financial Statements once the amount of the LGPS notional charge was included
- The deficit reported at 31 July 2019 was calculated to be £535k after the impact of the charges associated with the College’s LGPS
- Updating the Statement of Changes in Reserves
- The loan position and the associated covenants

The Members took the opportunity to seek clarification of a number of points so as to satisfy themselves that the proposed changes were appropriate.

The Corporation AGREED following discussion:

1. To note the report of the Financial Statements Auditors, the working draft of the Financial Statements, the Regularity Self-Assessment and the proposed Letter of Representation
2. To note and accept that it was not appropriate to consider approving the Financial Statements and other documents at this meeting given the issues raised by the Interim Director of Finance & Resources
3. That urgent discussions take place with the Auditors on the proposed changes to the Financial Statements so that there was confirmation that these changes were

agreed and did not impact on the Audit Opinion with regard to the College being a Going Concern

4. A copy of the updated Financial Statements be circulated to Members via email following receipt of the required confirmation from the Auditors so that, if appropriate, approval may be given via a Written Resolution to the signing of all relevant documents by the Corporation Chair and the Principal & Chief Executive as Accounting Officer
5. That arrangements be made for Members to be provided with an overview of the College funding position and approach to financial management and this be rolled out on an ongoing basis to reflect changes in membership and changes in practices
6. The Audit & Risk Committee be asked to consider at the meeting scheduled for 26 February 2020 the implications of these late changes to the Financial Statements and why they had not been identified earlier during the audit fieldwork and the preparation of the report of the Financial Statements Auditor.

## **15 BUDGET – 2019/20 – MANAGEMENT ACCOUNTS FOR OCTOBER 2019**

The Corporation received the Management Accounts for October 2019 (Period 3 of 2019/20).

It was recognised that the position at Period 3 was better than had anticipated. However, it was noted that the changes in pension charges were not covered although would be in future versions for the remainder of the year. The impact of the savings plans would also need to be addressed.

The Corporation agreed, following discussion, to NOTE:

1. the Management Accounts for October 2019
2. the issues to be addressed in future iterations including providing an indication of staffing numbers and costs on an FTE basis
3. that the Budget Strategy Task & Finish Group was scheduled to meet on 16 January 2020 when the Management Accounts for November 2019 would be reviewed in depth prior to circulation to all Members of the Corporation for information
4. the planned review of the resourcing of the College Finance Department.

*Note: Florah Mugwanyanya left the meeting*

## **16 STUDENT MEMBERS REPORT**

The Corporation received the termly report of the Student Members and a number of issues were highlighted including:

- approach to getting more students involved in leadership
- safety and specifically life not a knife as well as how one can protect oneself
- an event to promote voter registration
- Campaigns
- Working with the Teaching & Learning Champions on how to improve continuously teaching and learning at the College and the relationship between staff and students

The Student Members concluded their presentation of the report by drawing attention to the priorities for the coming months including:

- Continued development of the learner voice through the Students' Union and to share concerns and ideas with Senior Leaders
- To give support to and develop opportunities for students across the College
- To organise and manage equalities and social events for all learners
- To help improve teaching and learning
- To organise a voter registration event for the forthcoming London Mayoral Elections
- To lead on the College campaigns on student spaces and greening NewVIC
- To be involved in Newham and London Citizens work on reducing youth violence and the climate crisis leading up to the Mayoral Assembly at the Copper Box

The Chair, on behalf of the Corporation, thanked the Student Members for the presentation of such an informative report.

Members agreed to look forward to receiving further updates from the Student Members at future meetings.

#### **17 CORPORATION GOVERNANCE SELF-ASSESSMENT**

The Corporation received and NOTED the updated Governance Self-Assessment as presented to and considered by the Governance & Search Committee immediately before this meeting of the Corporation.

#### **18 COLLEGE SELF-ASSESSMENT REPORT – 2018/19**

The Corporation received the College Self-Assessment Report for 2018/19 and AGREED that an update would be presented to the Corporation in February 2020.

#### **19 QUALITY IMPROVEMENT ACTION PLAN – 2019/20**

The Corporation received the College Quality Improvement Action Plan for 2019/20 and AGREED that, like the College Self-Assessment Report, this would be updated for presentation to the next meeting of the Corporation scheduled for 12 February 2020.

#### **20 COURSES REQUIRING IMPROVEMENT**

The Corporation received and NOTED:

- the schedule providing an update on those courses identified as requiring improvement including those which will continue to be under close scrutiny
- that there were now more courses included than last year as the College had changed the criteria for tracking Value Added and also two year linear A Level subjects with low retention were being monitored.

#### **21 ADMISSIONS AND PROGRESSIONS POLICY**

The Corporation received the proposed updated version of the Admissions and Progressions Policy which included a section on adult learners.

The Corporation AGREED following discussion:

- 1 to adopt the updated Admissions and Progressions Policy
- 2 to note that although there was an expectation that students progressing from the equivalent of year 12 to year 13 would meet certain expectations including 95% plus attendance the College took into account individual circumstances and, therefore, there was a review on a case by case basis.

#### **22 HEALTH & SAFETY POLICY – REVIEW**

The Corporation noted that the review and update of the College Health & Safety Policy was ongoing but should be completed for presentation to the meeting scheduled for 12 February 2020.

A Member suggested that the update had regard to the contents of the Health & Safety Executive publication Managing for Health and Safety although it was appreciated that this was likely to be a given reference point.

## **23 CAMPUS UPDATE**

The Principal & Chief Executive provided the Corporation with an update on issues associated with the College Campus.

It was recalled that the London Borough of Newham had agreed to one final extension the planning permission for G Block and Business Block and this would end in Autumn 2024. It was important, therefore, that the current Campus Masterplan be reviewed in the context of the projected needs of the College but with a high level of sensitivity and realism as to what could be afforded.

In reply to a question from a Member it was noted that the accommodation which would be removed provided a base for approximately 400 students and 40 staff. One solution was to arrange a relocation to the remaining areas of the College at the Prince Regent Lane site.

The issue of toilet facilities was raised and it was explained that expenditure of around £30k would be required to cover the costs.

The Corporation agreed:

1. to NOTE the Campus update provided by the Principal & Chief Executive
2. to SUPPORT the view of the Principal & Chief Executive that arrangements be made to engage a professional adviser to review the current Campus Masterplan and to provide feedback given the current and anticipated prospects for the College
3. to NOTE that a meeting of the Campus Task & Finish Group would be arranged when there was business to consider unless it was thought that it made better sense to present emerging issues to the full Corporation.

## **24 GOVERNANCE & SEARCH COMMITTEE – 9 OCTOBER 2019**

The Corporation received and NOTED the Minutes of the meeting of the Governance & Search Committee held on 9 December 2019.

It was recognised that the issue requiring the early attention of the Corporation had been addressed at the meeting of the Corporation immediately following the meeting of the Committee. This included issues associated with the Instrument & Articles of Government and the establishment of the Remuneration Committee.

## **25 GOVERNANCE & SEARCH COMMITTEE – 11 DECEMBER 2019**

The Corporation was advised that the one issue requiring early attention as a result of the meeting of the Governance & Search Committee held earlier in the day had been addressed – the re-appointment of Joanne Dean for a second period of office

The Minutes of the latest meeting of the Governance & Search Committee would be presented to the Corporation in February 2020.

## **26 AUDIT & RISK COMMITTEE – DESIGNATION AND TERMS OF REFERENCE – REVIEW**

The Corporation AGREED TO ADOPT the recommendations of the Audit & Scrutiny Committee that:

1. the Committee be re-designated as the Audit & Risk Committee with immediate effect
2. the Terms of Reference of the Committee be amended as set in document published with the Agenda.

**27 INTERNAL AUDITORS – RE-APPOINTMENT FOR 2019/20**

The Corporation AGREED to APPROVE the recommendation of the Audit & Scrutiny Committee (as was) that Mazars be re-appointed as the Internal Auditors for 2019/20.

It was explained that aspects of performance and support for the Executive and Corporation would be discussed with Mazars prior to the forthcoming reviews.

**28 FINANCIAL STATEMENTS AUDITORS – RE-APPOINTMENT FOR 2019/20**

The Corporation AGREED to defer consideration of the recommendation of the Audit & Scrutiny Committee (as was) with regard to the possible re-appointment of Buzzacott as the Financial Statements Auditors for 2019/20 until the issues associated with the Financial Statements for 2018/19 were addressed to the satisfaction of Members.

**29 BUDGET STRATEGY TASK & FINISH GROUP – 28 OCTOBER 2019**

The Corporation received and NOTED the unconfirmed Minutes of the meeting of the Budget Strategy Task & Finish Group held on 28 October 2019.

**30 BUDGET STRATEGY TASK & FINISH GROUP – TERMS OF REFERENCE**

The Corporation APPROVED the recommendation of the Budget Strategy Task & Finish Group that the Terms of Reference be amended as set out in the document circulated with the Agenda.

**31 ACTION TAKEN WITH THE APPROVAL OF THE CHAIR OF THE CORPORATION AND SUPPORTED BY MEMBERS OF THE CORPORATION**

The Corporation NOTED that since the meeting held on 9 October 2019 an issue had arisen which had required immediate action and, therefore, this had been progressed with the approval of the Chair of the Corporation and subsequently supported by other Members.

The background was explained which in summary was that the College was provided with the opportunity to seek 50% match funding from the GLA but it was not noted until the day that the application had to be submitted that the approval of the Corporation was required. The proposed scheme would enable the enclosing of the front of the LRC and Café area to improve thermal and sound installation.

It had been confirmed that the amount to be covered by the College was included in the approved budget for 2019/20

The approval of the application was seen as the only option if the match funding was to be received on this occasion. However, it was recognised by the Executive that the arrangements did not establish a precedent and would be avoided in the future.

**32 CALENDAR OF MEETINGS – 2019/20**



The Corporation NOTED the Calendar of Meetings for 2019/20 and in doing so AGREED that, to seek to maximise the attendance of Members, the December meeting be moved from 4 to 11 December:

- 12 February 2020
- 25 March 2020
- 20 May 2020
- 1 July 2020

All meetings are scheduled to commence at 6.30pm unless otherwise agreed.

### **33 PREVENT RISK UPDATE**

The Corporation received and NOTED the College Prevent Duty Risk Assessment Action Plan for 2019/20.

### **34 CORPORATION DEVELOPMENT & PLANNING DAY – 2 NOVEMBER 2019 – OUTCOMES**

The Corporation received and NOTED working draft of the issues identified during the afternoon session on governance as part of the programme for the Development & Planning Day on 2 November 2019.

The intention was to finalise the summary and the associated action plan in the light of the feedback from the FE Commissioner's Team and to present the recommendations to a future meeting of the Corporation (provisionally 25 March 2020).

### **35 FEES – 2019/20**

The Corporation AGREED following discussion:

1. To adopt the recommendation of the Executive that a fee of £86 be approved for any new 2019/20 Adult learners joining the College in January 2020 or later who were not covered by the remission arrangements
2. To acknowledge that it was not appropriate to seek a retrospective fee from any Adult learners who have already completed their enrolment in the current year
3. To look forward to receiving at the next meeting of the Corporation an updated Fees Policy for consideration and approval

### **36 CONFIDENTIAL ITEMS OF BUSINESS**

The Staff and Student Members as well as the members of the SLT other than the Principal & Chief Executive withdrew from the meeting given the nature of the items to be considered.

The Minutes covering this item will be regarded as being confidential until agreed otherwise by the Corporation and will only be available to the Independent Members and the Parent Member.

Four of the items covered during the confidential discussion are detailed below as the content can be included immediately in the open public section of the Minutes.

### **37 CHAIR OF THE CORPORATION – LOOKING TO THE FUTURE**

The Corporation NOTED the view of the FE Commissioner that, when making arrangements to appoint a new Chair as from the Autumn Term 2020, consideration be given to new external candidates.

It was acknowledged that a number of Corporations' have opted to advertise the role of Chair when planning to fill an anticipated vacancy and to consider applicants alongside any existing Members who may wish to put themselves forward.

A paper setting out the options would be presented to the next meeting of the Corporation so that the preferred way forward may be determined with regard to the appointment of a new Chair of the Corporation.

### **38 SENIOR POST HOLDERS – DESIGNATION**

The Corporation recalled that at the meeting on 9 October 2019 it had been agreed to adopt the recommendation of the Governance & Search Committee that the following posts continue to be designated as Senior Posts for the purpose of the Instrument & Articles of Government:

- Principal & Chief Executive
- Vice Principal but now designated as Vice Principal Student Achievement & Progress
- Clerk to the Corporation when an employee of the College

Given the current vacancy for the new post of Vice Principal of Finance & Operations it was AGREED to designate the post as a Senior Post for the purposes of the Instrument & Articles of Government.

### **39 FINANCE COMMITTEE – ESTABLISHMENT**

The Corporation AGREED:

1. to establish a Finance Committee to support the Corporation as from a date to be agreed
2. to look forward to receiving the draft Terms of Reference setting out the proposed role and responsibilities of the Finance Committee and the timeline for introduction given the current remit of the Budget Strategy Task & Finish Group.

### **40 BUDGET STRATEGY TASK & FINISH GROUP – MEMBERSHIP**

The Corporation NOTED the resignation of Joanne Dean from membership of the Budget Strategy Task & Finish Group with immediate effect.

Chair: \_\_\_\_\_ Date: \_\_\_\_\_