

The Corporation of Newham Sixth Form College

Minutes of the Meeting held on 12 February 2020

Members

Gail May (Chair)	Independent Member	Present
Fabiha Ahmed	Student Member	Apologies
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	Apologies – LA business
Jay Nair	Independent Member	Present
Martin Oakeshott	Independent Member	Present
Miklos Sarosi	Parent Member	Present
Sultana Shorab	Student Member	Present
Julia Shelton	Independent Member	Apologies - Holiday
Rayon Walters	Staff Member – Teaching	Present

Non-Members in attendance

Adrian Cottrell	Interim Director of Finance & Resources	Present
Rabia Iqra	President of Students' Union	Present
Robin Jones	Clerk to the Corporation	Present
Tracy Oko	Assistant Principal Student Services	Present

1 MEMBERSHIP OF THE CORPORATION – STUDENT MEMBERS

The Clerk advised the Corporation of the up-to-date position with regard to the Student Members and highlighted the provisions of the Standing Orders which provided for there to be two Student Members of different genders.

The Corporation AGREED:

1. To NOTE the resignation of Ismail Abdirahman Abdillahi from membership of the Corporation as from 28 January 2020
2. To AGREE that, notwithstanding the Corporation Standing Orders regarding the gender of the Student Members, Sultana Shorab be appointed as a Student Member for the remainder of 2019/20 and without establishing a precedent.

It was explained that in the absence of the other Student Member - Fabiha Ahmed - Sultana Shorab was accompanied by Rabia Iqra, the President of the College Students' Union.

The Chair welcomed Sultana Shorab and Rabia Iqra to the meeting and all present introduced themselves.

2 APOLOGIES FOR ABSENCE

The Corporation NOTED and ACCEPTED the apologies for absence submitted by Members Fabiha Ahmed, Julianne Marriott and Julia Shelton.

3 DECLARATION OF INTERESTS

The Members and the Clerk confirmed that there were no declarations of interest to be recorded on this occasion at this stage of the meeting based on the published Agenda.

4 MINUTES OF THE MEETING OF THE CORPORATION HELD ON 11 DECEMBER 2019

The Minutes of the meeting of the Corporation held on 11 December 2019 were agreed to be a correct record and were signed by the Chair.

5 MATTERS ARISING FROM THE MINUTES OF THE MEETING OF THE CORPORATION HELD ON 11 DECEMBER 2019

The Corporation agreed that, on this occasion, there were no matters arising from the Minutes of the last meeting which were not covered by the Agenda for this meeting or those planned for forthcoming meetings.

6 CORPORATION DECISION TRACKER

The Corporation received the updated Decision Tracker and NOTED the actions taken or scheduled to be taken at, for example, the meeting of the Audit & Risk Committee on 26 February 2020.

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

7 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 NAO study on managing colleges' financial sustainability with a report scheduled for summer 2020
- ESFA had released the toolkit to enable the College to model the amount of income to be received in 2020/21
- The Budget scheduled for 11 March 2020 and the expectation that there will be additional funding for colleges
- The consultation launched by Ofsted on removing the exemption of outstanding schools, colleges and other organisations from inspections
- The update of the SCFA manifesto to focus on four campaigning objectives in 2020 including to raise the funding rate to at least £4,760 per year
- The continued strike action by members of NEU affecting 34 sixth form colleges – new strike days had been announced of 12 February, 27 February and 10 March – the action was against the Secretary of State and not colleges even though they are the employer
- The College being on track to use the full GLA Adult Education funding allocation

Members took the opportunity to comment on the report including the good news stories from around the College.

The Corporation AGREED after discussion:

- 1 to thank the Principal & Chief Executive for such an informative report

- 2 to note, in particular, (1) the shortlisting as finalists of 2 teachers (one English and one Maths) and the College in the National Skills Awards 2020 and (2) how well the College and individual students were performing in terms of various sports
- 3 to note the New Years message from the Secretary of State for Education

8 PERFORMANCE AGAINST STRATEGIC OBJECTIVES

The Corporation received 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

The Principal & Chief Executive stressed that it was appropriate to view the data with a degree of caution as this was a new system as demonstrated to Members at the Corporation Planning & Development session on 2 November 2019. This was very much a learning process for staff across the College including the importance of processing data promptly and, of course, accurately.

The report highlighted the position on the question “students feel safe in College”. There was a small reduction in the positive comments although there had been a smaller number of respondents. Further surveys were planned and the outcomes would be reported to the Corporation via the KPI updates.

The Corporation AGREED following discussion:

1. To NOTE the KPI report which was thought to be extremely clear notwithstanding the health warning on data
2. To acknowledge the importance of receiving such a report on a regular basis which set out with clarity both the good and not so good news so that Members had the chance to focus attention to the challenge of the Executive on planned actions for bringing about improvements.

9 BUDGET – 2019/20 – IN-YEAR ESFA GROWTH FUNDING

The Corporation was extremely pleased to learn that the Principal had received an email from the ESFA advising that the College would receive growth funding for 2019/20.

It was recalled that the College learner enrolment in September had been far higher than the funding allocation for 2019/20 based on the lagged arrangements.

The Corporation agreed:

1. to welcome the news of in-year growth funding from the ESFA which would contribute to the improvement of the budget out-turn position in 2019/20
2. to share the view of the Principal & Chief Executive that the staff of the College were to be congratulated on the level of enrolment and retention which had enabled the ESFA to make the allocation
3. to note the intention of the Principal & Chief Executive to share the news with all staff once he had received a formal letter from the ESFA confirming the funding.

10 COLLEGE SELF-ASSESSMENT REPORT – 2018/19

The Corporation received the updated College Self-Assessment Report for 2018/19 and noted that, since the publication of the Agenda and supporting documents, Member Martin Oakeshott and the Clerk had spent time with members of the Executive reviewing the document on a page by page basis.

Martin Oakeshott explained that the Self-Assessment Report was now presented in a new and simplified format having regard to the national inspection framework. This had been developed for NewVIc from a “bottom up” approach involving all curriculum and support areas of the College. Most importantly the approach associated with the Self-Assessment Report and the linked Quality Improvement Plan was seen as a dynamic process to be revisited throughout the year.

The Self-Assessment Report used data taken from the recently introduced dashboard meaning that there was one consistent source of data being used across the College.

Finally, the Corporation was advised that actions arising from the Self-Assessment Report and the Quality Improvement Action Plan were built into the staff appraisal system which added value to the process.

The Corporation agreed following discussion:

1. to APPROVE the College Self-Assessment Report for 2018/19 as submitted with the Agenda on the understanding that, following the review by Member Martin Oakeshott and the Clerk, clarifications had been made to certain statements contained in the document and these would be reflected in the updated version
2. to support the Overall Effectiveness grade of “Good” for the College as a whole
3. to welcome the inclusion of both curriculum and support areas of the College in the preparation of the Self-Assessment Report and the relationship with the staff appraisal system
4. to note the intention to arrange in future years peer reviews of the College Self-Assessment Report and Quality Improvement Action Plan to provide an external challenge
5. to thank Martin Oakeshott for undertaking the review of the College Self-Assessment Report and the associated Quality Improvement Action Plan.

11 QUALITY IMPROVEMENT ACTION PLAN – 2019/20

The Corporation received and reviewed the updated College Quality Improvement Action Plan for 2019/20.

As indicated above in the item relating to the College Self-Assessment Report, the Quality Improvement Action Plan had been reviewed by Member Martin Oakeshott and been found to be a robust document.

The key areas for improvement were covered within 7 priorities:

- Priority 1 – Students to make better progress from their starting points in a significant number of A level courses and some vocational courses
- Priority 2 – GCSE maths 9-4 grades to meet the College target
- Priority 3 – Improve progression on A level linear courses from year 1 to year 2
- Priority 4 – Achievement for “white British” students to be more in line with their peers
- Priority 5 – Improve attendance

- Priority 6 – Improve the College’s finances
- Priority 7 – Improve staff survey results

These in turn had interim and final SMART targets with assessments of progress at specified points of the year.

The Corporation agreed following discussion:

1. to APPROVE the Quality Improvement Action Plan for 2019/20
2. to look forward to receiving updates on progress against the Plan which in a full year would be in December, March and July subject to ongoing review of the arrangements

12 INTEGRATED FINANCIAL MODEL

The Corporation NOTED:

1. the background to the introduction of the Integrated Financial Model which, on this first occasion, was required by the ESFA by 28 February 2020
2. that the Integrated Financial Model would replace the Financial Plan and the Financial Record and would provide a particular focus on what happens on a month by month basis rather than the projections at the very start of the year or the anticipated year end out-turn position
3. that a Special Meeting of the Corporation had been arranged for 26 February 2020 at 6.15 pm to consider the NewVlc’s Integrated Financial Model before final sign off and submission to the ESFA .

13 RECOVERY PLAN

The Corporation received the College Recovery Plan prepared in line with the requirements of the ESFA and submitted as required at the end of January 2020.

The particular attention of Members was drawn to the main sections of the Recovery Plan including:

- Income and expenditure schedule for the years 2018/19 (actual), 2019/20 and 2020/21
- Income by Funding Body grants
- Income and expenditure split by pay costs, non-pay costs, depreciation and interest to determine the underlying (deficit) and surplus
- Balance Sheet
- Early intervention triggers
- Planned actions to improve the College’s financial health
- Bank and banking covenants
- Operating deficit – specifically the fact that, based on actuals and projections, the College will not incur an operating deficit in any three consecutive years to the end of 2021/22
- Operating cashflows
- Sensitivity analysis
- Key risk analysis

The priority was to reduce significantly the deficit in 2019/20 and the news that the College would receive in-year growth funding was extremely helpful although the savings plan would still be progressed to improve the longer term financial health of NewVIc.

The Corporation AGREED following discussion:

- 1 To APPROVE the basis of the Recovery Plan which would continue to be refined in the light of developments including further analysis
- 2 To recognise that the ratios for NewVIc of staff costs to income were high relative to sector averages and this was being addressed by the Executive
- 3 To note that the national discussions on the value of the next pay award were ongoing and no firm recommendations had yet been made to Corporations by the SCFA
- 4 To note the basis of the sensitivity and risk analysis which had been the subject of careful thought by the Executive
- 5 That in developing the savings plan it was essential that careful attention be given to the balance between financial considerations and the potential impact on the quality of provision/student experience given unintended consequences (ie if the focus is on finances to the detriment of quality there could be a fall off of learner numbers which in turn would reduce income).

14 STAFF SURVEY

The Corporation received and discussed the report associated with the Staff Survey.

The Principal & Chief Executive acknowledged that the outcomes from the survey were difficult and uncomfortable to read particularly the benchmarks against the 38 colleges which had taken part which placed NewVIc at 35.

Members took the opportunity to discuss the survey including:

- As the employer of staff it was important that the Corporation was aware of the views of staff be they positive, negative or mixed
- Whilst there may always be factors impacting on survey outcomes it was a fact that this particular survey was undertaken when the changes to the tutor staff establishment were being progressed at NewVIc
- The low satisfaction response to opportunities to progress was thought to be surprising given the initiatives in place at NewVIc such as the programme for staff of introduction to management

Whilst comparisons with the schools sector can be valid in some circumstances, when considering the opportunities to progress there were marked differences in further education such as the flatter structures and less posts of responsibility attracting salary increments.

Finally, it was explained that, although only 38 colleges participated in the latest survey, which was a small proportion of the college sector, it did have the opportunity benefit that the service was provided by York College without a fee being charged. There were, of course, specialist firms operating in the college sector which offer more comprehensive survey services but there is substantial charge which could not, at least at present, be covered from the existing College budget.

The Corporation agreed following a wide ranging discussion:

1. To welcome the survey as this had been requested by Members in the past without being progressed by the previous Executive
2. The outcomes of the survey would help the Executive and Corporation as appropriate to plan future initiatives to increase staff satisfaction levels where practicable
3. To note the advice of the Principal & Chief Executive that when the forthcoming appointments of the two Vice Principals had been completed one of them would be allocated specific responsibility for progressing issues arising from the staff survey.

15 ANNUAL REPORT ON STAFFING & PERFORMANCE

The Corporation received and discussed the Annual Report on Staffing & Performance.

The Principal & Chief Executive outlined the basis for the preparation of the report which was different and more comprehensive than those presented to the Corporation in the past. The comments made by Members on previous occasions had been taken into account such as the request to identify staff absence levels split between long term and short term factors.

The number of staff appraisals completed had increased substantially since the report was prepared and circulated to Corporation Members – it was now 80% and rising. On probing it was found that most of the appraisals had been completed in good time but had not been handed to the HR Team for logging.

A Member asked about the number of Agency Workers. It was explained that Agency Workers were usually engaged to cover short term vacancies. However, there were roles, such as the provision of support for those with particular needs which can vary from year to year as students join and leave the College, where appointments to the College staffing establishment would not be a wise course of action.

The Corporation agreed following discussion:

1. To NOTE the Annual Report on Staffing & Performance
2. To welcome the new format for the report and to thank those involved in its production
3. To note the advice of the Principal & Chief Executive that, when appointed and in post, one of the new Vice Principals would be given responsibility for progressing the production of the Annual Report on Staffing & Performance and having oversight of the related initiatives.

16 HEALTH & SAFETY POLICY – REVIEW

The Corporation received and discussed the proposed update of the College Health & Safety Policy.

The Corporation agreed:

1. To APPROVE the Health & Safety Policy Statement as set out in section 2 (page 64 of the Agenda pack)

2. To note that the comprehensive document was subject to ongoing review including the various references to the designations of posts within the College establishment and the governance arrangements associated with Health & Safety
3. That in updating the full document account would be taken of the contents of (1) the Health & Safety Executive publication Managing for Health and Safety and (2) the Institute of Directors and Health & Safety Executive publication Leading Health & Safety at Work.

17 FEES POLICY – 2019/20

The Corporation received and reviewed the proposed Fees Policy for 2019/20.

The Corporation agreed:

1. To APPROVE the Fees Policy for 2019/20 subject to checking the need for/accuracy and if appropriate deleting Appendix 2
2. To note that under 16 provision was delivered by the College under a contract and, therefore, the young people were not covered by the published Fees Policy
3. To look forward to receiving the Fees Policy for 2020/21 at the meeting of the Corporation scheduled for 1 July 2020

18 STUDENT DESTINATIONS

The Corporation received the report prepared by the Assistant Principal outlining the known progression and destinations of students who attended NewVlc in 2018/19.

The UCAS data made available to the College only covers those students who opted in to sharing following the arrangements put in place following the introduction of GDPR. As a result it was not as comprehensive as in recent years. However, it was known that of the 591 students known to be seeking higher education places:

- 528 (89%) gained a place
- 12.7% went to a Russell Group university
- 36.6% went to Greenwich, Westminster or University of East London
- 19% were placed outside of London

The Corporation AGREED:

1. To NOTE the report on the destinations of students who attended NewVlc in 2018/19
2. To look forward to receiving an update if and when more detailed information became available.

19 FURTHER EDUCATION BODIES – INSOLVENCY GUIDANCE

The Corporation received and NOTED the Insolvency Guidance published by the Department for Education in January 2020.

The Clerk drew attention to the section of the document setting out the duties of members of statutory corporations – pages 12 and 13 (pages 116 and 117 of the Agenda pack). Whilst the Clerk or members of the Executive would welcome any immediate questions and or comments arising from the Insolvency Guidance, it was noted that it was intended to use the meeting of the Corporation on 20 May 2020 as a training and briefing event. The responsibilities of Corporation Members – individually and collectively – would be covered.

Finally, the Corporation recalled that a briefing on the insolvency regime had been provided by Stone King on 20 May 2019 and a number of Corporation Members had attended.

20 FURTHER EDUCATION COMMISSIONER - ANNUAL REPORT FOR 2018/19

The Corporation received and NOTED the Annual Report of the FE Commissioner for the year 1 August 2018 to 31 July 2019.

21 FURTHER EDUCATION COMMISSIONER – LETTER TO THE SECTOR

The Corporation received and NOTED the letter to the sector dated 6 February 2020 from the FE Commissioner.

22 LINK MEMBERS

The Corporation received and noted with interest the report prepared by Martin Oakeshott as the Link Member for Marketing.

It was explained that the purpose of the visit had been to understand how marketing and admissions activities contributed to the increase in student numbers in September 2019 and consider how this positive development could be sustained.

Following the visit and as a result of the highlight at the meeting of the Corporation on 11 December 2019 the comprehensive Marketing Report had been circulated to all Members via email.

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

23 CORPORATION CHAIR – APPOINTMENT ARRANGEMENTS

The Corporation received the report of the Clerk relating to the arrangements to be followed for the appointment of a new Corporation Chair from October 2020.

It was suggested that any Member who may wish to be considered as Corporation Chair withdrew from the meeting so that there could be no suggestion of seeking to influence the discussion on the arrangements.

Note: Joanne Dean left the room for the remainder of this item

The Corporation agreed, following discussion:

1. To receive the report of the Clerk on the appointment of a new Corporation Chair from October 2020
2. To note the view of the FE Commissioner with regard to looking outside of the current membership when appointing a new Corporation Chair
3. To note that there was no reason why an existing Member of the NewVlc Corporation should not put themselves forward as a future Corporation Chair
4. That AoC and Peridot Partners be invited to submit a proposal for possible engagement to support the Corporation to make an appointment of a person to join the Corporation and once a member to be appointed as Chair as from October 2020 (specific date to be confirmed)
5. To appoint two or possibly three existing Members to progress the engagement of an external organisation with the Principal & Chief Executive and with the support of the Clerk with Martin Oakeshott being the first such Member

6. To look forward to receiving updates on the timeline and the arrangements for appointing an external person who would, in time, become the new Corporation Chair

Finally it was appreciated that Gail May would be a reference point during the recruitment process given her experience but it would not be appropriate to be involved in the appointment itself.

Note: Joanne Dean returned to the room at the conclusion of this item

24 GOVERNANCE & SEARCH COMMITTEE – 11 DECEMBER 2019

The Corporation received and NOTED the Minutes of the meeting of the Governance & Search Committee held on 11 December 2019.

It was recognised that the issue requiring the early attention of the Corporation – the reappointment of Joanne Dean as an Independent Member - had been addressed at the meeting of the Corporation immediately following the meeting of the Committee.

25 BUDGET STRATEGY TASK & FINISH GROUP – 16 JANUARY 2020

The Corporation received and NOTED the unconfirmed Minutes of the meeting of the Budget Strategy Task & Finish Group held on 16 January 2020.

26 REMUNERATION COMMITTEE – 16 JANUARY 2020

The Corporation received and NOTED the unconfirmed Minutes of the meeting of the Remuneration Committee held on 16 January 2020.

Three issues arising from the meeting of the Remuneration Committee required the early attention of the Corporation:

- Terms of Reference of the Remuneration Committee (see item below)
- Senior Post Holders – HR Policies (see item below)
- Principal & Chief Executive – Performance and Remuneration (addressed as a confidential item).

27 REMUNERATION COMMITTEE – TERMS OF REFERENCE

The Corporation APPROVED the changes to the Terms of Reference of the Remuneration Committee as recommended by the Committee on 16 January 2020 - specifically:

- 1 The recognition that there were now two Vice Principal posts on the College establishment and both were designated as Senior Posts
- 2 The quorum be revised to 2 when there were 3 serving Members and 3 when there were 4 serving Members.

28 REMUNERATION COMMITTEE – MEMBERSHIP

The Corporation NOTED that the Remuneration Committee had agreed to recommend that consideration be given to appointing an additional Member to serve on the Committee.

In the absence of an immediate volunteer and in the knowledge that the Skills and Experience of Members would shortly be the subject of a new review, the Corporation agreed to defer consideration of the recommendation of the Remuneration Committee relating to membership.

29 SENIOR POST HOLDERS – HR POLICIES

The Corporation APPROVED for immediate application the adoption of the following documents prepared by the AoC and recommended by the Remuneration Committee:

- Guidance on dealing with the Disciplinary Procedure for Senior Post Holders
Guidance on dealing with grievances by employees that involve complaints against Senior Post Holders
- Disciplinary Procedures for Senior Post Holders
- Grievance Procedure for Senior Post Holders

It was understood that these documents would be personalised to reflect the needs and brand of NewVlc and in line with the recommendations of the Remuneration Committee in terms of lengths of warnings etc.

The Principal & Chief Executive and the Clerk as existing Senior Post Holders confirmed that they had been consulted on the proposed adoption of the HR policies and neither had any comments to make.

Finally, the Corporation noted that the Remuneration Committee would be addressing with contributions from others the procedure and associated forms relating to the management of performance including probationary reviews for those designated as Senior Post Holders.

30 WRITTEN RESOLUTION

The Corporation NOTED that since the meeting held on 11 December 2019 an issue had been progressed via Written Resolution – the approval of the Financial Statements for 2018/19 for submission to the ESFA and publication as discussed at the meeting of the Corporation on 11 December 2019 and following further discussions with the Auditors.

31 CALENDAR OF MEETINGS – 2019/20

The Corporation NOTED the Calendar of Meetings for 2019/20 including the addition of 2 Special Meetings on 26 February and 2 March 2020:

- 26 February 2020 – specifically to consider the Integrated Financial Model
- 2 March 2020 – specifically to consider the recommendations of the Vice Principal Appointment Panels
- 25 March 2020
- 20 May 2020
- 1 July 2020

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

The Special Meeting on 26 February 2020 would commence at 6.15 pm followed by the scheduled meeting of the Audit & Risk Committee.

32 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 at this juncture given the nature of the items to be considered.

The Principal & Chief Executive withdrew from the meeting at an appropriate stage given the subject matter.

The Minutes covering these items will be regarded as being confidential until agreed otherwise by the Corporation and will only be available to the Independent Members, the Parent Member and, only in part, the Principal & Chief Executive.

Chair: _____ Date: _____