

The Corporation of Newham Sixth Form College

Minutes of the Meeting held on 17 June 2020

Members

Gail May (Chair)	Independent Member	Present
Fabiha Ahmed	Student Member	Absent
Joanne Dean	Independent Member	Present
Mandeep Gill	Principal & Chief Executive	Present
Sohidul Hoque	Independent Member	Apologies -family commitments
Julianne Marriott	Independent Member	Present
Jay Nair	Independent Member	Present
Martin Oakeshott	Independent Member	Present
Edet Okon	Staff Member – Teaching	Present
Paddy Salter	Independent Member	Present
Miklos Sarosi	Parent Member	Present
Sultana Shorab	Student Member	Absent
Julia Shelton	Independent Member	Present

Non-Members in attendance

Michael Gainall	Vice Principal Finance & Operations	Present
Magdalena Johnson	Vice Principal Student Achievement & Progress	Present
Robin Jones	Clerk to the Corporation	Present

1 MEMBERSHIP OF THE CORPORATION

The Chair on behalf of the Corporation welcomed Paddy Salter and Edet Okon to their first meeting following their appointments to the Corporation.

Paddy Salter would serve as an Independent Member and Edet Okon as a Staff Member – Teaching Staff.

The Clerk explained that the invitation to Support Staff to nominate a colleague to join the Corporation had not resulted in any proposals. A second request would be circulated so that, hopefully, the vacancy may be filled.

2 VICE PRINCIPAL FINANCE & OPERATIONS

The Chair on behalf of the Corporation welcomed Michael Gainall to his first meeting of the Corporation since taking up the post of Vice Principal Finance & Operations.

3 INTERIM DIRECTOR OF FINANCE & RESOURCES

Members of the Corporation acknowledged the important contribution of Adrian Cottrell who had now completed the period of engagement as the Interim Director of Finance & Operations.

4 ASSISTANT PRINCIPAL STUDENT SERVICES AND ASSOCIATE PRINCIPAL – A LEVELS

The Members of the Corporation agreed to place on record their appreciation for the contributions of Tracy Oko and Penny Warburton who would be leaving the College shortly.

5 APOLOGIES FOR ABSENCE

The Corporation NOTED and ACCEPTED the apologies for absence submitted by Member Sohedul Hoque.

6 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.

7 MINUTES OF THE MEETING OF THE CORPORATION HELD ON 20 MAY 2020

The Minutes of the meeting of the Corporation held on 20 May 2020 were agreed to be a correct record.

8 MATTERS ARISING FROM THE MINUTES OF THE MEETING OF THE CORPORATION HELD ON 20 MAY 2020

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.

9 COVID-19 UPDATE

The Principal & Chief Executive provided the Corporation with an update on the initial experience of the arrangements for the managed and partial reopening of the College on 15 June 2020.

A number of points were highlighted for the information of Members including the following:

- To date 334 students had been invited to attend and 94 had appeared – a 28% turnout which was in line with the initial experience elsewhere
- There had been positive feedback from staff and students on the arrangements put in place to seek to ensure the safety of all concerned
- Comments on the experience of staff and students were most welcome and, for example, as a result the signage from the carpark had been improved
- The view across the sector was that “normal opening and operation” was thought to be the least likely scenario to plan for and, therefore, consideration needed to be given to some form of hybrid with only a proportion of enrolled students in College at any time

The attention of Members was drawn to the notes of the Ad Hoc Corporation Member and Executive Group which had met on 2 and 10 June 2020 and discussed the reopening arrangements in detail. The two sets of notes had been circulated to Members via email.

Members were invited to seek clarification on the College approach to COVID-19.

One Member asked about the impact on Safeguarding during the period of closure. It was explained that a full well-being service was maintained and this included receiving referrals during lockdown. Some students had been seen by the safeguarding lead over the last

three days since reopening on 15 June and no doubt this would continue until the planned end of term on 26 June.

It was also recognised during the discussion that there were opportunities to learn from the experience over these two weeks of being open to plan for whatever would happen in the Autumn Term given that full operation may not be possible.

The Corporation AGREED following discussion:

1. To NOTE the update provided by the Principal & Chief Executive on the College's approach to COVID-19 both at present and for the Autumn Term
2. To thank the Executive and all members of staff for all that they have done in enabling the College to reopen and preparing for September
3. To request the Executive to provide the Members of the Corporation with confirmation that the insurers had been informed of the College's approach to addressing issues arising from COVID-19 and the reopening of the buildings
4. To look forward to receiving further updates on the College experience of partial opening over two weeks and planning for the Autumn Term including the impact on the safeguarding and well-being service.

10 LETTER FROM THE SECRETARY OF STATE FOR EDUCATION DATED 3 JUNE 2020

The Corporation received and NOTED the letter from the Secretary of State for Education dated 3 June 2020 which was circulated via email immediately on receipt and then included on the Agenda.

11 LETTER FROM THE FE COMMISSIONER DATED 16 JUNE 2020

The Corporation received and NOTED the letter from the FE Commissioner dated 16 June 2020 which arrived after the Agenda for this meeting had been published but was circulated immediately on receipt via email.

12 FINANCIAL HEALTH OF NEWVIC

The Corporation received the letter from the ESFA dated 29 May 2020 which advised the Principal & Chief Executive that, following a review of the College's audited Financial Statements and Finance Record, it has been concluded the appropriate assessment grade for 2018/19 was now "outstanding".

A Member took the opportunity to ask if the College would be receiving any additional funding to help cover the costs being incurred as a result of the COVID-19 pandemic. The Principal & Chief Executive advised that, although schools and academies were being supported, colleges were required to meet all costs from existing budgets. The issue – the unfairness – was being pursued nationally on behalf of colleges by both the AoC and SFCA.

The inequity in treatment between schools/academies on one hand and colleges on the other was also apparent with the proposed funding of free meals for those eligible to receive. It was recognised that an eligible 17 year old at college has the same needs as one attending school or an academy but funding support arrangements by the Government were different.

The Corporation AGREED following discussion:

1. To NOTE with pleasure the latest financial assessment of "outstanding"
2. To recognise that the improvement in the financial standing of the College had been challenging, required tough decisions and was very much a team effort on the part of staff from across the College led by the Executive

3. To note that the decision to revise the financial standing of the College should mean that NewVlc would be taken out of intervention and confirmation of this is awaited from the FE Commissioner and the ESFA
4. To note the impact on the College budget of addressing the demands of COVID-19 which would have to be covered by the College without any additional support from the Government.

13 AUDIT & RISK COMMITTEE – MEETING HELD ON 10 JUNE 2020

The Corporation NOTED that a meeting of the Audit & Risk Committee had taken place on 10 June 2020 but there were no issues which required the attention of Members at this time.

The Minutes of the meeting would be presented to the Corporation on 15 July 2020.

14 BUDGET STRATEGY TASK & FINISH GROUP – MEETING HELD ON 9 JUNE 2020

The Corporation NOTED that a meeting of the Budget Strategy Task & Finish Group had taken place on 10 June 2020 but there were no issues which required the attention of Members at this time.

The Minutes of the meeting would be presented to the Corporation on 15 July 2020.

15 PAY AWARD

The Corporation NOTED that, following the discussion at the meeting on 20 May 2020, Members had approved the pay award via a Written Resolution based on the proposals set out in an email dated 18 May 2020 from the SFCA for the period from 1 September 2019.

16 CALENDAR OF MEETINGS – 2019/20

The Corporation NOTED the change from 1 to 15 July 2020 for the next scheduled meeting.

At present the meeting is scheduled to commence at 5.30 pm but the availability of Members would be checked to seek maximum possible participation.

17 ADDITIONAL MEETING OF THE CORPORATION IN JULY 2020

The Corporation NOTED that an additional meeting would take place on or about 22 July 2020 to consider the recommendation relating to the appointment of the new Corporation Chair – date and commencement time to be confirmed.

18 TRAINING OF CORPORATION MEMBERS

The Clerk provided a presentation on the roles and responsibilities of the Corporation for information and the basis for discussion.

The presentation covered such aspects as:

- What was said by Ofsted about Governors and governance in a recent report of an outstanding college
- The legislative and regulatory context – including the Further & Higher Education Act 1992, Conditions of Grant Agreement (Schedule 9 covers College Governance), insolvency arrangements, Standards in Public Life (Nolan) and charitable status
- The Instrument of Government – the constitutional arrangements for College Corporations
- The Articles of Government – with a particular focus on the division of responsibilities between the Corporation and the Principal & Chief Executive
- The designations of the Senior Post Holders at NewVlc

- The flexibilities available to Corporations under the Education Act 2011 in terms of amending the Instrument & Articles of Government
- The Committee structure at NewVlc established to support the Corporation
- The governance models operated by College Corporations which can have some regard to the work of John Carver (an American) to a greater or lesser extent or a more traditional approach with a range of supporting committees
- Regardless of the governance model in place – be it based on Carver or a traditional approach - all Members were responsible for the decisions and actions of and on behalf of the Corporation
- Examples of issues addressed by the Corporation
- The significance of recognising that Corporation Members, including Staff and Student Members, are not “representatives” – they serve as individuals and cannot be mandated by others
- Focusing on quality of provision as well as financial matters
- Training of Corporation Members and awareness raising of developments in the college sector including a reference to the understanding that a White Paper was being prepared by the Government which could lead to colleges being unincorporated
- The governance to do list at NewVlc including recruiting some new Corporation Members, rewriting the Corporation Standing Orders, reviewing Committee membership and link arrangements and appointing a new Corporation Chair

The Clerk concluded the presentation by stressing that he was available as a source of information and Members should let him know if and when they wished to discuss governance practice and opportunities for training.

The Chair invited Members to share their thoughts and questions arising from the presentation and these included (comments from the Clerk in italics):

- The need to recognise the role of the Clerk as the Governance Adviser to the Corporation and its Members – *covered in Corporation Standing Orders which, as indicated during the presentation, were scheduled to be reviewed for consideration by the Corporation – probably at the October 2020 meeting*
- The adoption of the English Colleges Foundation Code of Governance by the NewVlc Corporation – *available for reference on the Governance section of the College website – understood to be the subject of a forthcoming review by the AoC*
- There were a number of sources of information on the FE sector including AoC, SFCA and an organisation called Click – *the Clerk was available to assist with subscriptions to organisations at the request of Members*
- The governance model for the NewVlc Corporation – was it possible to regard the arrangements as still being based on Carver (the term “Carveresque” was often used) even with the establishment of a Finance & Resources Committee - *the view of the Clerk was that the introduction of such a Committee, agreed by the Corporation in December 2019 with Terms of Reference approved on 20 May 2020, moved the NewVlc arrangements towards a “traditional” model*

The Corporation AGREED following discussion:

1. To thank the Clerk for such an informative presentation

2. To note the ongoing opportunity to raise governance related issues as and when they emerge and to encourage Members to do so
3. To note the points raised by Members and the Clerk with regard to the governance model and that there would be opportunities at future meetings to pursue and to seek to ensure that there was clarity on the approach in place at NewVIC

19 CONFIDENTIAL ITEM OF BUSINESS

The Minutes covering the items will be regarded as being confidential until agreed otherwise by the Corporation and will only be available to Members.

Note: As one of the items related specifically to the Clerk he withdrew and the Chair confirmed that she would prepare a Minute of decisions taken.

Chair: _____ Date: _____