

## The Corporation of Newham Sixth Form College

### Minutes of the Meeting held on 28 April 2021

#### Members

Martin Rosner(Chair)	Independent Member	Present
Laura De Vos	Staff Member – Support	Present
Joanne Dean	Independent Member	Present
Mandeep Gill	Principal & Chief Executive	Present
Kieran Healy	Independent Member	Absent
Sohidul Hoque	Independent Member	Absent
Kofo Ladele	Independent Member	Present
Julianne Marriott	Independent Member	Present
Simon Mayfield	Independent Member	Present
Habib Said Midh-Hir	Student Member	Present
Jay Nair	Independent Member	Absent
Yvonne Odai	Student Member	Absent
Edet Okon	Staff Member – Teaching	Absent
Mandeep Sahotay	Independent Member	Present
Paddy Salter	Independent Member	Apologies - holiday
Elizabeth Scott	Independent Member	Present
Miklos Sarosi	Parent Member	Present
Julia Shelton	Independent Member	Present
Graham Willson	Independent Member	Present

#### Non-Members in attendance

Shachi Blakemore	Partner, Buzzacott	Present for part of 4 only
Michael Gainlall	Vice Principal Finance & Operations	Present
Julian Gravatt	Deputy Chief Executive, AoC	Present for part of 4 only
Magdalena Johnson	Vice Principal Student Achievement & Progress	Present
Robin Jones	Clerk to the Corporation	Present
Anton McGrath	Principal, Ashton Sixth Form College	Present for part of 4 only
Martin Reed	Assistant Principal Student Services	Present

#### 1 TECHNICAL PROBLEMS AT THE START OF THE MEETING

The start of the meeting was delayed due to technical difficulties and moving to a different online platform.

The Vice Chair started the meeting whilst the Chair prepared his screens to see all present including the invited guests and in doing so took the apologies for absence and declarations before handing back to the Chair for the remainder of the meeting.

#### 2 APOLOGIES FOR ABSENCE

The Corporation NOTED that the majority of Members were present on this occasion and the meeting was quorate.

Member Kieran Healy advised the Clerk following the meeting that he had been unable to access the online meeting despite trying for some time.

#### 3 DECLARATION OF INTERESTS

The Members 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 ACADEMISATION

The Chair welcomed Members and others to this Special Meeting of the Corporation which had been arranged to enable the Corporation to consider the potential advantages and disadvantages for the College and the wider community of exploring academisation and to agree what actions need to be taken, if any. The Chair then went on to explain the arrangements for the meeting.

It was recalled that the need for such a discussion on academisation had been agreed by the Corporation all but two years ago and confirmed at the meeting on 31 March 2021.

To enable the Members to have an informed discussion there would be contributions from three people who could provide a perspective from very different viewpoints:

- Shachi Blakemore, Partner, Buzzacott (the College's appointed Financial Statements Auditors)
- Anton McGrath, Principal, Ashton Sixth Form College
- Julian Gravatt, Deputy Chief Executive, AoC

In addition to the presentations there would be an opportunity for Members to ask questions.

The three guests would withdraw from the meeting at the end of their own contributions.

The Chair asked Members if they minded the meeting being recorded so that it was available to those not present on this occasion. Following discussion it was agreed not to record the meeting.

To assist Members to prepare for the meeting the following documents had been published with the Agenda:

- Sixth Form Colleges and Academy Status published by the AoC in June 2015 with an update issued by the AoC on 3 February 2021
- Funding comparison – 16 to 19 academy versus sixth form college

The issues highlighted in the presentations covered both the advantages and disadvantages of academisation which included financial and non-financial considerations.

##### *Examples of the advantages of academisation*

- VAT – depending on the size of the College this could provide an annual saving of £200k plus
- Eligibility for Teachers Pay Grant
- Procurement benefits (insurance was cited)
- The conversion of an existing loan at the point of academisation provided a saving of £60k for one named College and this may be available for the College if such an arrangement proved possible
- Rationalisation of support functions which may provide financial savings and at the same time better services
- No involvement by the Further Education Commissioner

##### *Examples of the disadvantages of academisation*

- Restrictions on borrowing going forward and the need to address existing loans as part of the process of becoming an Academy

- The provisions of the national Academies Financial Handbook which included the use of the word “must” in a number of areas and, for example, would remove the ability of the Corporation to set a deficit budget if it so wished
- Finance leases are interpreted as loans for Academies
- The possibility of the Regional Schools Commissioner forcing a MAT to take on an underperforming institution although there were no known cases of this being forced through if it was thought by the MAT not to be in its best interests
- There was no going back – if a College became an Academy it was not possible to return to the original status of an incorporated College under the provisions of the legislation from 1992 (ie the Further & Higher Education Act from which the current Instrument & Articles of Government were derived)

Based on experience elsewhere there was no reason that academisation should impact on the existing branding and reputation of an institution – Colleges often retained the existing name with the MAT adopting a corporate identity not used for marketing purposes.

In looking at the models for Academies it was explained that these are now all based on Multi Academy Trusts (MATs) with a College joining an existing MAT or establishing a new MAT with at least one other organisation. At the outset it was possible for a College to establish a Single Academy Trust but this option has been removed by the Department for Education and is thought to be most unlikely to be allowed in the future.

In a MAT regardless of size there would be two layers of governance – a local Governing Body for each institution and the Academy Trust which had overall strategic responsibility.

Whilst referring specifically about schools and not colleges it was noted as a coincidence to this discussion that earlier in the day (28 April 2021) the Secretary of State for Education made a statement that he wanted to see more state schools become academies. Currently under half of schools are academies but the Secretary of State wants more to be managed by autonomous trusts.

*Note: Mandeep Sahotay left the meeting at this point given an existing longstanding commitment with another organisation*

The Members of the Corporation discussed what had been heard from the three contributors having regard to the Newham context including:

- The opportunities to consider other arrangements to academisation such as federations of institutions if any change at all was thought to be necessary
- There was a need to have a clear understanding of what was trying to be achieved and what would be better if changes to current structures were made
- The number of schools in and around Newham which had already become academies which may have an impact on the pipeline for the supply of students moving to NewVIc
- The importance of checking out the financial factors such as the impact on the existing bank loan and if there would be costs, significant or otherwise, if NewVIc was to move to academisation

In looking to understand the rationale for academisation for NewVIc it was noted that, unlike many schools and possibly colleges that look to change because of financial and or quality imperatives, the College was regarded as “Good” by Ofsted and the review by the FE Commissioner in 2019/20 had not resulted in any ongoing issues to be addressed.

The Principal & Chief Executive was invited to comment on the issues identified during the meeting so far and in doing so he highlighted the following:

- There had to be concern about the future of free standing incorporated Sixth Form Colleges such as NewVIc – there was no mention of them in the new FE White Paper (Skills for Jobs for Lifelong Learning for Opportunity and Growth) and the number had reduced considerably since the start of the Area Reviews in 2015 – there had been a reduction of 50% from the 95 and it was anticipated that, once the Catholic Sixth Form Colleges were allowed to move to being Academies, there would only be about 33 left
- It was thought that it would not be in the best interests of the College if NewVIc was forced to join an existing MAT once (if) the number of Sixth Form Colleges was considered by the Government not to be sustainable as separate entities or to merge and become part of a GFE
- Academies have access to funding not available to Sixth Form Colleges and this was very much highlighted during the past year and the need for institutions to meet additional costs as a result of Covid-19
- There was no known successes arising from any form of federation be it a loose or involving a more formal structure on a local or regional basis
- The College must progress, with due urgency, a major building project to improve accommodation and bearing in mind that the planning permission on some areas of the campus runs out in 2024 – there are pots of money that academies can bid for and, in some cases, capital funds can be allocated – as an academy it might be easier to obtain capital funding
- There was a need to increase the range of facilities for students with Special Needs/ special provision and this provided the possibility of a partnership with the London Borough of Newham. This may lead to funding and may help us with our new build case – this separate entity to the College could then in turn join a MAT with NewVIc with the agreement of all parties
- Staff should benefit in terms of having salaries in line with schools and the recruitment of personnel from the schools sector may prove to be possible for the College helping with the quality of provision – this was described as putting in place “a level playing field”

Whilst discussing the range of issues which needed to be addressed in terms of possible change, including federations, the Principal & Chief Executive advised the Corporation that the London Sixth Form Colleges Partnership was not continuing given the costs involved and the lack of value added.

The Corporation agreed following discussion:

1. To note the information provided by the three presenters and others on the advantages and disadvantages of academisation which was thought to be extremely helpful in gaining an understanding of what was involved
2. That the priority was to determine what was in the best long-term interests for NewVIc and the community served by the College
3. The importance of communicating with the staff of the College and the wider community on the issue of academisation at the appropriate time so that all concerned were involved and their views were heard and taken into account in planning for the future and key decisions

4. That the opportunities associated with the possible establishment of a Special Needs /special provision organisation need to be viewed alongside and be integral to the proposed major building project on the current NewVIC site
5. To receive at the meeting of the Corporation on 14 July 2021 (or later if not completed) a report from the Principal & Chief Executive addressing the issues raised during this discussion including an indication of the possible financial considerations such as the impact on the current bank loan and the savings / additional sources of income which could be used to support and improve the student experience
6. To acknowledge that at any time during the review of advantages and disadvantages it was possible for the Corporation to agree that it was not the wish of Members to progress a consideration of possible academisation for NewVIC.

*Note: Graham Willson left the meeting at this point – the meeting was still quorate*

## **5 OFSTED – PILOT INSPECTION**

The Principal & Chief Executive advised the Corporation that, following recent discussions, the Ofsted pilot inspection of NewVIC would not now take place in mid May.

A major factor for Ofsted not conducting the inspection was the realisation that many staff and students would be involved in assessments required in the place of national examinations meaning that the inspection team would not be able to observe teaching and learning and other activities as had been anticipated. The position at NewVIC would also be seen in most if not all other colleges at this time of 2021 given the impact of Covid on the year 2020/21.

It was possible that Ofsted may visit NewVIC on a future occasion outside of the normal inspection cycle so as to try out revised approaches on a pilot basis.

## **6 CALENDAR OF MEETINGS – 2020/21**

The Corporation NOTED the date of the final planned meeting to take place in 2020/21:

- Wednesday 14 July 2021 – time to be confirmed

It was recognised that other meetings will be arranged if and when thought to be appropriate to address issues.

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