

THE COLLEGE OF RICHARD COLLYER
MEETING OF THE GOVERNING BODY
held on Wednesday 27th March 2019 at 10.45 a.m.

- Present:** Mrs Rebecca Aylett, Mrs Sally Bromley (Principal), Mr Tom Cox, Mr Reuben Crawford Clarke, Mrs Ann Donoghue, Mrs Barbara Hobday, Mr Thom Hodson, Mr Graham Lawrence, Miss Jazmin Demjan, Dr Grant Powell, Mr Roger Raymond, Dr David Skipp, Mr Hugh Stafford-Smith, Mr Robert Yorke
- In attendance:** Mr Ian Dumbleton, Ms Andrea John, Mr James Kewin (Agenda item 16), Mr Dan Lodge, Mrs Linda MacLeman, Mr Steve Martell, Ms Nicola Whitehead (Clerk)
- Apologies:** Dr Melaine Coward, Mrs Patrice Mantey
- In the Chair:** Dr David Skipp

The Chair welcomed Sarah Ediss to her first meeting as a co-optee to the Audit Committee as part of her induction. He expressed thanks to Smita Warren who had resigned earlier in the term for family reasons. This was also the last Governing Body meeting for Thom Hodson and the student governors to whom similar thanks were owed.

1459) Urgent Business: None

1460) Consent items

In opening the meeting, the Chair invited comments on the consent agenda items - minutes, Management accounts and Complaints Policy and Procedures. Members were content with the proposed timings for each item. Members felt they had the right information to facilitate discussion and agreement.

1461) Declarations of interest: There were no declarations of interests.

1462) Minutes of the meeting held on 12th December 2018 were approved.

1463) Matters arising

Item 1445vi: (University progression for international students) The Principal reported that she had written to the Admissions Officers of local universities with encouraging responses received across the board. The new Director of Marketing and Admissions would be taking forward with the immediate focus on Chichester who had been proactive in offering a package of support.

Item 1447vi: The Assistant Principal reported on the difficulty of pricing for **refectory** meals and, most recently, meal deal requests, when margins were already very low. She reminded governors that some students do qualify for free meals and the College would also help in cases of short-term hardship. The student governors felt the College's approach was reasonable.

Item 1450i and iv: The Clerk confirmed that there had been no opportunity to use **Skype** this term given diary conflicts in the case of any absences. She and the IT Manager stood ready to offer this where feasible. Feedback had been provided on the SFCA webinars with earlier circulation of the recordings in evidence and consideration being given to more regular sector updates. The Clerk would share the most recent ones once digested and welcomed any further feedback to help shape future programmes.

1464) Principal's report including KPIs

Paper: Principal's report to the Governing Body Spring Term 2019 incorporating the Student Voice report; Key Performance Indicators (KPIs)

The Principal explained that the last term had seen cause for celebration including:

- **Student success** in a number of competitions as featured in the West Sussex County Times;
- **Visits overseas** (completed and imminent) to promote Collyer's to students in China and Switzerland as well as a new partnership with the local Japanese Rikkyo School;
- Further partnership with **West Sussex Music** such as the joint appointment of a Director of Music;
- Progress on the **Property Strategy/ HNW MasterPlan** through the CIF bid for Phases 1b-3.

The Principal's report also contained the regular Spring Term reports covering, for example, **progression** which had been discussed in detail by the Quality and Curriculum Committee and supplemented by a new analysis by the Vice Principal (VP) on the impact of unconditional offers. In response to questions, the VP commented that there had been no apparent impact on the number of unconditional offers in response to Government concern about their prevalence and that some, but not the majority, were from Russell Group universities. The evidence from Collyer's of potential underperformance by those accepting such offers as their main choice had prompted a finely judged message to second year students praising them for their best ever attendance, its proven impact on results, the advantages of consolidating learning as a foundation for university and the longer-term interest in doing well in terms of their CV. Members recognised that the College's analysis showed that a smaller number of students with unconditional offers had fared better than expected suggesting that their unconditional offers had been motivational in raising their expectations of going to university. They noted too that universities were making such offers in response to the national demographic dip and that they may change approach as numbers rose from 2023. The student governors confirmed that the risks were well understood by students but that the VP's message was nonetheless a useful reminder.

Further questions focussed on the links between this analysis and employability with suggestions that *alumni* might offer useful insights from their experience, not only of unconditional offers but also issues such as new interviewing techniques (e.g. robot-led). The Deputy Principal commented that this did take place and that students attended both HE and NG2U events to ensure they were well-informed of the options across the board. He and the Principal acknowledged the governor interest in expanding the reach of the College's Employability course (currently directed at c. 50 selected students) explaining that this could potentially be enlarged but that there were constraints in terms of external volunteers offering up their time.

Turning to the **Student Voice** report, the student governors answered questions on the cultural expectations underlying the request for warm boiled drinking water and the health and safety concerns which arose. The Principal commented that the position would be reviewed again when the dispensing machines were updated. Governors also showed an interest in the discussions with West Sussex County Council (WSSCC) about the safety of the crossing near the station.

The Principal explained that the end January updates to the **KPIs** showed an encouraging application rate for 2019 with 1763 applications at the end of January compared with 1600 at the same point last year. Similarly attendance was 1.5% better helped by the new processes introduced. Asked about the previous periodic dips, the Assistant Principal explained that there were similar trends at certain points but the dips were less deep. Higher grade predictions were cautiously optimistic of reaching the 60% target and possibly even the more

aspirational 62%. Governors noted the Humanities link governor's understanding that value-added predictions were also positive.

1465) Property Strategy 2018-21

Papers: HNW MasterPlan and CIF bid 2019 (on SharePoint); Property Strategy: Building and facilities Improvement Grant (BFIG)

The Principal explained that the **CIF bid for the construction of GB2** and phases 2 and 3 had been submitted in December 2018 following Governing Body agreement for a college contribution of £1.5 million if successful. The outcome was expected in April 2019. An application for planning permission had been submitted on March 15th 2019.

Guidance for **T Level Capital Fund applications** had been published on 30th January 2019; 50 providers in the first wave of T Level delivery were in scope. The maximum grant for each T Level was £650,000 and the grants awarded had to be match funded by the providers. The Principal had asked HNW, in conjunction with consultant David Friend who had completed the CIF bid 2019, to consider a viable project and make the application by the deadline of 17th April (for decisions in June). The bid would be for a pared back version of Phase 6 of the HNW MasterPlan (glazing the 'under-pass' to John Dew and refurbishment of the IT rooms above) in preparation for the new Digital T level offer from 2020. The current budget estimate for such works was c. £740k with an effective limit of £1.3k given the maximum ESFA grant of £650k which required matched funding.

Resolved: The Governing Body approved in principle the potential expenditure of up to £650k in matched funding in the event that the BFIG bid for partial completion of Phase 6 were successful.

1466) Mid-year Update of the Financial Forecast:

Paper: Mid-Year Forecast 2018/19;

The Finance Director reported that the forecast surplus for the full year was up by c. £12k to £18,864. This could have been higher but the College had incurred costs in preparing for bids as an investment towards the future. Members noted that the bus from Worthing was proving more expensive than anticipated which the Principal was looking into taking account of evidence from a survey sent to those students using the service (comprising 6+ from Worthing and others picked up *en route* in e.g. Ashington. The Principal explained that, having sought to benchmark costs with other colleges, she intended to ask SFCA to gauge practice. Early evidence suggested colleges were subsidising students to replace previous funding from councils. This appeared to constitute almost a tax on colleges in rural areas. In the meantime Collyer's would be looking to achieve vfm in the service. A further report would be submitted to F&GP (**Action: Principal**). Members noted the minor error in the report which had arisen following changes to meet an F&GP request (**Action: Finance Director to circulate amended report**).

Resolved: The Governing Body approved the revised mid-year budget forecast

1467) Report from the Quality & Curriculum Committee

Paper: Summary and Minutes of the meeting of 13th February;

The Chair referred to the minutes and summary highlighting the following:

- **Comprehensive E&D review** showing broad parity in most areas monitored, albeit with some variations and movement from previous years e.g. males more high grades than females for first time;
- **Student Progression Report:** increase in university applications (2%), offers per student (4%) and acceptances (3%) as well as early applications for Vets, medicine etc. Migration towards higher tariff courses (in line with improved results).

- **DfE performance tables: Collyer's 'above average'**, at A level No.1 locally and within the wider travel to learn area (no.1 in 2017/18); No.2 in the S7 Consortium, No.6 nationally amongst 83 sixth form colleges and 16-19 academies (no.14 in 2017/18). Considerable improvement in BTEC ranking (new spec only) and GCSE Maths. He thanked all teaching and support staff for the hard work put in to achieve such results;
- **External Quality Reviews (EQRs)** in relation to BTEC Level 3 provision and A level high grades – generally encouraging in that e.g. students were seen to be engaging with confidence within a culture of learning and high expectations, strong links to employability, clear and effective guidance and impressive performance tracking through MyProgress;
- **Survey update;** biennial parents' survey launched (reflecting student and parent feedback) with results to be reported at next meeting;

The Chair invited the VP to comment on the key item, namely the **Mid-year update to the Quality Improvement Plan (QIP)**. The VP explained that all actions concerning the 25 targets were progressing well. The four key themes were: raising aspiration (including action plans, VESPA, Collyer's Aspire), T levels, pastoral consistency and international student growth. T levels were now little more than a year away and a detailed plan had been well received by the ESFA. Looking beyond the two subjects which would be offered from 2020 (Digital and Childcare), the College had now identified an interest in business-related T levels thereafter (e.g. accountancy). The current College focus was on capacity development in work placements amidst access, sector and timetable challenges. ESFA funding of £38k was available in 18/19 rising to £48k in 2019/10. To-date 9 of the 15 targeted placements had been arranged with a higher target of 33 set for the following year.

The AP explained that, with regard to pastoral consistency, reviews of new initiatives would be taking place in the coming weeks. Asked about the feedback in the EQRs on VESPA, she clarified that some concerns when faced with the challenges of a new process were to be expected but that the College would be mindful of feedback and consider adjustments on, for example, the weighting of topics and timing. However overall the approach was strongly supported by research and considered well worth continuing.

The Deputy Principal commented on the close ties between T levels and the employability programme. The College's International Strategy continued to be developed with students targeted through agents and directly to institutions in various locations including China, Switzerland and local Japanese international school. The Principal informed governors that a Brexit Action Plan was in place addressing procurement and staff and student rights to stay.

Governors thanked the senior management team for all their hard work in steering such marked progress.

1468) Report from the Finance and General Purposes Committee

Paper: Minutes of the meeting of 18th March; Estates minutes of 4th February; Management Accounts to 31st January 2019;

The Committee Chair drew attention to the summary and full minutes covering:

- Evolution of the College's **Marketing Strategy**;
- Solid current financial position as evidenced in the **management accounts**,
- **Minimal fee changes**;
- **International Strategy** development;
- **Minor revisions to the Complaints Policy and Appeals procedures**
- **Positive HR report** including new appointments made and pending, a small number of capability issues and some restructuring in Study Support. The SMCG discussion had focussed on **workload** prompting new staff surveys and an invitation from the principal to staff to bring forward recommendations. The **gender pay gap reporting** had looked more favourable than the previous year and would be posted on the College website;
- **GB1:** No progress on the final account.

Of most note had been the discussion of **Investment options** on which F&GP members had agreed that - at least until the post Brexit landscape, Comprehensive Spending Review (CSR), Condition Improvement Fund (CIF) and T level Building and Facilities Improvement Grant (BFIG) bid outcomes were known - Option 1 (focussed on maintaining cash reserves) appeared the most judicious approach except where there were opportunities to receive matched funding from the ESFA for projects within the Property Strategy i.e. Option 2. The Principal explained the advice received on the other options available including investment in the money markets or property. Members agreed that whilst they should be mindful to maximise resources for the College on the basis of an agreed risk appetite, the current context did suggest some caution. They noted that further S106 money was anticipated which, though not likely to be forthcoming for some years, would help to replenish any cash reserves invested in the interim or be available for estate development. The approach would be further reviewed in the Autumn Term (**Action: Principal and F&GP**).

Resolved: The Governing Body approved:

- a) **The Management Accounts to end January 2019;**
- b) **Revised Complaints Policy and Procedures;**
- c) **A prudent staged approach to investments focussing on the retention of cash reserves in the current year unless ESFA funding were forthcoming allowing pursuit of elements of the Property Strategy/ HNW MasterPlan.**

1469) Report from the Audit Committee

Paper: Minutes of the meeting of 25th February

The Committee Chair referred to the summary, drawing particular attention to the:

- **Follow-up report on previous internal audit recommendations with all actions completed.**
- **Extremely satisfactory reports from the first visit under the 18/19 audit plan.** The Chair considered that much effort had gone into the new Lettings Policy and ensuring co-ordinated procedures across the College. As such the 'substantial' reassurance offered with only two recommendations – one 'low' and one 'medium' – were a testament to the work done. (**Action: Finance Director to thank Finance Manager**). Furthermore full assurance had been given on the Property Strategy and Key Financial Controls on capital projects with no recommendations. Members noted that the Committee had also met the College's new main contact at MHA MacIntyre Hudson;

Turning to the review of **performance of the Financial Statements Auditor, RSM, for 2017/18**, the Committee Chair reported on their generally satisfactory service but a slight concern with some rigidity in their advice which was going to be fed back formally to them (**Action: Principal and Finance Director**). That said, and in spite of a proposed increase in fee, their **reappointment** was recommended **for 2018/19** with benchmarking suggesting the College was getting a competitive rate, albeit one which the Finance Director was going to seek to negotiate. Looking ahead the Audit Committee had discussed the possibility of a review of the Financial Statements auditor with effect from the 2019/20 accounts.

Resolved: The Governing Body approved the reappointment of RSM for the Financial statements audit for the 2018/19 accounts at a maximum cost of £15,000 excl. VAT.

Finally, members noted the **Risk and assurance update covering a) the College's external strategic level risks** including new risks on the potential for unsuccessful bids for capital funding (CIF and BGIF), an adverse impact of the Brexit outcome on an uplift in 16-19 funding, a further round of Area Based Reviews, and financial uncertainty concerning additional pensions and pay costs, as well as b) the **College Risks and Controls framework** with such funding issues featuring large. As such the Committee had recommended continued Governing Body

discussion of the College's financial status of 'outstanding' and its sustainability. Whilst all agreed this was desirable, the Finance Director advised that this was unlikely in 2020/21 if there were to be no additional funding to cover the increased costs. This would need to be flagged to the ESFA in the returns due in the Summer Term ahead of any CSR announcement (**Action: Principal to provide paper to F&GP Committee**).

The Chair thanked the Committee for highlighting this issue of broad interest.

1470) Report from the Nominations Committee

Paper: Recommendations for changes to Article 12 and the Rules and Byelaws

Whilst there had been no meeting of the Nominations Committee in the Spring Term, the Committee Chair reported on a number of actions taken forward:

- Approval by written resolution of **changes** to the **Governor Recruitment Policy** to strengthen the student governor election process and ensure consistency with parent and staff governor elections;
- **Draft revised ToRs for the Nominations Committee** to have a more sensible hierarchy of responsibilities and distinguish better between those items where the Committee advises the Governing Body and those where they have delegated authority (for Summer approval);
- **Sarah Ediss's induction** with respect to her new role as **co-optee to the Audit Committee**;
- Further research into **new members** of the governance team, particularly in the light of the resignation of Smita Warren, with two potential new governors seen and one further meeting scheduled for 5th April.

Of particular note were recommendations concerning:

- i) Proposed terms of reference for the new Remuneration Committee and associated changes** drafted on the basis that the Remuneration Committee would take over responsibility from F&GP for both SPH and Clerk pay and appraisal monitoring but also certain arrangements for their recruitment/dismissal given the anticipated greater familiarity with the relevant job descriptions, targets and pay levels. Following the agreement of the Governing Body to the Committee's membership in December 2018, the Clerk explained the rationale behind the further recommendations for its Chair and Deputy Chair;
- ii) Minimal changes to the College's Article 12** to allow for greater flexibility in the appointment of senior post holders (SPHs) - other than Principal- with further details of the proposed framework and responsibilities contained in **new provisions within the College's Rules and Byelaws** (and potentially in due course in a revised Recruitment Policy to include proportionate governor participation in the recruitment of non-SPH members of the SMT).

Resolved: The Governing Body approved:

- a) Changes to the committee terms of reference (Remuneration, F&GP and Special) within the College's Rules and Byelaws;**
- b) the appointment of Mrs Barbara Hobday as the Remuneration Chair and Mrs Ann Donoghue as its Deputy Chair;**
- c) Minimal changes to the College's Article 12 and new provisions within the College's Rules and Byelaws to allow for greater flexibility in the appointment of senior post holders** (subject to a minor amendment to the Rules and Byelaws ref the Court of Assistants of the Mercers' Company) .

The Chair thanked the Committee Chair and Clerk for their work on these measures.

1471) Chairman's report

Paper: Remaining dates for 2018-19 meetings

The Chair reported on **governor attendance** in 2018-19 to-date which at 82% overall (73% if vacancies were taken into account) was slightly ahead of the 80% target. This reflected 78% attendance at Governing Body meetings and 87% for committees. In terms of other governance KPIS the target of 50% at 'Planning Day' had been met. The Learning Walk in early February had been well attended with a useful scene-setter on MyProgress. Feedback was available on SharePoint. The **Upper Managers Awayday** was the last main link event of the year and members were strongly urged to attend if at all possible with the agenda expected to cover Curriculum strategy and the new Ofsted framework.

The Chair confirmed that the annual **Confidentiality review** had been undertaken with the Principal. The main confidential items related to personal information (mainly pay) or ongoing commercially sensitive issues where there was little scope for release. As such only one document had been recommended for release whilst others related to historic selection panels would be destroyed.

The Chair reported that he had received an **appeal against student exclusion** in February half term and a panel had been convened for 13th March. Case papers had been sent out by the clerk following which the appeal had been **withdrawn**. He thanked the Principal for her thorough covering statement explaining all the factors taken into account and the governors who had volunteered to help.

Finally members noted the remaining dates for the year and any changes made. The Clerk would shortly be circulating a survey seeking the most convenient dates for 2019/20 prior to proposing the best fit.

1472) Sector update

[12.30 Mr James Kewin, Deputy Chief Executive of SFCA, joined the meeting]

Mr Kewin confirmed Collyer's as one of the best performing sixth form colleges at a challenging time for the sector. He highlighted three key themes: Funding, Applied General Qualifications and the new Education Inspection Framework (EIF).

i) **Funding:** No date had yet been set for the next CSR from which a raise of £760 per student was being sought as an uplift from the current £4k (and £3300 for 18+ students). This was considered to be the minimum amount required to protect enrichment and mental health support. Although an evidence-based and realistic figure, there was however little optimism in whether the bid would be met.

SFCA was also lobbying for equality for SFCs with regard to the teachers' pay grant received by schools and academies. The rationale for excluding SFCs was that, as private institutions, SFCs could borrow but this was not straightforward and increasingly costly. As with the VAT rebate, the Government concern was that this would set a difficult precedent and they might be seen to be subsidising private staff. This did however seem at odds with the many public sector duties placed on colleges and their willingness to cover the cost of the teachers' pensions rise to April 2020 (though the latter was obligatory and a pay rise arguably less so). The prospects for the additional pensions costs being covered to the end of the financial year were however good and might be known by mid-April. Members noted the rationale underlying the ONS classification and the pros and cons of being considered a private institution, the most notable advantage for the College being the clear ability to recruit international students.

SFCs had also been eligible for the funding for 'little extras' provided on ad hoc basis by the Government in-year modelled on the devolved capital formula. That said SFCA was arguing for a separate capital pot for SFCs on the basis that expansion of existing successful colleges was low-cost and low-risk by comparison with new institutions.

ii) Current discussions with DfE also reflected the sector's wish to retain **Applied General Qualifications** such as **BTECs** alongside the new **T levels** (when ready) whilst DfE were keen to abandon them in favour of a more stark choice between an academic or technical route. Members noted the potential difficulty in ensuring more extensive T level work placements particularly in some parts of the country as well as the difficulties for colleges in planning amidst uncertainty on developments. Whilst only a small part of education was technical (c.10%) this area seemed to be occupying much of DfE's time with the risk of an opportunity cost for other areas worthy of attention (exacerbated by the loss of c.500 DfE officials seconded to work on Brexit). Whilst Collyer's was considered to be sensibly positioned in being a pilot college, Mr Kewin advised governors to be mindful of what might not be happening because of T levels. It would be important to continue to explain the value of BTECs particularly in respect of their role in skills development and their flexibility in a mix and match programme alongside A levels. He agreed, in response to a question, that greater involvement of business in the SFCA campaign – beyond current contact with, for example, the CBI and Chambers of Commerce - could be useful in pressing home the skills case.

iii) The **New Education Inspection Framework (EIF)** had been well received by many colleges who acknowledged it as a response from Ofsted to concerns that inspections were too data-driven at the expense of an appreciation of the wider educational offer. Some colleges were however uneasy about implementation given the greater scope for subjectivity in reaching judgements. Members recognised that, as such, there may need to be time to allow the new regime to settle, during which it might be particularly important for colleges to question any uncorroborated findings.

In conclusion Mr Kewin assured governors of SFCA's interest in representing its 106 members irrespective of their constitution but mindful of the significant contribution of sixth form colleges to 16-19 education. The Chair thanked Mr Kewin for his invaluable insights into Government policy affecting the sector.

1473) Governance Quality Framework

Paper: Governance Self-assessment

Members felt that there had been an appropriate focus on key strategic items whilst also allowing time for insights from the committees' detailed discussions. The return of Mr Kewin was also much appreciated and gave impetus to further discussions. The Chair advised governors and SMT that they would be joined over lunch by Ms Liz Raiment-Pickard, Head of Young people and Education at the Mercers' Company.

1474) Date of Next Meeting: Wednesday 10th July 2019 at 16.30 at Collyer's

The meeting closed at 12.55 p.m.

Chair.....

Date

NCW 29/03/2019