

THE COLLEGE OF RICHARD COLLYER

MEETING OF THE GOVERNING BODY held on Tuesday 9th July 2020 at 10.30

- Present:** Mr Karl Banister, Rev'd. Lisa Barnett, Mrs Sally Bromley (Principal), Mr Tom Cox, Mrs Ann Donoghue, Mrs Barbara Hobday, Mr Graham Lawrence, Mr Aidan Cross, Ms Lorna Macrae, Mr Paul Mittendorfer, Dr Grant Powell, Mrs Clare Ruaux, Dr David Skipp, Mrs Helen Smith, Mr Hugh Stafford-Smith, Mr Dominic Wakefield
- In attendance:** Mr Ian Dumbleton (Finance Director), Ms Andrea John (Vice Principal- Student Support), Mr Dan Lodge (Vice Principal – Quality & Curriculum), Mr Steve Martell (Deputy Principal), Ms Nicola Whitehead (Clerk)
- Apologies:** N/A
- In the Chair:** Dr David Skipp

The Chair welcomed the Rev'd Lisa Barnett and the two student governors to their first full Governing Body meeting.

*Members were content with the proposed **consent items** to allow sufficient time for discussion of more strategic items.*

- 1526) Declarations of interest and eligibility:** There were no declarations of interest in relation to the business of the day. The Clerk confirmed that the annually updated forms had been sent to all existing governors and would be issued afresh to new governors. She requested that the two not yet returned be so as soon as possible.
- 1527) Urgent Business:** None
- 1528) Minutes of the meeting held on 11th December 2019** had been **approved on 25th March** by a majority of governors by written resolution. In place of the Spring term meeting, the Covid-19 lockdown had led to the **approval, also by written resolution, of the following** (informed by the circulation of the usual papers):

24th March 2020:

- i) **Proposal to a) appoint W Stirland at a maximum cost of £300k** (excl. VAT and contingency) to build the Digihub and b) **a total project cost of £444k with a College contribution of £238k;**

25th March 2020

- ii) **Mid-Year update of the Financial Forecast for 2019/20;**
iii) **Management Accounts to end January 2020;**
iv) **Minor changes to the Equality and Diversity Policy;**
v) **Minor changes to the Curriculum Policy;**
vi) **Changes to the Admissions Policy;**

All the above were passed **by a clear majority of governors**. No declarations of interest were made.

In the course of the summer term, the Governing Body had **approved five further matters by written resolution:**

14th May 2020

- vii) **Implementation of the 2019/20 pay settlement** (1.5% from 1st September 2019 and an additional 1.25% from 1st April 2020) for both teaching and support staff **at an additional cost to that budgeted of c. £30k;**
- viii) **Temporary amendment to the provisions of Article 12 of the College's Instrument and Articles** - to the effect that the selection panel may consist of as few as three members with no Mercer appointee - for the purposes of the recruitment of a new Principal in 2020;

9th June 2020

- ix) **Risk assessment**, completed in line with DfE guidelines, in preparation **for the reopening of the College on Monday 15th June 2020** (as well as a subsequent **update on 16th July** to reflect arrangements for **re-opening of the College in September**);

22nd June 2020

- x) Proposal to make a **bid for ESFA's grant funding under the T Level Capital Fund** to cover Phase 1b – (the Shelley Building) at a total cost of c.£2.3m **with a proposed College contribution of £1.8m;**
- xi) **Ratification of the appointment of** a) Aidan Cross and b) Lorna Macrae as **student governors** for one year with effect from 23rd June 2020.

All the above were passed by a clear majority of governors with no declarations of interest.

1529) Matters arising: None

1530) The Principal's Report (including Strategic Plan progress and Forward look)

Paper: Principal's Report to the Governing Body Summer Term 2020

The Principal commented that, **in spite of the Covid-19** focus in the introduction to her report and the inevitable challenges this had presented, she believed that the report reflected **a huge range of activity and success** in the first two terms of the year in particular and **considerable support offered** during the summer term.

There had been an **impact from lockdown** (e.g. in cancelling plans for summer schools and an **anticipated lack of growth in international numbers**) but to-date a good number of applications for 2020-21 had been received. A significant number of **events had been cancelled in the summer term** (e.g. the new parents' evening, Year 10 Open evening and the new student Welcome) but **every effort had been made** via Zoom, e-mail and pre-recorded messages to **convey essential information**. The lack of human contact was however regrettable. **Additional monitoring** had been introduced **through staff wellbeing and parent surveys to help inform planning and essential regular communications** over the coming months.

Following the early discussions at the December Planning Day, **the new Strategic plan for 2020-25 had been progressed prior to further work by the new Principal**. It would include action on the environment and IT/ blended learning (with the latter much developed during lockdown).

Members commented on the impressive amount of work undertaken in spite of difficult circumstances, particularly in relation to teacher input into the determination of results, safeguarding the wellbeing of students and moving to online learning. In response to a question on the diversity in house reports, the Principal and VP (Student Support) explained the efforts to provide freedom of expression to Heads of House whilst ensuring a pastoral emphasis in a succinct format. She outlined the forthcoming structural changes with a reduction in houses from 8 to 6 (losing Garnet and Hurst). An increase in remission was intended to give the remaining six Heads of House (HoHs) more time to deal with issues and develop their role. An additional Director post (of Student Engagement) would provide support both to the HoHs and the VP (Student Support) in further strategic development.

In relation to blended learning, the VP (Quality & Curriculum) commented on the benefits which had arisen from lockdown in taking forward college thinking. A recent meeting with FE Sussex Principals had highlighted the potential for further development of such independent learning, with agreement to a joint research funding request to support this work. A Collyer's cross-faculty working group had been set up after Easter (with much credit owed to the Director of the Science Faculty) to develop guidance on SharePoint on helpful apps and platforms. Experimentation had helped inform what worked best with post-16 students and highlighted issues related to home-working such as staff and student access to PCs, webcams and printers. With the extended lockdown, it had become clear there was a need to replicate the interactive visual side of teaching. The next phase therefore – for completion by September - had been to move towards all teaching being through Microsoft Teams and subject materials on SharePoint to include some form of weekly video material and interactive student activities. Many governors had joined the summer Inset Days to gain closer insights into the huge team effort and skill development involved.

Finally, the teaching staff governor checked on the wider promulgation of the Principal's report which she believed to be an uplifting document and the Deputy Principal commented further on the College's new plans for starting in September and the local competition.

Members noted the contents of all the Faculty and House reports, thanking the Principal for her last report in post.

1531) **The Student Voice**

Paper: Student Voice Report July 20

In referencing their written report, one of the student governors confirmed her appreciation of the support offered by the College, commenting that having 'such points of connection' had really helped get through the challenging times. She was saddened that her already short time at Collyer's had been curtailed by lockdown but excited for a restart in September. Asked about her experience of 'being taught by a robot' under the Physics department's AI Century project, she explained her early experience of the second-year content. This was divided into 'nuggets' to include a video and questions with immediate feedback. The programme looked at what point students started to go wrong and forget learning and she had found it easy and stimulating to use. Members thanked her for her insightful and enthusiastic reporting.

The second student governor emphasised the thanks for the staff support received which he believed outstripped that offered by other schools and colleges. Asked about the value of the students' experience in encouraging future students, the Principal/ Deputy Principal commented on the College's efforts to use students' directly and indirectly as the most effective method of promotion, albeit in a balanced way.

Members thanked the student governors for their report and its sensitivity to the unusual circumstances in which they had taken up the role.

1532) **Two-year Financial Forecast**

*Papers: Financial Forecast: Budget 2020-21, Financial Forecast 2021/22
Capital Budget 2020-21 and Financial Objectives and Commentary 2020-22*

- i) **Outturn 2019-20:** The Finance Director (FD) explained that the forecast surplus for the current year 2019-20 at the year-end was now c.£20k, slightly ahead of both the original budget and mid-year update. In spite of loss of earnings for lettings and international students, there had been some alternative further income and some additional savings.
- ii) **Budget 2020/21:** The budgeted surplus for 2020-21 was a further modest figure of c.£41k although this relied on a possible contribution from the trustees.
- iii) **Forecast 2021/22:** A modest recovery was expected in 21/22 prior to a less favourable position the following year based on a cautious view regarding the Teachers' Pension Scheme (TPS). To-date the Government had committed to covering these increased costs (of c. £300k) only to March 2021. An extension of the support would make a significant difference but it would not be prudent to depend on this.

- iv) **Financial health:** On this latest model, the college's self-assessment was for 'outstanding' in the current and forthcoming years and 'good' in 2021/22 (or possibly outstanding if TPS funded). EBITDA looked very positive. Noting that colleges had taken different approaches to the TPS position, members were content with the Collyer's approach.
- v) Members noted the proposed **capital budget for 2020-21** of £411,375 which included £88,453 for refurbishments to the College estate. The IT budget had increased to £194,400 to allow for significant purchases of computer equipment for both staff and students to enable them to facilitate all the work that was now being done away from the College.

Members discussed the relatively reassuring forecasts given the global economic outlook, noting the College's restricted access to some post-16 funding (e.g. for free school meals), the accounting position with regard to Mercers' grants, the underlying financial position if Trustee support were not received as well as the potential use of current reserves.

The Deputy Principal answered **detailed questions in relation to growth including travel fears, the level and coverage of international agents' fees and local competition** (e.g. with lockdown possibly leading to students staying on to their school sixth forms). With regard to **property**, the FD confirmed that ongoing discussion about what was affordable would be required taking account of the potential impact on the financial health rating. Members noted the liability in relation to GB1 reflecting the latest advice from the Quantity Surveyor. He explained further that the loss of income from internationals and lettings was not included as a further risk in the commentary given the ESFA request for the top 5 only.

In terms of funding, the VP (Quality & Curriculum) commented further on the potential impact of reduced employment opportunities on demand for college places – both post-16 and **Adult Education**. In the latter, there was the possibility that the College might move the emphasis away from hobby-based activity (especially if limited by Covid-19) in favour of retraining. Additional funding for high value courses might be available. It was intended to run a new Digital skills course in Adult Ed in 20/21.

Resolved: The Governing Body approved the:

- a) **Budget for the year ending 31st July 2021;**
- b) **Capital budget of £411,375 for the year ending 31st July 2021; and the**
- c) **Financial Forecast 2021/22.**

1533) **Property Strategy update**

Paper: Property Strategy Update June 2020

The Principal reminded governors that **a key plank of SFCA lobbying was in relation to capital funding** given that there appeared to be increased demand for a diminishing pot of funding. The College sought to be well prepared in making bids but once again had been **unsuccessful in applying for CIF funding for the Shelley Building**. Space was getting increasingly tight in spite of creative accommodation arrangements, hence **a further bid** being made for (less munificent) **T Level TLCF funding**. That outcome was expected in October. **A further CIF bid might be possible in December** with the benefit of greater clarity on enrolment numbers and the College's eligibility for an alternative fund announced recently. Notwithstanding this setback, the Property Strategy was progressing with clear priorities identified in the MasterPlan, first and foremost to provide additional classroom space followed by a reconfigured Art block on Richmond Road providing more refectory and study space. Thereafter the demand would be once again for classroom space as the College moved towards greater numbers still (c. 3000) in 2030.

The immediate focus was on **fine-tuning plans for the Shelley Building** with an ideal start time of Spring 2021 when the outcome of any CIF 21 funding bid might be known. In response to questions, the Principal explained that retrospective claims if work had started were not possible, nor was it likely to be clear upfront how exactly expansion projects might fare alongside building condition bids in spite of them being known to be the lesser priority. **The new funding might better match such infrastructure needs although demand could well outstrip supply**. No feedback had yet been received but had been promised during the summer. The latest bid had sought to address the albeit limited feedback from the last round. The further growth in numbers should help support future bids.

Finally, the Principal reported on the **encouraging progress with the Digihub**. The relationship with Stirland had been very good, helped by an effective site manager. There had been a delay in the aluminium frames for the glass with any costs borne by the contractor. It was hoped to have an opening ceremony in the autumn.

1534) Report from the Remuneration Committee

The Committee Chair reported on the two summer meetings of the committee which had in turn reported to the Finance Director and F&GP Committee on the financial impact of the annual pay recommendations and new Principal appointment. *(See also Min.1542 and Part II minutes for the individual pay proposals.)*

1535) Report from the Nominations Committee

Paper: Minutes of the Nominations Committee of 5th June 2020; Mercer governor CV; Committee Chairs/membership proposal; Proposed Changes to the Rules and Byelaws and Scheme of Delegation

i) Succession Planning:

The Committee Chair welcomed the recent new governors and reported on further developments on appointments. The **Mercer's** Court of Assistants was due to have approved the **appointments** of Susan Martineau for a 2020/21 start and (for a third term) herself, Barbara Hobday, with input from the Nominations Committee on skills and a balance of experience. There would also be a change in the **Principal ex officio post** in the new academic year with the appointment of Dan Lodge.

Two further Governing Body appointees were being sought with (ESC), F&GP and Q&C vacancies in mind, **as well as a new trustee**. One expression of interest had been received for the latter. In addition to the current two governor vacancies, Dick Beckwith was retiring as **co-optee to the ESC** this summer to whom thanks were owed. **In 20/21, current terms of appointment to be reviewed for July 21** are those of David Skipp, **Chair of the Governing Body and Q&C** and Hugh Stafford-Smith, **Chair of the Audit Committee** (both July 21). A recent survey of governors provided assurance that future suitable volunteers may be forthcoming for vacancies in such key roles in the future. In addition to staff, student and parent governor elections over the year, there would also be a need to consider co-optee appointments to the Audit and F&GP committees.

More immediately, **the current Chair and Vice Chair were willing to continue for the forthcoming year**. **Little change was proposed to committee membership** to help new members settle and provide stability through ongoing vacancies and current challenges.

A Mercer governor explained that the Mercers' Associated Schools had recently been seeking to reduce the **size of their governing bodies** from 21 members to c.18 or below and wondered if this might be of interest to Collyer's given the recruitment challenges. The Committee Chair commented on the rationale of appointing a board rich in skills and experience to address the challenges facing the college but agreed that this matter should be kept under review. Members acknowledged too that a smaller board (e.g.10-12 as typical in the business sector) had significant implications for the capacity of individual members. The Clerk explained that the Collyer's Governing Body was not out of sync with the Sixth Form College sector which had to reflect the legal obligations of the Education Act, for example, with regard to stakeholder representation which tended to increase the size of boards. The size also allowed for discerning rather than rushed recruitment of governors, aided by the commitment of existing members as reflected in attendance figures. The Nominations Committee continued to keep the board size and make-up under review, including through local and national benchmarking.

Resolved: The Governing Body approved the:

- a) **Continuation of the current Chairs/ Vice Chairs of the Governing Body and committees;**
- b) **Proposals for committee membership for 2020/21.**

ii) **Review of Governance documentation:**

Members noted that the temporary amendment to the **I&As** agreed in May with regard to the Principal's recruitment had not been needed and now lapsed. The Clerk reported that Colleges had been considering **changes** e.g. on quoracy/ emergency committees **to cope with the impact of Covid-19** but these **did not seem necessary for Collyer's** given current provisions allowing videoconferencing solutions/ written resolutions. Proposed changes to the **Rules and Byelaws** clarified that these measures were also available to committees as well as reflecting the changes on appointments (see i) above). The **main text** of the **Scheme of Delegation** required only a **very minor amendment** to reflect the ESFA's new contract framework rather than Funding Agreement. **The annexed working document of policy delegations** and reporting requirements had been **updated to reflect** the cycle of business for the coming year and discussed with SMT. The main areas to note were **new policies and strategies and the proposed delegations**.

Resolved: The Governing Body approved the proposed changes to the Rules and Byelaws and Scheme of Delegation.

In conclusion the Committee Chair acknowledged the recent additional demands on governors in challenging times personally and professionally and thanked them for their commitment.

1536) **Report from the Quality & Curriculum Committee**

Paper: Summary and Minutes of the Quality & Curriculum Committee meeting of 26th June 2019; Safeguarding and Child Protection Policy 2019; Substance Misuse Policy and Admissions Policy

The Chair referred members to the minutes, highlighting the previous discussion of **Collyer's Online**, the tough **competition for growth, strong attendance** until the end March lockdown and the **QIP review of progress** against targets. The VP (Quality & Curriculum) reported some frustration at the impact of lockdown on work that had been well underway. Monitoring suggested results had been looking very promising – particularly regarding the efforts in raising the aspirations of 'B' grade students - but the absence of exams meant that standardisation might suggest similar results to 2019. That said the underlying work and structures remained in place and might yet bear fruit in future years.

The VP (Student Support) reported on the minor **updates to the Safeguarding and Child Protection Policy** following significant review the previous year to include:

- The expansion of the Safeguarding Team and planned development of roles for 2020-21;
- The response to the Safeguarding Audit in January 2020 to clarify time scales and expectations with regard to training;
- The new IT software introduced to support IT filtering and record keeping (Smoothwall Monitor and CPOMS);
- **A new Covid-19 Annex**, added to reflect changes in practice during lockdown.

The Chair acknowledged the significant efforts of the pastoral team and wider staff in supporting and communicating with students and parents at a time when they were understandably anxious.

Resolved: The Governing Body approved the Safeguarding and Child Protection Policy

1537) **Report from the Audit Committee**

Papers: Summary and Minutes of the Audit Committee meeting of 24th June; Risk Management Report 19/20 (including re-opening risk assessment); Internal Audit plan 2018/23

i) **Financial Statements Audit:**

The Audit Committee Chair explained the disappointing news of increased fees across the sector in view of the additional work required (e.g. in response to a new auditing standard on going concern and consideration of the impact of COVID-19 on college systems/procedures, operations and results for 2019/20). That said the increase for Collyer's was relatively modest at c. £3k (subject to any further changes on publication of the delayed Audit Code of Practice). The

Committee was satisfied with the grounds for the increase but keen to ensure that going forward the auditors delivered value for money (vfm) and did not use this as regular baseline without justification. Members noted that the delayed guidance had also hampered Committee consideration of the College's regularity self-assessment and the Code of Governance against which to report (with a subsequent strong inclination to stay with the UK FRC Code for 2019/20).

Resolved: The Governing Body approved the reappointment of RSM at the proposed fee of £17,850 plus VAT (subject to any changes following publication of the ACoP).

ii) Risk Management Report:

The Committee Chair outlined the thorough College process in assessing and regularly reviewing risk. The subsequent risk and assurance framework facilitated effective monitoring by both SMT and governors, in particular in testing the impact of mitigations in reducing gross risk.

In response to a question on insurance in respect of Covid-19, the FD explained that Zurich would not insure against anything so uncertain (e.g. in relation to a staff claim) although the College would be covered for legal fees. *(Action: Principal to include reference to staff survey as mitigating action on potential staff dissatisfaction and legal challenge.)*

Resolved: The Governing Body approved the Risk Management Annual Report including the College-wide top risks and potential External Strategic Level Risks 2020/21.

iii) Internal audit needs assessment, strategic plan and annual plan

Members noted that:

a) the internal audit work in 2020/21 would cover:

- Quality Assurance Processes, including Self-Assessment;
- Student Destinations, Progression and Outcomes;
- Risk Management;
- The ILR;

b) MHA had also put forward ideas for the next two years which would be refined in due course to take account of the next Strategic Plan 2020-25 and associated risk assessments.

Resolved: The Governing Body approved the Internal Audit plan 2020/21

iv) Public Interest Disclosure Policy: Members noted that there were very limited changes to the policy (based on the AoC model and relating principally to job titles), hence approval as a consent item.

Resolved: The Governing Body approved the Public Interest Disclosure Policy

1538) Report from the Finance & General Purposes Committee

Papers: Minutes of the Finance & General Purposes Committee meetings on 21st May and 29th June (covering preceding Estates Sub-Committee report); Management Accounts to end May 2020; Policies: Pay and Site Security (new)

The F&GP Committee Chair drew attention to the key issues arising from the two meetings held where not yet covered on the agenda. Members noted the healthy financial position in the management accounts and the commitment in the Pay Policy to adopting the nationally negotiated Job Evaluation Scheme in the autumn term and to a subsequent review of the process at Collyer's.

Resolved: The Governing Body approved the:

- a) **Management Accounts to end May 2020;**
- b) **Pay Policy 2020/21.**

The Committee Chair explained further that the new **Site Security Policy** was in response to the latest Department for Education's expectation that colleges have such a policy to manage and respond to security related incidents. As such it was intended to complement the existing arrangements set out in the health and safety and safeguarding policies and would be expanded in the light of further planning and experience. Given its H&S angle and broad reach, the policy appeared to sit most comfortably with F&GP albeit that the required annual risk assessment

would be scrutinised by the Risk Management Group (and feed through to the Audit Committee and Governing Body as appropriate according to the scale of the risk). It was proposed that in future the policy be delegated for annual review by the F&GP Committee, reporting to the Governing Body in the event of any significant developments.

Resolved: The Governing Body approved the Site Security Policy.

1539) Chairman's Report

Paper: Proposed meeting dates for 2020/21

The Chair reported that governor attendance for the year was very good with 84% attendance at Governing Body meetings, 95% at committees and 92% overall, well above the 80% target. The confidentiality review had been delayed by lockdown but was now in hand and had been extended from the end of the calendar year until the end of the academic year. On this occasion (and unusually) no items were recommended for release, largely given their personal or commercially sensitive nature. That said the College was generally very transparent with the vast majority available on the website and few Part II confidential minutes. Dates for the next academic year had been circulated taking account of the preferences expressed and governors were asked to highlight any significant problems.

1540) Trustees' Report

The Chair reported on the July meeting of trustees. The key issue concerned the **portfolio income** which had reduced to c. £40,000 against a target of £60,000 owing to the general economic outlook. However, the cash position remained strong enabling a £150k contribution from the Trustees to the College in 2019/20 as well as the usual anticipated contribution to student prizes of c. £4k.

1541) Governance Quality Framework

Paper: Meeting assessment

Members agreed that there had been some benefits in holding meetings by Zoom although it would be nice to return to at least some face to face meetings. They were content that with this facility, written resolutions and regular communications from the Principal and SMT, governance had continued to be strong.

1542) Date of Next Meeting: Tuesday 29th September at 16.30 (and Wednesday 8th December 2020, also at 16.30, both at Collyer's.)

In conclusion of part 1 of the meeting, the Chair thanked the Principal for her outstanding contribution to the College and all members and those present wished her well for her retirement.

[12.25 The Principal, SMT members, Clerk, staff and student governors left the meeting for discussion of agenda item 19]

1543) The pay and conditions of service of the Deputy Principal, the Vice Principals, Finance Director and Clerk.

Paper: SMT and Clerk's Performance and Salary Reviews 2020/21.

Part II minutes ((Criterion a) Personal information relating to an individual)

The meeting closed at 12.52 p.m.

Chair.....

Date.....

NCW 22/08/2020