

MINUTES OF THE CORPORATION MEETING

HELD ON WEDNESDAY 12th OCTOBER 2022 AT 6.00 P.M. MEETING 22/01

IN ROOM 5, VARNDEAN COLLEGE

Present: Cintha Archer, Jill Arnold, Thomas Dyer, Ayas Fallon-Khan, Paul Herridge, Donna-Marie Janson, Simon Lindfield, Alan Walker, Brendan Ward, Aldona Wheeler, John Williams

In Attendance: James Gordon, Elaine French, Lisa Watkin-Stevens, Louise Pennington

Apologies: Belinda Dutch, Jane Farrell, Martha Rayner, Katharine Travis, Jason Wye

In the Chair: Jill Arnold

1. Welcomes and Apologies for Absence

The meeting was quorate

Apologies – as recorded above

2. Membership Matters

Governor Appointments/Reappointments

- a) **Appointment:** Christine Lewis as External Governor for a 4 year term of office with effect from now.
- b) **Reappointment:** Jane Farrell as External Governor (and Chair of Remuneration Committee) with effect from December 2022 for a 4 year term of office.
- c) **John O’Sullivan** – Governors were also reminded that John had been appointed at the July 2022 Corporation meeting as a co-opted Member of the Audit Committee for a 4 year term of office.
- d) **Health and Safety Lead Governor:** Following a request from the Health and Safety Office, an invitation was made to Governors for a volunteer to become a Health and Safety Governor. Ayas Fallon-Khan offered to take on this role for this academic year, notwithstanding his existing commitments as the IB and Climate Change Lead Governor, which was accepted. Accordingly, Ayas Fallon-Khan was appointed as the H and S Lead Governor with immediate effect, but it was agreed that this post should be reviewed over the next year to ensure that the additional commitment was manageable. Elaine French agreed to organise a meeting with the H & S Officer in due course. **ACTION: Elaine French/Ayas Fallon-Khan.**

3. Declarations of Interest

None recorded at this time, other than those declarations notified at previous meetings and as recorded in the Register of Interests' records.

4. Minutes of the Corporation held on 6th July 2022– Part 1 (Non-Confidential)

The minutes of the meeting were approved by the Corporation and the Chair was authorised to sign these, noting the point raised as recorded below. **ACTION: Louise Pennington**

Page 10, section 10 (Audit) – in response to a query raised by a Governor, Louise Pennington confirmed that there had been some notes left unintentionally in the draft minutes, which she had removed, prior to the final version being signed by the Chair.

5. Matters Arising and Action Points – Progress Report and High Level Risks' Schedule

The Corporation noted the progress with actions to date and those which were on the agenda, in progress or would be taken forward in due course. The following points were recorded:

- Accommodation Master Plan – completed and planning outcome awaited.
- Stem Centre Opening – November date to be finalised.
- Sponsorship Policy – noted that this will go to Corporation via Finance Committee.
- Updating on costing model and financial sustainability action plan – James Gordon advised that he had updated Governors at the last meeting but agreed to bring the cost analysis to the next Corporation Meeting in December 2022. **ACTION: James Gordon.**
- Solar Panels – outstanding action – awaiting reports.
- S & C Committee Code of Good Governance action plan – progression noted with updated going to Corporation via S & G Committee later this term.
- C & S Update including appraisal process – James Gordon confirmed that curriculum and standards updates would be included within his report at this meeting (refer below) and that with regard to the update on the College's Staff appraisal process, he had consulted with the other S7 Colleges and that a working party had been set up as part of an away day. However, he reported that the working party had looked at other quality assurance measures, rather than the appraisal process. Consequently, the College intends to develop its own professional development dashboard, after half term and James Gordon agreed to update Governors on progress with this at the December Corporation Meeting. **ACTION: James Gordon**
- John Williams, the new Lead Governor on Quality & Curriculum and Careers would be meeting with James Gordon and Lisa Watkin-Stevens after half term to review the best course of action for regular meetings/discussions and proposals for the new Lead Governor role.

It was noted that the schedule would be updated to reflect any changes detailed above. **ACTION: Louise Pennington.**

HIGH LEVEL RISKS 2021/2022– the Corporation noted the risks for 2021/2022 and agreed to bear these in mind with reference to the Meeting's business. In response to a question from the Corporation, it was noted that when the high level risks were reviewed and amended such as financial sustainability, the schedule of risks within future Corporation meeting papers, would also be revised to reflect any changes.

6. Chair's Report

- The contents of the Chair's report were noted by the Corporation and the following points were raised:
- Chair has regular 1 to 1 Meetings with the Principal and also separate 1 to 1 Meetings with the Governance Professional (approximately every 3 weeks).
- Attended various external events including the Chairs' network, sharing common issues and other useful discussion topics. SFCAs seminar (Nick Allen presentation on quality) which had been very useful and noted in particular that owing to Covid it would not be possible to compare 3 year trends. It was agreed to circulate the slides from this to all Governors. **ACTION: Chair/LEP**

7. Principal's Report

Donna-Marie Janson presented her report to Governors and the contents of her written report were noted. In summary, the following aspects were highlighted and additional points

and questions were also recorded below:

At this point Cintha Archer joined the meeting.

a) Strategy Plan Update

A summary of the process followed to date was given to Governors, noting that the consultation process had started a year ago, involve all Staff and Governors and this had now been finalised. Copies of the Strategic Plan leaflet which is available to Staff, Students, Parents etc, was circulated to all Governors and contents of this were highlighted include the values and KPIs etc.

At this point Donna-Marie Janson recorded SLT's thanks to Jane Farrell for her additional input.

b) Government Policy Updates

- SFCAs/SFCs information on academy conversion in paper was noted. Next week there will be a webinar on this subject for Principals. Until now the catholic SFCs were not able to academise but will now be able to do so following a change in the rules, which means that there will be fewer SFCs going forward within the FE sector. The next Brighton and Hove Education Partnership meeting will discuss this to ensure that everyone is aware of the new Schools agenda regarding skills etc, but it was noted that the Local Authority was not supportive of academisation within its local area schools. In response to a question from the Corporation, it was confirmed that if the College had any interest in academizing, it would not be able to establish and Single Academy Trust, but would have to seek other partners to form a Multi-Academy Trust or join an existing Academy Trust. At this point it was noted that the S7 Colleges had established a purchasing consortium which enabled it to achieve some economies of scale in negotiating contracts. The new FE Commissioner has confirmed that standalone FE Colleges, including SFCs would continue to be supported as long as they continued to be financially sustainable.

- ONS (Office for National Statistics) – the likely recommendation that Colleges should be reclassified as public sector organisations is due to be announced shortly. If this is implemented, there will be implications and the details of this and necessary support to manage the change over from private to public sector classification, are awaited. The key changes would be that Colleges may no longer be able to borrow commercially (for building projects etc), fees could not be charged to Students (International Students). Many Colleges, excluding Varndean, already have several sizeable commercial loans and this would therefore have implications for the Department for Education, hence it's likely that some of the rules may be revised to accommodate existing arrangements. It was also noted that despite a move back into the public sector, which should enable Colleges to re-claim VAT on purchases made, this was not likely to be granted.
- Results 2022/2023: Governors were advised that the intention would be that examinations would be returning to normality post Covid and this may prove difficult for Students, who have had disruption to their learning over the last few years (via GCSEs etc).

c) Staffing Report incl. Pay Award - refer to confidential Part II minutes

Owing to the sensitive nature of the business, it was resolved to transfer this item to Part II minutes.

d) Update on AoC Road Map to Sustainability

Governors noting the work taken place to achieve the Carbon Literacy Bronze Award and congratulations were recorded to the College for this.

The College has recently appointed a Lead staff member on College Climate and the Environment who will progress matters further and co ordinate the work within the plan.

e) Other

FE commissioner Visit: Reference was made to the unofficial visit by the FE Commissioner, who liked the College but was appalled by the “huts” accommodation and accordingly it was hoped that the FEC will give support the work which the College is planning to improve this accommodation, including with additional funding. Apart from a tour of the site, the visit also involving meeting Students and visiting various areas such as Careers, the Library and the Canteen. FEC office offered active support to the College including support to the new Chair of Governors and assistance on curriculum costing with the Deputy Commissioner.

8. Student Governors' Report

Thomas Dyer gave the following update to Governors:

- Started planned study which was well received by year 1 and year 2 Student: some Students have struggled with their workload, but the management of this by Students has improved with Teachers' support.
- SU has hosted multiple events this term including Fresher events during the first week of term, fund raising events, hosting of several lower budget events, black history month – including working with a local business (Book shop) on collaborating with the SU – including providing TED talk speakers this month. The intention will be

to develop this relationship further, including a more permanent partnership to increase awareness of literature in general.

- The SU is working with the canteen to further promote the awareness of reusable cups and an associated discount for Students, with the aim of improving the College's green footprint.
- The SU has also met with the Catering Team to discuss improving food quality by removing less healthy foods and focusing more upon nutritional value.
- In response to the SU's black history month, Thomas Dyer confirmed that the SU was also raising awareness regarding other cultures and that social media was being utilised for this purpose.

Thanks were recorded to Thomas Dyer for his informative report.

9) Curriculum and Standards

The Deputy Principal and Vice-Principal updated Governors as follows, referring to the respective meeting papers:

a) Student Performance Data Dashboard including Value Added and Exam Results for All Learners

- i) Data Dashboard** – largely same as last year and reference was made to the value added measurements, ALPs scoring and the incorporation this year of the Sixth Dimension value added data (sixth form specific).
- ii) A Level** ALPs score for the College places it in the top 10% of providers, noting that in respect of 2021/2022 the results were required to be compared with those achieved in 2019/2019 being the last time that external examinations had been taken, pre Covid.
- iii)** The key metrics and pass rates are largely in line with those achieved in 2019; the College also compared its figures with the national averages for A Levels too and the ranking was also very similar to the College's results in 2019.
- iv)** The average GCSE score for Varndean Students is 5.6 which when compared to the national average of 6.4, places the College lower, although this is an improvement and explains the higher value added score too.
- v)** Pass rates are slightly lower this year, but similar to national benchmarking, which is unsurprising being post-pandemic. Interestingly, Students generally have not been put off taking examinations.
- vi)** T scores – including Teaching and Learning are slightly lower, but on average the Students are doing well, with only a few subjects needing support, which SLT will take forward.
- vii)** Level 3 vocational – this is slight lower compared to 2019 in respect of some of the key metrics. Regarding the BTECs the national averages have still not been issued yet.
- viii)** Achievements – same levels of assessment and less compensation than other subjects.
- ix)** Students did better on BTECs which comprised 100% coursework, noting that the new equivalent BTECs which were introduced during the pandemic, incorporated more external assessment, some of which required more support to be provided to Students.

- x) Level 2 pre-advanced: more D* outcomes were achieved, although the overall pass rates were lower, noting that despite a greater level of support being provided to Students during the pandemic, some Students, particularly those from more deprived backgrounds had struggled to maintain a good level of progress.
- xi) GCSE English – 25% above the national averages for those Student who had not previously achieved a GCSE. All GCSE subjects at Varndean were above the national average.
- xii) T score – some issues have been identified by SLT with respect to some underperforming subjects and these have been targeted by SLT for further support in order to improve the outcomes.
- xiii) IB – global average is 32 points and Varndean College average is 36 so it continues to maintain its high level of excellent, well above the benchmarks.
- xiv) The Deputy Principal confirmed that he would be discussing various issues above with John Williams when they meet for the Link Governor meeting, as reported earlier.

b) Student Enrolment and Class Sizes

- Key headlines on enrolments – this year the College has enrolled 2006 Students, which is the maximum the College can reasonably support on the current site; this has meant some adjustments and movements in classes/locations and timing etc.
- International Students have increased to 105 for the year.
- IB Students have improved from 37 to 48 in their first year (during Covid the numbers enrolled had dropped understandably).
- Year 1 funded Students are slightly down, despite an increase in applications; some Level 2 Students achieved lower results than expected, so are unable to return for Level 3 courses. It was also noted that it was apparent that some Students had applied to a number of Colleges and on enrolment, had opted to go elsewhere.
- There has been a trend towards more Students enrolling on Level 2 GCSEs with a consequential reduction in enrolments of A Level Students.
- Set size analysis – overall at 17.3 which is a slight reduction compared to last year but higher than experienced in 2020 (16.4). It was also noted that class/set size was governed by the limitations of the College's estates, especially in respect of subjects such as 3D Design. In contrast, some subjects such as Maths, have an above average class size of up to 21 or 22, although several are below this, being 15 or 16, reflecting the reduction in numbers in some areas.
- Looking at different qualifications, some year 2 classes are down compared to last year which has brought the averages down in those areas. As reported earlier, some Year 1 Students have not progressed to Year 2, which is likely to be caused by the impact of the pandemic
- In response to a question from Governors, the Deputy Principal confirmed that funded students excluded Internationals as these Students were charged separately.
- Governors were given reassurance that the issues experienced by Varndean relating to enrolments and retention as reported above, were not unique and that these were national issues, being a consequential impact of the pandemic.

c) UCAS Placements and HESA

i) UCAS Placements Report

The Vice-Principal summarised the headline statistics showing the figures for the last 4 years. Regarding the conversion rates in respect of University applications to Students received offers, in 2022 this was 87% of Students, with 318 Students getting their first choice, 57 of which were in respect of Russell Group Universities.

ii) HESA Report

HESA (Higher Education Statistics Agenda) reviews and analyses statistics on behalf of the DfE and the table included in the papers, shows how Varndean College Students have performed (degree outcome and includes information in respect of those Students whose parents didn't go to University) compared to others in the SFC sector, both state and independent institutions. In addition to the information provided as detailed above, the analysis also shows the number of Students who are retained throughout their course and regarding this Varndean College Students compare well with other Sixth Form sector providers.

Lisa Watkin-Stevens also explained the support provided to Students with progression related requirements including general support provided by the personal tutors and careers department, including UCAS applications/personal statements etc.

Reference was also made to the support provided by staff to "Aspire Students" being those considering Oxbridge and medicine, dentistry and veterinary science, which included various enrichment activities; 24 Students with applications in these areas have been supported this year.

Thanks were recorded to the Deputy Principal and Vice Principal for their reports.

10.Finance

The Vice-Principal (Resources) and Chair of Finance Committee (Simon Lindfield) presented the following items to the Corporation:

a) Financial Updates and Management Accounts

- i) Executive Summary to Management Accounts**
- ii) Income and Expenditure 12-22**
- iii) Balance Sheet 12-22**
- iv) Cashflow 12-22**

- Referring to the commentary, Elaine French confirmed that the management accounts in respect of the whole year had been included in the papers and that the Finance Team were working with the auditors on completing the final figures/year end adjustments.
- The draft financial health grade given on page 4 of the paper is in line with the budgeted figure.

- The intention will be to bring the final accounts to Corporation at the next meeting in December 2022, noting that although the figures will change slightly, the College's financial health should remain good with 190 points.
- Summary of key outcomes: International Income generated has grown very successfully as predicted and the high needs income stream has also increased and is likely to grow further over the next few years. Furthermore, the College's ESFA funding had increased per Student reflecting the fact that more Students were enrolled on to larger programmes/increased hours, compared to previous years. Adult Education has come in under budget but this was anticipated, taking into account the knock-on impact of the pandemic and that some prospective Students were anxious about being on site.
- Staff costs have increased over the year as forecast and it was confirmed that the 21/22 staffing costs analysis would be reviewed in more detail at the Finance Committee Meeting in November. A significant element of the increase in costs arose owing to an increase in invigilation requirements, taking into account the rising number of Students requiring specific access arrangements, whereby separate rooms for examinations are required, needing an invigilator per each additional room. As an example, Students sitting GCSE Maths, required an additional 49 rooms, each with an invigilator. Staff sickness has also increased, some in respect of continuing Covid outbreaks (approximately 10 days isolation per Staff member), which has also impacted on the overall increase in Staff costs. There have also been a few long term Staff sickness cases where costs have been incurred in respect of cover. In response to a question from Governors regarding the College's sick pay policy, the Vice-Principal confirmed that the terms were 100 days at full pay (working days) for 6 months, followed by 6 months on half pay. The contingency budget was utilised to meet some of the increase in staff costs. In response to a question referenced to the balance sheet expenditure figures relating to externally funding posts, Elaine French explained that the sizeable increase this year, compared to the previous year, was in respect of 2 additional learning support assistants which were fully funded on top of the usual College's funding.
- Energy costs – currently fixed contract which will remain in place until the end of next year; the Vice-Principal will arrange to meet with the energy broker early next year in order to secure the best possible terms for the following year.
- Capital expenditure – total budget of £80K. Governors were reminded that this had been set at a moderate level in order to focus on building up the College's cash balance, post Covid, noting that an additional £36K had been spent on urgent items requiring replacement and essential equipment.
- Progressing the College masterplan has cost £52K in 2021/2022, noting that the Plan was approved last year. This year a further £9K has been spent and that further expenses will be due shortly relating to the planning application fee and consultants reports on ecology and transport.
- Governors also question the other expenditure – consultancy costs, and the Vice-Principal confirmed that reflected the short term employment of an HR Consultant owing to the HR Manager been on long term sick leave.
- Cash balance – as planned, has improved over the year and the final figure is slightly better than predicted (budgeted £640K and year end figure £862K).

b) ESFA Funding Agreement – significant changes only

Reference was made to a couple of changes in the wording of the agreement, with regard to issues surrounding ESFA intervention and misappropriation of funds.

c) Property Update

Elaine French advised Governors that regarding the accommodation masterplan, the outline planning application had been submitted to the local authority, Planning Department. If planning is approved the College will apply for funding and a meeting of the Accommodation Working Group would be convened. A further update will be given to Governors at the December Corporation meeting, particularly with regard to the costs to be incurred by the College, to support the application. SLT is working with the bid consultant at the moment, noting that the final application deadline is 11th November 2022. A cost plan will also be presented to the next Corporation meeting for agreement.

In response to a question from Governors, Elaine French confirmed that no significant financial issues have arisen in the last two months of which Governors would need to be made aware.

11. Policies and Other Documents

The following documents were considered and approved by Corporation:

a) Admissions Policy – 19+

SLT gave a verbal update on this policy, reporting that the intention would be to combine the 19+ element with the 16-18 policy and that this was currently work in progress. The final draft version will be ready for December 2022 Corporation meeting. **ACTION: James Gordon**

b) Executive Summary for Items 11 bi – iii (policies/documents also attached)

- i) Health and Safety Policy**
- ii) Health and Safety Annual Report**
- iii) Policy on Commercial Sponsorships – to be deferred to December 2022 Corporation, after recommendations from the next Finance Committee 17th November 2022**

Elaine French summarised the key aspects of the Policy and Report and the documents were taken as ready. Reference was made to the Health and Safety Lead Governor request as recorded above in item 2. **ACTION: Elaine French/Ayas Fallon-Khan/Louise Pennington**

12. Date of Next Meeting: Wednesday 7th December 2022 at 6.00 p.m.

13. Any Other Business

- a) Annual Governor Forms with Start of Year Letter via Google Docs

It was agreed that the new process for receiving not only meeting papers, but also forms to complete on line via G. Docs was an efficient means of working and was generally welcomed by Governors. At this point thanks were recorded to Emma Cotton for her work in setting up the various Google docs for Governors.

Before moving to the Confidential Part II business, the Chair invited any external Governor to confirm whether they had anything to raise, in the absence of non-external Governors in connection with the SPH Remuneration Committee Minutes. As there were no responses to this, it was resolved to move to Part II without the need to review whether Staff and Student Governors and SLT members should leave the meeting.

14. Part II Confidential business Refer to Part II Confidential Minutes.

- a) **Part II Confidential Minutes from the last Meeting 2022 (2 versions: one for external governors only and second for Staff and Student Governors and SLT) – approved.**

- b) **Matters Arising – None.**

There was no other confidential business – other than noting that item 7c) had been classified as confidential business and would be included in the Part II minutes.

Chair.....

Date.....

Louise Pennington 12/10/22