

**MINUTES OF THE  
EMERGENCY GOVERNANCE COMMITTEE MEETING OF THE CORPORATION  
HELD ON WEDNESDAY 13<sup>TH</sup> MAY 2020 AT 6.00 P.M.**

**First Meeting – virtual meeting via Google Hangouts**

Present: Jane Farrell, Philip Harland, Paul Herridge, Simon Lindfield, Janice Robinson

In Attendance: Peter Bailey, Elaine French, Janine Hatcher (to present the papers on screen), Donna-Marie Janson, Louise Pennington

Roll call completed by Chair to ensure everyone present and quorate.

Apologies: None

In the Chair: Janice Robinson

It was noted that Meeting papers had been circulated to all Governors and questions invited prior to the meeting, which would be considered by the Committee and recorded in the minutes.

The Chair gave a brief introduction summarising the reasons for the meeting and new Committee and protocols to be followed. It was also noted that the format of papers had been agreed by the Chair with SLT to recognise SLT's current workload but at the same time to ensure that all the key points, issues and actions were set out in a one-page summary document to assist Governors. The Chair highlighted the fact that all papers, except the finance figures' item, had been circulated to Governors within the usual time frame. It was also recorded that the agenda items reflected the decision to focus on the current crisis and its impact on the College's work. Any historical papers which would normally be considered at this time of year, would be brought to Corporation post the crisis at timings to be agreed with SLT.

**1. Welcomes and Apologies for Absence**

Apologies – as recorded above.

**2. Declaration of Interests** - None recorded – and as per previous declarations/register of interest declarations.

**3. Governing Body Membership Matters:**

The new Student Governors, Bo-Min Ryu and Lucy Townsend, were endorsed as the new Student Governors with immediate effect until their successors are elected in 2020/2021 academic year. It was noted that there would be no Student Governors' report at this meeting, but that they had been invited to submit an update for the Committee to consider if they thought it would be useful.

**4. Minutes of the Meeting on 28<sup>th</sup> February 2020**

The minutes of the Meeting were noted. These will be approved at the next Corporation meeting, once lockdown has ended and amended to reflect the point raised by Donna-Marie Janson below. **ACTION: Louise Pennington**

Amendment to Minutes:

Page 8 of papers item d) College Senior Leadership structures:

CURRENT DRAFT MINUTE: "The overall cost adjustment for these changes is expected to be in the region of £25K (most of part of which will be used to recruit extra support for safeguarding students)."

Recommend subject to Corporation agreement at the next meeting:

REVISED DRAFT MINUTE: "The overall downward cost adjustment for these changes is expected to be in the region of £22.5K (most of which will be used to recruit extra support for safeguarding students)."

It was noted that the minutes would be considered and approved at the next Corporation Meeting. **ACTION: Louise Pennington**

## **5. Matters Arising and Action Points – Progress Report and Significant Risks Schedule**

The Committee reviewed the various actions listed and the following updates were provided by SLT:

- *GDPR – Elaine French to organise compliance review Spring term, with outcome being reported to Audit Committee. Elaine French advised that the audit advisory review had not been carried out owing to review date not being booked prior to Covid-19 lockdown so the work will have to be booked once lockdown has ceased. Regarding other GDPR work the Data Retention Policy has been completed and published whilst the controllers' register of data and retention timeframes is on-going, Elaine French will be attending an on line GDPR training event organised by the SFCa and an updated report of progress with GDPR matters will be given to Audit Committee in June 2020. **ACTION: Elaine French***  
*At this point and referring to questions raised by Governors regarding the recently announced GDPR breach at Varndean, Elaine French and Pete Bailey updated the Committee on the situation, advising the following: An e mail which was sent to the parents of prospective Students (current Year 10) (e mails sent in batches of 50), regarding taster day update in light of College closure, was sent by a member of staff in error using "cc" rather than "bcc", resulting in a data breach. Once realising this error quickly, the Staff member reported this to the Data Protection Officer (DPO) (Elaine French) within 30 minutes. An email reporting the error was sent to all the relevant parents, apologising for the error and asking them to delete the e mail immediately and to raise any concerns or questions with the DPO; to date no parents have contacted the DPO. Elaine French also contacted the Information Commissioner's Office (ICO) to report the breach and seek advice and it was suggested that the College should review the situation within a few days prior to any decision to submit a formal report to the ICO. SLT decided that as there could be potential safeguarding issues regarding the inadvertent sharing of e mail address, it would be formally report to the ICO. On 11<sup>th</sup> May 2020, the ICO emailed the College to thank them for the reporting the breach and stating that they didn't think this should be classified as a serious breach and would be taking no further action or investigation. Pete Bailey also explained the reason for the human error in light of*

the fact that Staff were working offsite, from home and having to familiarise themselves with a new lap top. However, since the incident and notwithstanding that Staff received GDPR training, Staff have been reminded of procedures, particularly regarding the sending of e mails to Parents etc. Finally, it was recorded that with reference to the potential safeguarding point raised above, this would be referred to in the GDPR audit compliance review due to take place, once lockdown has ceased.

**ACTION: Elaine French**

- *Financial Regulations/Business Procedures – the full review will be carried out this term and presented to the Finance Working Group in January 2020 – on going. Deferred until later in Spring term and will be discussed and approved by FWG via e mail before final version is presented for approval to the next Corporation meeting*: Elaine French confirmed the revised process, stating that the revised Regulations and Procedures would be considered by the Finance Working Group (FWG) meeting on 10<sup>th</sup> June 2020, after which it would go to the Audit Committee, to comply with its terms of reference and then to Corporation (or EGC) at the end of this academic year. **ACTION: Elaine French**

**Significant Risks (Covid-19)** - at this point the Committee discussed the questions from Governors regarding the required revision to the Risk Register and the Significant Risks' schedule provided with Corporation and EGC Committee papers, including risk assessment, provide assurance to Governors that risk identification process is adequate, including impact on the College, together with an exit strategy. The Principal and Business Director explained that SLT were reviewing the Risk Register and new risks at their weekly meetings and that a report would be made to the Audit Committee at its next meeting in June 2020, including a revised Risk Register. Elaine French added that she had initiated a record of decision making within the various College departments in order to formalise an action plan from this including such aspects as remote working. Furthermore, Donna-Marie Janson advised that SLT were also taking into account risk assessments in respect of the occupational health service, where professional service has been provided by the Occupational Health Company, Medwyn Occupational Health to support College Staff via supporting the College regarding the support of Staff on specific risks and HR matters. At this point she also informed Governors that SLT had revised its lockdown procedures and had added an Annex to the College's Safeguarding procedures (copy to be sent to Governors with the draft EGC Minutes. **ACTION: Donna-Marie Janson/Louise Pennington.**

(Note: The revised Risk Register was due to have been considered at the provisional Risk Management Group Meeting on 4<sup>th</sup> May 2020 but it had been agreed with the Chair to defer this to the June Audit Committee meeting). The Committee also agreed that in light of the pandemic and College risk assessment processes, Governors would appreciate real time information being provided as soon as possible, rather than a report being provided later in the term.)

- **Equality Duty Annual Report/Staff Profile – including breakdown in future re ethnicity pay Gap:** It was noted that this would be carried forward from the Summer Term to the next academic year owing to Covid-19 issues causing significant additional work for SLT and Staff (to review data and issue front summary report of main facts to Governors in next year's report, together with adding an age profile for teaching staff and more user friendly format). **ACTION: Principal**

- **Student Outcomes: Student Support Analysis:** Student Reports to include details of Students with EHCP and include “praise” responses: - As above to be deferred until the next academic year/when Covid-19 lockdown has ceased. **ACTION: SLT**
- **Child Protection and Safeguarding:** future reports to include analysis of pre-known and new cases re Students and also include breakdown of nature of mental health issues – action to be carried forward as above. **ACTION: SLT**
- **Prevent Action Plan:** review of College security and to update Governors once the LA’s lock down policy has been issued. **ACTION: SLT – Carry forward.**
- **C & S:** Invite Parents via newsletter to offer work experience opportunities for Students: This was taken forward with several offers made by the current Parent body. However, in light of the current Covid-19 crisis, this was unlikely to result in any arrangements being offered to Students for the time-being.
- **Finance c) Property Matters regarding PM review of information provided and fees etc: Meeting with Elaine French and Alan Walker:** Elaine French reported that although they had a brief conversation post the last Corporation Meeting in February 2020, they had not yet met and she agreed that this would be rearranged once lockdown had ceased, and bearing in mind that there are no new planned projects currently. **ACTION: Elaine French**
- **Audit Matters:** Risk Assurance – residual risk column to be resolved, risk register confirm key details re scoring information, Russell Martin Academy Statement of Account: **ACTION: Elaine French to take to Audit Committee June 2020.**
- **Link Governor new role re IB and International Students:** Since the February 2020, 2 Governors (Andy Breckenridge and Ayas Fallon Khan) have expressed interest in the role, but whilst the current crisis remains, any further progress will have to wait until the crisis has ended and SLT has assessed the impact of the pandemic on the recruitment of International Students at Varndean.
- **STEM Ceremony – Official launch postponed – Governors to be updated once new date agreed. ACTION: Principal**

It was noted that the action schedule would be updated to reflect any changes detailed above and pass to Corporation at its next meeting. **ACTION: Louise Pennington.**

**SIGNIFICANT RISKS 2019/2020**– Refer minute above. The EGC noted the risks for 2019/2020 and agreed to bear these in mind with reference to the Meeting’s business. *Governors have raised the matter of whether Coronavirus should be considered high risk and SLT confirmed that they are reviewing the Risk Register weekly and have updated this to reflect Covid-19 Risk.*

## **6. Student Governors’ Report – deferred until the next meeting.**

## **7. Centre Assessments for A Levels and GCSE Students – progress and issues of concern for Staff and Students**

Pete Bailey presented the paper to the Committee and the following items were recorded:

- Parents/Students have been informed via letter (copied to Governors) regarding the College’s assessment grades for all examined courses including every Level 3, vocational and GCSE Student, which involve considering a range of factors.
- At the end of this week, all Staff predictions will have been submitted and this will be subjected to some internal quality assurance to avoid any under/over-estimated

grades etc. The spreadsheet of grade assessment will then be submitted to the SFCA for their external verification process, after which this will be returned to the College for submission to the exam boards in June. The exam boards will then instigate their own review and adjust grades as appropriate.

- The process of assessment has been more difficult owing to the exam boards slow response regarding the information and process required from Colleges and consequently Staff are still working on the precise template required by exam boards prior to finalising and submission and there are a few unresolved issues.
- It was confirmed that all grade assessment per Student were confidential but once published there will be an appeals' process to follow should Students be unhappy with the grades awarded; however, it is thought that this will only be in effect a process in respect of the technical assessment process, rather than allowing Students to dispute the predictions made by Colleges.
- Option to re-sit exams in September 2020 – the Committee were informed that there was no certainty that September re-sit exams would take place owing to the practical issues associated with Covid-19, which provided continued uncertainty for external examination candidates and those Students from last year who wished to retake owing to assessment grades having not been provided.
- Some of the assessment data from other colleges has already been passed to the SFCA who are provided some guidance regarding predicted grades and to date, when comparing this previous years, overall the performance grades are only better by ½ a grade.

The Committee recorded its thanks to all Staff for their work in processing the assessment requirements, recognising the additional workload and pressure which this has generated.

## **8. Safeguarding and Staff Welfare – arrangements in place to provide support, issues of concern**

Donna-Marie Janson introduced the paper and the following points were noted:

### **STUDENTS:**

- Regarding questions from Governors arising from the use of acronyms in the paper, the following was explained: BHISS – Brighton and Hove Inclusion and Support Service, which provides a team of well-being workers assist Schools (and Colleges) in the local area and in respect of Varndean College, provide support for 1 day per week for both Students/Parents.
- MHP – Mental Health Practitioner. The College's MHP provides 0.4 weekly hours, over 2 days per week for the College. However in light of the current situation, this has been increased to 0.55 per week (ie every morning) to assist vulnerable Students (at present 19 Students are being assisted by the MHP, an ex-emergency CAMHS (Child and Adolescent Mental Health Services) worker.
- Other counselling services – 0.8 per week provision over 4 days has increased to 1.4, with no additional costs as the College has adjusted the hours via internal Staff changes. It's thought that with the increase in counselling time offered, that all students on the waiting list should be seen during the summer term.
- 11 Members of Staff (previously 7) are also completed a number of Student "check-ins" whereby they telephone/video call individual vulnerable Students to see how

they are coping and whether they need any additional support; currently there are 73 Students being checked either on a daily or weekly basis. Furthermore 32 parents have access to this service too, supported by work with the BHISS Team who work with parents needing additional support during the lockdown, particularly where the Student has mental health issues. During the Easter holiday a Staff rota was instigated in respect of checking in with 43 Students.

- In response to a question from Governors about recording keeping, SLT confirmed that appropriate confidential records in respect of individual Students, were being maintained, along with analysis for Management and future Governance reports.

## **STAFF**

- Support staff are being supported via BHISS sessions in subject teams, together with drop in sessions, mindfulness and wellbeing/breathing and relaxation provisions, together with a weekly on line briefing/staff meeting and managers' check in sessions.
- Regarding the above, 26 supervision sessions have been held to date, some via group/team meetings. It was noted that some of the sessions related to the issues arising in respect of the "missing student".
- It was noted that the HR Manager, Emma Rich, was also involved in providing information and assistance to Staff.

## **OTHER**

Donna-Marie Janson and Pete Bailey reported on the future plans for Students' support and explained that feedback had been invited from Staff and Students to identify issues which require attention, including: volume of work being provided to Students online, Student attendance at online lessons, individual teacher/student contact time, noting that some Students were finding the volume of work expected and pressure to participate in online group lessons. It was confirmed that SLT were keen to ensure that Students continued to engage with teaching and learning during the Summer Term and any concerns/issues identified via feedback obtained, were being addressed. Although not widely publicised the College remained open (Tuesday to Friday) for some vulnerable Students to provide a break from home, if needed; in light of the change in Government guidelines, this is under review and more Students may be offered the opportunity of coming in to College, post risk assessment.

Year 11 students: following liaison with local secondary schools, the College has also provided subject specific work for Year 11 students to aid their progression to Sixth Form next year.

Year 2 Students: optional reading material and other provision is being provided to those Students interested in assisting their transition to University together with careers' information for those Students seeking employment.

Difficulties experienced by Staff were also discussed.

In response to a question from a Governor regarding guidance offered to Year 13 students progressing to Higher Education, currently advice from the College is not to accept any offers yet, noting that the deadline for accepting offers has been extended by 4 weeks until the end of June – advice is not to accept any offers owing to the ongoing uncertainty

regarding next year and to give Students time to ensure that they are selecting the most appropriate courses. Careers Department monitors offers and acceptances via UCAS and to date, no offers have been accepted by Varndean College Students. There has been a universal agreement amongst Universities that there should be no unconditional offers made until 1<sup>st</sup> May 2020 and since then the College is aware of 3 or 4 unconditional offers made. From a Student perspective, the current trend appears to be that Students are requesting that their offers be deferred until the following year in order to ensure that they don't have to study remotely. In light of this trend, we will see Universities competing with each other and the likelihood of more unconditional offers being made; clearing options for Students may also be more promising.

## **9. Arrangements for 2020/21**

### **a) Student Numbers/applications**

Pete Bailey confirmed that currently application numbers remain buoyant despite existing uncertainties. Applications are still being received; another 30 applications were received yesterday. Owing to social distancing, the enrolment period will be longer and consequently the student induction process will take longer too.

Although domestic Student numbers in both L3 and L2 are likely to increase, almost certainly International Student numbers for September will be significantly reduced or nil. Conversion rates for Year 1 to Year 2 remain unpredictable.

The areas for concerns for next year include social distancing which will create significant practical problems for the College, combined with difficulties for Students using public transport and ongoing mental health issues.

Subject to the various uncertainties, SLT advised that early projections indicate that Student application numbers for September 2020 will be in the region of 1,312 (compared to 1,180 last year).

### **b) Admissions Process**

It's hoped that this will be face to face, but if this is not feasible, then the enrolment and induction process (and reintroduction to teaching for second years) will take longer on line, consequently causing a longer lead in time before the start of term and teaching.

Regarding Student choices, the College is in the process of reviewing social distancing issues for example with subjects involving physical contact particularly Sport, although Dance – less so. Other subjects requiring further review in terms of social distancing include subjects for whom work experience is an important component.

### **c) Implications for Staff**

In response to a question from Governors, SLT confirmed that impact on Staff numbers would be kept under review and that some adjustments and variation in hours may be needed depending upon Student choices, classroom capacity etc Regarding International Students, again further discussions will be held by SLT once more information regarding the likely recruitment in the short and medium term was more apparent.

### **d) Matters for Concern including uncertainty about the use of Ofqual Grades**

At this point and in response to a question from Governors regarding the Covid-19 risk assessment, SLT confirmed that the risk update would be provided to the Audit Committee at its June 2020 meeting. **ACTION: Elaine French**

Governors also queried whether Student applications this year would exceed numbers for which the College could manage effectively, and SLT advised that it was highly unlikely that they would need to reject any applications this year. Broadly taking into account a realistic estimate of conversion rates, the overall Student numbers should see a modest increase compared to the current year.

The Committee discussed the situation regarding International Students in more detail and queried whether the current data on the latter was linked to overall capacity. In response Pete Bailey explained that broadly International Students were spread across all curriculum areas, thereby having a minor impact on most courses; this would have impact though on the few courses which are run mainly for International Students and SLT is keeping this under review. Normally at this point in the year, the College would have received a high level of deposits from International Students and in order to be flexible during this uncertainty (travel restrictions, social distancing, quarantine requirements etc) the deadline for receipt of deposits/applications has been extended from end of May to end of June. SLT plan to review the situation post the new deadline and may extend the deadline further. Account would also have to be taken regarding both the September and January intake of International Students and initial thoughts are that the shorter-term courses are likely to be more popular than the 2 year provision. It was agreed that the loss of International Student income for next year, would be discussed within the Finance item below. Following assurance requested by Governors, SLT confirmed that close monitoring of the International Student situation would continue and that decisions would be made in a timely manner regarding the future strategy of this aspect of the business, in the short and medium term (taking in to account the September and January intake options), including consequential impact on Staff (assessing infrastructure costs, sustaining the Department in the short, medium term etc) and also bearing in mind the global situation and impact on recruitment together with issues such as the ability to recruit host families to accommodate International Students.

SLT advised that the risk assessments required to determine a September College opening as being working on currently.

## **10. Finance Update including International Students and Adult Education (changes in income, expenditure/surplus)**

- **Projections for Year-End**

Following questions raised by Governors concerning the late issue of the figures, Elaine French explained the reasons for the delay as recorded below:

- Taking into account the need to assess the impact of the pandemic on the College's business and the uncertainty of making projections going forward, Elaine French informed the Committee that in order provide assurance to Governors, she had wanted to ensure that a thorough review was carried out in terms of the short and longer term impact upon the finances, with significant uncertainty until details gradually becoming more apparent from approximately 2 -3 weeks ago and the announcement of the pay award deal just days prior to the meeting.

- A detailed analysis was necessary with regard to income and expenditure, taking into account the need to assess potential increases in expenditure owing to remote working both for teaching/learning but also for the business support teams; as a result of the uncertainty, Elaine French asked each Department to identify any likely changes in expenditure owing to Covid-19 which has taken some time to submit, collate and analyse.
  - Pay award outcomes following national negotiations were anticipated but these have only very recently been agreed and it was important to ensure that calculations were made to determine the impact on the College's financial health of any adjustment compared to the 1% in the budget – refer also item below regarding the pay award details.
  - Prior to lockdown the Finance Team were being trained on the new Finance system and following this, time was needed to analyse the forecast whilst mirroring the same work on the old system, until the Finance team was fully up to speed, combined with managing this remotely from home.
  - In response to a question from Governors seeking assurance that a delay in issuing papers for meetings would not reoccur, Elaine French confirmed that papers would be issued in line with the usual timeframe under normal circumstances, the delay being caused by the exceptional circumstances detailed above
- The contents of the 2 page finance update included within the original papers, were noted by the Committee which didn't include the detailed projected year-end figures – circulated to Governors earlier today.

#### Summary from all Papers:

- SLT calculated that approximately £50K less income in current year, mainly owing to reduction in Summer Term Adult Education classes not running.
- Pay award agreed by Unions significantly more than budgeted (1% in budget).
- Change in predicted surplus between £5K and £6K surplus, assume pay award for next year allocated in full – refer discussions in item 11 below, confirming SLT satisfied with projections made and justification for recommending full pay award should be included in budget for 2019/2020.
- International Department income is causing a significant concern as normally at this time of year and before the end of July, the majority of fee income (pre-paid tuition fees and pre-paid accommodation payments) is received, in the region of £700K which has an impact on current cash flow for the next few months, further impacted by the loss of the Summer term's Adult Education income. As a consequence, Elaine French is monitoring cash flow on a 2 weekly basis rather than monthly to ensure that the College remains solvent - ESFA funding is received by the 18<sup>th</sup>/20<sup>th</sup> of each month, making the mid-month the lowest point in terms of cash. At this point Elaine French drew the Committee's attention to the latest cash flow figures.
- For 2019/2020 financial health has been re-calculated and will be 130 points, which classifies the College as "requires improvement"; despite this the College remains solvent with a positive cash position. At this point it was also noted that many Colleges will struggle this year owing to Covid-19, with loss of income – early indications are that the FE sector income will be down by £150M, and with a greater impact next year. The College has contacted the SFCA (Sixth Form Colleges Association) for advice regarding the drop from the initially predicted "good" financial health to "requires improvement", as a result of Covid-19 and SFCA has confirmed that the ESFA is reviewing the situation at present to see how Colleges may be supported and to confirm their attitude towards Colleges' financial health in the current climate.
- The Finance Working Group will be meeting on 9<sup>th</sup> June 2020 and the latest figures, together with any advice and further developments will be provided to this Group, prior to the July 2020 Corporation (or EGC meeting if lockdown remains).

- Any significant changes will also be advised to Governors immediately and won't wait until the Group or Corporation/Committee meeting.
- Elaine French drew attention to the forecast figures for 2020/2021 too.
- Following a question from Governors regarding Adult Education, SLT confirmed that the College was able to offer some courses online e.g. GCSE, A Levels and Counselling courses.
- At this point Simon Lindfield reported that he usually organised a pre-meeting with the Finance Director to go through the detailed figures. He explained that he had been concerned about the cash flow issue and the impact of the fee income. He advised that next year would be the critical year with regard to cash, noting that Elaine French was working on further analysis. He also explained the difficulty in initially understanding why the financial health had deteriorated as the Profit and Loss account remained steady. As a result, and to provide more explanation and to assist Governors' understanding, Elaine French has agreed to complete some further reconciliation work on the financial health score for the current year in the budget, via 3 different components with a commentary on each, so that the various drivers for the change are clearly identifiable. **ACTION: Elaine French**
- In response to a question from a Governor regarding whether it would be useful to revisit the IFMC submission to the ESFA as shared at the last Corporation meeting and Elaine French confirmed that the College was waiting for further advice regarding resubmission, but that she'd already revisited the budget figures and noting that all Colleges were broadly in the same situation regarding loss of income owing to Covid-19.
- Question from Governors regarding International Student Income – it was resolved to transfer this minute to the confidential records, owing to the confidential nature of the matter. – **Refer confidential minutes Part II.**
- **Premises update**
  - Elaine French presented the item and reference was made to page 24 of the papers. The following points were recorded:
    - The new STEM centre has been completed, subject to a few snagging issues which the Project Manager, Overton Hart, is resolving this whilst maintain social distancing.
    - Elaine French confirmed that she had visited the site on Monday and that she was currently reviewing the decision regarding the final furnishings in liaison with the Science team, together with the remaining equipment orders, ready for occupancy in September.
    - Although the building will be ready for the Summer Term, owing to Covid-19, it won't be utilised fully owing to Covid-19, and will allow the Science Department to move gradually across (ground floor laboratories) from the existing laboratory space. It was intended that the first floor would be used during the Summer Term exam period, not now taking place.
    - Summer works: a proportion of the planned work may not now be taken forward for including the central administration offices, until further work on modelling next year's finances – bearing in mind the plan to reduce capital spend by £200K and to ensure prudent financial management in the current uncertain climate. Furthermore, regarding refurbishment works, it has been difficult to take forward plans as the College has been closed and some contractors aren't working during the crisis.
    - Application to change huts to be removed under the planning conditions has been submitted to the LA and there have been 19 objections recorded to date from local residents. The Planning Officer has confirmed that Varndean's submission will be supported by the Planning Office. The College will be liaising with the Planning

consultant tomorrow about whether the College could defer when the hut removals completed, if planning permission is granted – this could assist the College in terms of social distancing requirements in the new academic year as the College will need to have access to more classrooms.

## **11. Staff Matters**

### **a) Recruitment of New Vice-Principal**

The Principal explained that owing to the current uncertainty, combined with the fact that interviews could only take place via video-interview (without the ability to undergo the Staff and Student interview process normally followed), it had been decided to defer the process to seek a permanent Vice-Principal and make an internal interim appointment instead. As a consequence, Lisa Yelland has been appointed on a fixed term one-year contract.

### **b) Update on National Pay Negotiations**

The Principal summarised the latest position, confirming the following negotiated offer:

#### **SUPPORT STAFF:**

- 1.5% increase from 1<sup>st</sup> September 2019 and 1.25% increase from 1<sup>st</sup> April 2020.
- 2.5% increase from 1<sup>st</sup> January 2021, equating to a cumulative increase as at 1<sup>st</sup> January 2021 of 5.34% on support staff pay rates. The year one 2019/2020 cost is just over 2% and the year two 2020/2021 cost is 1.66%.
- The offer also includes additional increases for the lowest paid staff (on bottom 2 pay points – point 14 and 15) applicable from 1<sup>st</sup> April 2020 in order to take account of the statutory minimum wage requirements and the need to future proof differentials at the bottom of the new pay scale. This provides an additional cumulative increase as at 1<sup>st</sup> January 2021 on current point 14 of 2.36% and on point 15 of 3.16%.
- The Support Staff offer achieved via the negotiations between the Unions and SFCA has been accepted.

#### **TEACHING STAFF:**

- The same offer has been made to Teachers but the Unions recommended that their members should refuse the offer. The recommendation was included in a ballot which has resulted in Teachers agreeing to the pay offer for the first year only – 1.5% from September 2019 and 1.25% from April 2020.
- The second part of the offer has still to be resolved.
- Support Staff nationally have also reserved their right to review their decision regarding the second part of the offer, should Teachers negotiate a better offer.

Governors were reminded that 1% had been allocated in the current year's budget but SLT reported that Elaine French had completed financial modelling which demonstrates that the 2019/2020 pay offer could be accommodated – based on figures as circulated to Governors immediately prior to the Committee meeting, but subject to Governors' agreement.

SLT recommended that the pay rise as negotiated nationally be agreed for 2019/20 by the Governing Body and gave their assurance that the figures had been analysed to support their recommendation that the pay rise was affordable for 2019/2020. SLT also explained that even if the pay increase was not applied for the year, the College's financial health grade would remain unchanged at "requires improvement" and that account should also be taken of the exceptional work that Staff had carried out this year during the pandemic.

The Committee questioned whether SLT could envisage and predict any realistic circumstances in which the College and Governing Body would regret endorsing the decision to implement the pay award for 2019/2020. In response the Principal advised that such circumstances would arise if there was a complete loss of all International Income, combined with Adult Education business being significantly affected going forward. However, it was explained that this would not impact 2019/2020 outcome, as the assumption has been made that no additional pre-paid income will be received this year. Regarding the latter, he explained that enrolments were currently being taken for September 2020 and that this market should be unaffected by Covid-19 in the shorter term, although a second wave of the virus could have an impact further down the line but would roll forward into the 2021 Adult Education budget. SLT confirmed that they were confident that for 2019/2020 the income should remain steady and that in their view it was unlikely that International Student income would cease altogether and would bounce back anyway. At this point Governors were reminded that the decision regarding the 2 year pay award was only being considered in respect of the 2019/2020 year, so the following year's decision on the pay award, would not have to be made until the Governing Body considers the budget in the Autumn Term 2020/21.

In conclusion the Committee agreed, based on the figures provided and analysed by SLT, to endorse SLT's recommendation for the 2019/2020 year pay rise to all Staff, backdated to September 2019. **ACTION: SLT**

**c) Circumstances where Furloughing/redundancy options which may be considered**

Owing to the sensitive nature of the business, it was resolved to move this item from main business to confidential Part II – **refer to confidential minutes.**

**12. Date of Next Meeting**

**Wednesday 8<sup>th</sup> July 2020 at 6.00 p.m.** (unless lockdown has ceased, in which case it will be a Corporation meeting)

**13. Any Other Business – None**

It was agreed that the remote meeting via Google Hangouts had worked well and thanks were recorded to Janine Hatcher for presenting the papers.

**14. Part II Confidential business**

None

**15. Enclosures – EGC Terms of Reference for information – noted.**

Chair.....

Date.....

Louise Pennington 13/05/20