

**MINUTES OF THE
CORPORATION MEETING**

HELD ON WEDNESDAY 22nd MARCH 2017 AT 6.00 P.M.

MEETING 16/04

Present: Jane Alderton, Robert Bridges, Ayas Fallon Khan, Jane Farrell, Philip Harland, Simon Lindfield, Lucy MacDonald, Nasr Muflahi, Anton Pruden, Janice Robinson, Richard Seager, Aldona Wheeler

In Attendance: Jill Arnold, Peter Bailey, Elaine French, Louise Pennington

Apologies received: Randall Anderson, Cathy McDonnell, Katharine Travis and Melissa Turpin

In the Chair: Janice Robinson

1. Welcomes and Apologies for Absence

Apologies – as recorded above.

Welcomes – Aldona Wheeler

2. Membership Matters

Referring to the Search and Governance Committee draft minutes, Janice Robinson reported on the various recommendations therein and the Corporation endorsed the following recommendations:

Election of new Governor (Support Staff category) – Aldona Wheeler for a four year term of office, until 31st March 2021

Appoint new Governor (external) – Billy McNally for a four year term of office until 31st March 2021

Reappoint Ayas Fallon-Khan as a Governor (external) for a four year term of office, when his current term ends in December 2017.

Appoint new Safeguarding Designated Lead Governor – Katharine Travis

Appoint Jane Farrell to the Audit Committee with immediate effect.

ACTION: Louise Pennington

3. Declaration of Interest

None recorded.

4. Minutes of the Meeting on 25th January 2017 Parts I and II

The minutes of both the Part I and Part II minutes were approved by Corporation and the Chair authorised to sign these as a correct record of the meeting.

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

The contents of the action points' schedule and the significant risks' schedule were noted and regarding the former, Governors were advised which actions had been completed.

The following updates were given:

Item 7b: Report on Complaints – to revisit Student issues/core studies sessions in 2016/2017 – owing to uncertainty regarding the specific action, Louise Pennington agreed to refer to the minutes and liaise with Jill Arnold. **ACTION: Louise Pennington**

Item 5 EFA Assessment of College financial plan 2015-2017 – plan was re-submitted and awaiting EFA response. Philip Harland confirmed that a response had now been received from the EFA who had confirmed that the College's financial health was "good".

The action schedule will be updated to reflect any changes accordingly for the next meeting.

ACTION: Louise Pennington.

6. Chair's Report

Janice Robinson presented her report to Governors and in respect of item a), tabled a written report. At this point it was agreed that item a) should be recorded confidentially. (Confidentiality Criteria h): information not otherwise covered above, but considered to be commercially sensitive.)

a) Joint Study with BHASVIC

Refer confidential minutes.

b) Amendments to College Publicity Materials

Janice Robinson informed Governors that following recent developments, the College has included some details for clarification purposes within its marketing documentation (including on line material), in respect of two aspects:

- College's right to change teaching hours, mid-course where the number of students enrolled on the course drops to a low level.
- IB Programme – the IB is internationally recognised in approximately 150 countries, but as 99 of these (to date) have issued individual recognition statements detailing specific requirements for students wanting to study at universities in the various countries, students/parents will be reminded that the responsibility is upon them to complete the necessary checks to ensure that their individual IB course components match that required in respect of their preferred university. In future all College literature (hard copy and electronic) will include this advice.

7. Principal's Report

Philip Harland gave his report to Governors on the following items:

a) Staffing Updates

The Corporation noted the contents of the Report prepared by the HR Department and following various suggestions, it was resolved that it should be brought back to the next meeting, having been revised to provide comparative analysis for Governors. This should take into account previous years' figures and also analysis by employment category e.g. teacher/adult education teacher/cleaner/temporary staff etc. and should also include analysis of FTEs, so that Governors

were able to identify more clearly, whether there were any particular trends or issues for concern.

ACTION: Philip Harland

In response to questions from the Governing Body, Philip Harland explained the low cost recruitment process favoured by the College when a member of staff retires/resigns and the fact that where possible, additional hours are offered to existing part-time teachers, replacing hours lost the departure of a member of Staff. Governors discussed with SLT the low Staff turnover and Varndean's preferred recruitment process and considered the potential implications of this including issues which may arise from internal appointments.

b) Meeting with EFA/SFA on College Finances

Further to the announcement made at the Governors' Strategy Day, Philip Harland confirmed that the College has been notified that it has been placed in early intervention by the funding body, since the submission and review of its Finance Record based on last year's figures. The EFA/SFA representative (Ben Payne) met with Philip Harland last week to discuss the matter and to seek assurances from the College that its financial position would be strengthened going forward, to reflect the new requirements.

Governors were reminded that the EFA's benchmarks have been changed to reflect the new requirements regarding the current ratio and the performance ratio - in the Finance Record the calculation of the grade was based upon the adjusted current ratio score, added to the EBITDA (Earnings before interest, tax, depreciation, amortisation) as percentage of income score. It was noted that the new rules had been applied retrospectively, and that going forward the College would need to revise its expenditure and improve its surplus position, in order to ensure that the new benchmarks were achieved.

Following a question from Governors, Philip Harland confirmed that early intervention under the new rules, was triggered when the particular score achieved by the College was 80 or less and Varndean's score for last year was 80 (in the forecasts for this year, it's predicted to be 90, so outside the trigger point).

Philip Harland informed Governors that Ben Payne had also discussed the recent ABR (Area Based Review) process and particularly the joint study with BHASVIC and whether collaborative savings had been identified.

c) Apprenticeship Levy

Governors were informed that the above new levy was being introduced and that for Varndean College it was likely to be approximately £14,000 per annum, to which the College would be able to draw down when it engaged apprenticeships for training. At the next meeting Philip Harland will present a paper providing the pros and cons for the College, should it chose to pursue apprenticeships. **ACTION :Philip Harland**

d) Meeting with SFCA

At the recent SFCA AGM, Philip Harland raised the issue of the SFCA giving consideration to allowing other non-SFC sixth form providers being invited to join the SFCA, in light of the fact that fewer SFCs were now going to academise. A SFCA conference has been organised to enable further discussion and advice to be given to SFCs. Other matters discussed included SFCA's plans to increase the influence on the Government Education Minister in respect of the Sixth Form sector, particularly with regard to funding constraints. A briefing paper has been issued to the Government by the SFCA to assist them in the debate regarding post-16 education funding.

Furthermore, Philip Harland announced that Caroline Lucas (Brighton and Hove MP) had written a letter to the Government in support of the need to adequately fund post-16 education.

e) NSP9 Teaching Allowances

Governors were reminded that at earlier Corporation meetings, it had been agreed that owing to affordability issues, the top level, NSP9 (in respect of Teaching Staff with management responsibilities) would not be implemented by the College, in respect of the new National Teachers' Pay Scale. Philip Harland suggested that further exploration could be made with the Unions, subject to Corporation agreement, in order to determine whether it would be possible to re-consider implementation, so long as this was on a nil cost basis. The Corporation discussed the matter and the following points were recorded:

- Transition to NSP9 does not impact upon pension contributions as Teaching Staff management payments were already accounted for within the pension contributions.
- Management allowances are made on a full time basis, even if a Staff member is employed on a part-time basis, owing to the fact that the management responsibility has to be done on a full time arrangement.
- The issue of different terms and conditions being in place was discussed, in respect of management responsibilities awarded, for new members of Staff, compared to existing Staff members.

It was recognised that further investigations were needed to identify a way forward for Teaching Staff to be recognised for taking on management responsibilities. The Corporation concluded that Philip Harland should be allowed to explore the option of implementing NSP9 at nil cost, with the Unions and noted that following this Philip Harland would bring a paper for consideration by Corporation. **ACTION: Philip Harland**

8. Student Governors' Report

Nasr Muflahi gave the Student Governors' Report noting the following:

- Student Union election process is underway and the outcome of this will be reported at the next meeting.
- Leavers' event has been arranged.
- AoSEC training event (The Governors' role in assuring the quality of teaching learning and assessment) was attended by Nasr and Simon Lindfield on Thursday 16th March at City College. Nasr and Simon reported on some of the key issues discussed. It was agreed that Nasr Muflahi should feedback suggestions from this which may improve Varndean's support for Students e.g. timetabling of Core Studies. **ACTION: Nasr Muflahi/Jill Arnold**

9. Strategic Planning

Philip Harland introduced the item and reported on the following matters:

a) **Feedback from Strategic Planning Conference**

Thanks were recorded to Governors and Staff for attending the Conference and Philip Harland said that SLT was reviewing the feedback submitted and working on revising the Strategic Plan reflecting the common themes discussed, for presentation to the next Corporation meeting in May. **ACTION: Philip Harland** He also confirmed that the budget was being prepared too, reflecting the new EFA requirements as reported above. Governors were reminded that the financial position for SFCs continued to be under pressure, making the strategy and budget setting process more

difficult; the Finance Working Group is due to meet on the morning of Monday 8th May to consider the draft budget. **ACTION: Philip Harland/Elaine French**

b) Review Mission Statement and Strategic Plan – progress report

Reference was made to the revised Strategic Plan comments recorded above in item a) together with the following additional points:

- the high value added achieved in respect of Level 3 courses was discussed, along with the BTEC value added results which the College is working on to improve.
- The current student demand led curriculum planning process was discussed, noting the pressures on finalising the curriculum and need to maximise class sizes which may require some change to ensure increased efficiency and cost management.
- Issues from Brighton and Hove Council regarding Students' health care plans was noted and that there were now signs of improvement.
- Reference was made to the earlier discussion regarding recruitment of Teaching Staff and the College's preferred internal appointment process, but also noting that the calibre of Staff remained high as reflected in the performance review process, lesson observations, focus groups and EQRs (External Quality Reviews) etc.
- The College is focusing on improving Higher Education aspirations amongst its Students and has recently held an HE evening.
- Staff development – an effective programme of shared practice.
- Further investigation into developing the College's lettings will be made.
- Marketing – the College will be carrying out investigations to determine why students do or don't select Varndean as their first option.
- SLT is working on maximising financial efficiency throughout the College and also focusing upon sustainability and regarding the latter and taking into account issues raised at the recent Strategy Day, Elaine French advised that she had had a meeting with Ayas Fallon Khan earlier in the day.
- No change was made to the Mission Statement.

At this point Ayas Fallon Khan left the meeting.

It was confirmed that the draft Budget and the revised strategic plan/objectives would be presented to Corporation next term. **ACTION: Philip Harland/Elaine French**

10. Curriculum and Standards

Peter Bailey and Philip Harland presented the papers to the Corporation and the following points were recorded:

a) Quality & Teaching and Learning

i) Quality Improvement Plans (QIPs) (from SAR)

- Governors were given a summary reminder of the self-assessment and quality improvement process and the associated timescale. Following the production of the final QIP (end of January), any curriculum areas graded 3 are identified and a meeting is arranged between the Head of School/Assistant Head of School, Philip Harland and Peter Bailey to discuss plans for improvement.
- The BTEC area currently has the greatest focus upon identifying ways to improve achievement, in light of the unsatisfactory results and value added scores. The assessment process is then rewritten and target setting improved.

- All curriculum areas complete a teaching and learning project annually and in respect of the BTEC programmes of study, this is focused upon improving achievement.
- The line management structure is being arranged for implementation in September 2017 partly to ensure that maximum support is given to the BTEC programme.

ii) Value Added Scores

The analysis was considered by Governors, noting the excellent position in the ranked tables for Varndean with regard to Level 3 courses, but also the work required to improve the position of BTECs, as already discussed above.

iii) Student Progress Data Dashboard

The dashboard update was welcomed by Governors as a means of tracking progress against expectations as early as possible, noting that the figures had been prepared using the last 3 years' student progress reports, ALPS guide and Teachers' assessments per student per subject. Regarding A2 qualifications, there are more Students currently at or above their target grade, according to the analysis, whilst the vocational courses indicate broadly that Students this year are currently predicted to achieve below benchmark (BTEC mainly). Once the latest examination results are issued in the August, an updated report will be prepared for the first Corporation meeting in the Autumn Term. **ACTION: Philip Harland**

11. Finance

Elaine French introduced the various Finance reports, highlighting the following points:

a) Financial Updates including Dashboard and Management Accounts

- The latest analysis is based upon period 6 (last presented to Governors based on period 4).
- As at the end of January 2017, the overall projected surplus is in the region of £89,000 (budgeted operating surplus being £29K). However Elaine French advised that this would reduce to £69,000 in period 7, in respect of additional MIS (Management Information system) new system and associated costs.
- Both income and expenditure will be in excess of the budgeted figures, being in the region of £196K and £137K respectively, with explanations for the variances given on page 2 of the Management Accounts.
- To allow for less movement at month 12, expenditure in respect of central costs (printing/reprographics) has been included in period 6 figures. At this point it was noted that a review of central costs was underway in order to identify ways to reduce these.

b) Final Funding Allocations for 2017-2018 EFA; SFA (to follow) and EFA Letter FS 2016

The final EFA funding allocation was noted, being £80,000 less than predicted owing to there being fewer than initially predicted student enrolments, in addition to a reduction in formula protection funding by £20,000. Governors' attention was also drawn to the £196,000 additional in year funding which will be received next month, in respect of the Students enrolled by the College arising from the Haywards Heath College closure. This will be included in period 7 management figures. However it was noted that the EFA required certain criteria has to be met regarding the courses on which the ex-Haywards Heath Students were enrolled i.e. to retain this additional funding, they must be on full time courses.

The SFA funding allocation has not yet been issues to Colleges, so details will be included at the next Meeting. **ACTION: Elaine French**

c) Financial Regulations/Business Procedures Annual Update

The Corporation approved the changes included on page 46, noting that these were mainly housekeeping matters such as name changes. **ACTION: Elaine French**

d) Property Update incl. Minor Works' Proposal Priorities

Philip Harland made reference to the Property Matters' item considered at the December 2016 Corporation meeting, where a list of 9 proposals for minor works had been presented following consultation with staff and confirming the decision at the meeting for SLT to review the proposals and make recommendations to Corporation this term. He informed Governors that SLT recommended that subject to Corporation agreement and, any necessary tender process and planning permission, the College should prioritise the proposal to provide additional laboratory space, next to the Hutchings Wing ideally this summer. The SLT recommended priority was endorsed by Governors. It was noted that the CIF bid outcome remained outstanding but was expected in April. Should the bid be unsuccessful, the College would have to review the funding for the laboratory space, but noted that approximately £225,000 could be set aside from the College's own funds (capital costs over 25 years) towards this. It was recorded that approvals would be sought from Governors, once the outcome of the CIF bid has been made, regarding the way forward and necessary financing details. **ACTION: Philip Harland**

Philip Harland also reported on discussions held regarding the proposal to develop the land above the football pitch, reminding Governors that with the assistance of the College's property advisers, enquiries had been made with the Planning Department who required the College to advertise the land locally, for open use for a 15 month period to determine interest; the time limit is due to end shortly. To date only one expression of interest has been received from a local nursery with an interest in building a school on part of the land. The College's advisers have been liaising with the LA Planning Department on our behalf to determine the best way to progress the application and our advisers have indicated that the College should submit an outline planning application, which if approved, would place the College in a better position should it be decided to sell the land. The benefits for this were discussed including cost implications and the fact that approved outline planning would be more attractive to a potential buyer. Philip Harland confirmed that based on the advice received from the College's property advisers, he and Elaine French were in the process of discussing the outline planning application details with the College's architects and planners, taking into account the necessary surveying requirements (land/trees etc), noting that it would take at least 3 months for the outcome of the planning application to be issued. The latter work, including planning and survey costs, was likely to cost in the region of £42,000. The Corporation discussed the various implications and in conclusion endorsed the proposal to submit outline planning and associated costs and in this regard Philip Harland agreed to bring a paper for Governors' approval to the next Meeting. **ACTION: Philip Harland**

Philip Harland also reported that within the proposed focus upon the additional science laboratories, it was hoped that there would be sufficient funding to also provide a re-working of some of the current space on the ground floor of the main building to improve the space utilisation for staff and students, including removing the current waiting room area.

e) Fees for 2017/2018

The revised schedule of fees for 2017/2018 was tabled at the meeting in respect of the following categories of Students: Mature, International, Access and Adults. Elaine French explained the review carried out by the International Department in reaching the revised fees. The Mature, Access and Adult fees reflect the standard tariffs set by the Department for Education.

At this point the Principal drew attention to the discussions held at the Governor Strategy Day regarding the proposal to consider increasing Adult Education fees (not included in the schedule) which would be investigated in due course.

The Fee schedule for 2017/2018 was approved by the Corporation. **ACTION: Elaine French**

12. Audit

a) Minutes of Meeting held on 6th March 2017

In the absence of Randall Anderson, Chair of Audit Committee, Elaine French drew Governors' attention to the key aspects of the draft minutes. The following items were approved:

b) Risk Management Action Plan – refer minutes

c) External Audit Performance Review and PIs – refer paper (noting also that last indicator listed, should remain at a grade 2 (unchanged from last year).

13. Search and Governance Committee

Janice Robinson and Louise Pennington presented the various documents recommended to Corporation by the Search and Governance Committee and also gave a summary of the meeting business considered by the Committee. The following documents were reviewed and approved by the Corporation.

a) Minutes of Meeting held on Monday 6th March 2017 (Draft) – noted.

b) Review Corporation documentation (standing orders/Corporation Committee structure and procedures) – changes as detailed in minutes.

c) Revision to I & A – revision in respect of Parent Governor election process, as recorded in the minutes.

The Corporation also endorsed the recommendation in the draft minutes whereby the Corporation appoints the Committee Chairs (revise standing orders/terms of reference accordingly). **ACTION: Louise Pennington**

14. Policies

The Policy listed below were considered by the Corporation and approved.

- a) Complaints and Appeals Policy and Procedures.

The re-written policy/procedures was considered by Governors and thanks were recorded to Janice Robinson, Katharine Travis and Jill Arnold for their input. The new document was approved by Corporation in respect of any new complaints/appeals and Jill Arnold confirmed that she would inform staff of the changes and arrange a session at the next Inset training in June 2017 to ensure all staff were aware of the new wording. **ACTION: Jill Arnold/Louise Pennington**

15. Date of Next Meeting

Wednesday 17th May 2017 at 6.00 p.m.

16. Any Other Business

There was no other business.

17. Confidential Business

None

Chair.....

Date.....

Louise Pennington 22/03/17