

**MINUTES OF THE
CORPORATION MEETING**

HELD ON WEDNESDAY 9th OCTOBER 2019 AT 6.00 P.M.

MEETING 19/01

Present: Ayas Fallon-Khan, Jane Farrell, Philip Harland, Paul Herridge, Ethan Hilton, Dawn Howard, Izzy Langhamer, Simon Lindfield, Janice Robinson, Katharine Travis, Simon Waters, Aldona Wheeler

In Attendance: Peter Bailey, Elaine French, Donna-Marie Janson, Louise Pennington

Apologies: Billy McNally, Cathy McDonnell, Richard Seager

In the Chair: Janice Robinson

To start the meeting Donna-Marie Janson gave a training session (20 minutes) plus questions and answers on the new Inspection process.

1. Welcomes and Apologies for Absence

Apologies – as recorded above.

2. Membership Matters

The Corporation considered the proposed appointments within the meeting paper front sheet and approved the following:

- Appoint Andy Breckenridge as a Governor for a four-year term with immediate effect until 31st October 2023 and also subject to his agreement, that he should join the Audit Committee.
- Appoint Alan Walker as a Governor for a four-year term with immediate effect until 31st October 2023 and also to join Audit Committee and the Accommodation Working Group. The Corporation noted that Alan Walker was married to a member of the College's teaching staff.
- Paul Herridge to join and Chair the Risk Group, the latter to commence post October 2019 meeting. It was also agreed that he should join the Audit Committee with immediate effect.
- With immediate effect, Ayas Fallon-Khan to join and Chair the Audit Committee, noting that this would be an interim appointment until a new Chair of Audit Committee has been agreed.
- Jane Farrell to be appointed as Chair of the SPH Remuneration Committee with immediate effect and noting that she will step down from the Audit Committee.

At this point the Chair of Governors informed Corporation that Billy McNally had sent apologies for this meeting and advised that regrettably owing to work commitments, he would have to resign from the Governing Body with immediate effect. Thanks, were recorded to Billy McNally for his support in recent years and wished him well for the future. It was noted that the Search and Governance Committee would review the vacancy at its next meeting in November. **ACTION: Janice Robinson/Louise Pennington**

3. Declaration of Interest

Refer item 2 above re Alan Walker.

4. Minutes of the Meeting on 10th July 2019 Part I

The minutes of the Meeting were approved by the Corporation and the Chair was authorised to sign these as a correct record of the meeting. **ACTION: Louise Pennington**

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

The following updates were recorded:

- GDPR – Elaine French to organise compliance review this term, with outcome being reported to Audit Committee. **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. **ACTION: Elaine French**
- Prevent Action Plan – review of College security – Donna-Marie Janson reported that all Colleges and Schools were waiting for the Local Authority's lock down policy before the Action Plan can be finalised. **ACTION: Donna-Marie Janson**

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

SIGNIFICANT RISKS 2019/2020– the Corporation noted the risks for 2019/2020.

6. Chair's Report

The contents of the Chair's report were noted by Governors and the following additional points were recorded:

- The Principal's formal notice to retire with effect from 31st August 2020, given at the start of term was recorded by the Governing Body, noting also that it provided a significant length of time to find a successor. Staff have been informed and Students/Parents will be notified later this term.
- Philip Harland will be absent for around 6 weeks from 31st October following a hospital procedure, during which time SLT will provide cover.

7. Principal's Report including Staffing Update and Strategic Plan Progression

Philip Harland presented his report to the Corporation and the following points were recorded:

- Pay negotiations with Trade unions and SFCA: 1.5% has been offered by the SFCA on behalf of the SFCs which has been rejected by the Unions; the Unions are seeking a pay rise of nearer 2.75%. Discussions have been discontinued and both parties have agreed to review the matter and meet again in a month's time.
- Planning application in respect of the biodiversity area (relocation to the east of the Building) has been approved this afternoon and notification received by the College today. Governors were reminded that the spoil from the STEM Centre building

works would be utilised for the biodiversity area. It was noted that appeal in respect of the residential plans to the north of the site lodged on 11th September 2019, may be assisted by the biodiversity planning approval as one of the grounds for refusing the original development plans, was the loss of the existing biodiversity site.

- Regarding the appeal referred to above, it was explained to Governors that there were two options for process which would be decided by the LA Planning Office the first based on letters of representation or secondly via a hearing. The former would be completed over a 10-week period (February 2020), whilst the latter would require 20 weeks for completion (June 2020). The Planning Office is likely to announce the route process within 6-8 weeks.
- Freedom of Information (FOI) request in respect of the College's costs arising from consultants engaged to process the planning application: Governors were informed that the College had refused the request stating commercial sensitivity and the request being vexatious. The request has been passed via the appeal process to the FOI Commissioner and the outcome is awaited.
- Haywards Heath Sixth Form College Update – it's intended that the new facility will open in September 2020 and will be part of the Chichester Consortium, with the Worthing College Principal (also part of the Chichester Consortium), being the new Principal, whilst also retaining the Worthing Principal role. It's intended that the new provision will have an extensive curriculum offer, being a mix of academic subjects (A Levels) combined with technical qualifications and apprenticeships. It was recognised that the new College may take a few years to reach its target Student numbers and it's likely to have a small impact upon Varndean College's recruitment numbers from the Haywards Heath area (approximately 30 Students per year at risk).
- Last academic year the Unions balloted members to determine whether strike action should be taken in response to year on year lack of additional funding since 2010/11. The National Education Union (NEU) has confirmed that its members will be taking part in industrial action on 17th October, 5th November and 20th November. This is a national dispute and affects about 25 SFCs. Philip Harland explained that the timing was unfortunate, as since the ballot, additional funding has been made available to education, with approximately £800M for the post 16 sector. This will boost the funding per Student from £4K to £4,188 with effect from the 2020 academic year. On strike days the College will remain open for Staff who are not on strike and for Students who wish to use the College's facilities. A letter will be distributed to Parents/Students tomorrow informing them of the situation. Staff have received the standard letter prepared by the SFCA. BHASVIC will be affected by the strike too.
- Following a question from the Chair regarding the College's preparations in the event that the UK leaves the EU (in light of a Letter to College Chairs indicating that Colleges must ensure that they have contingency plans in place should a no deal Brexit take place), the Principal advised that EU students already enrolled at Varndean College would be unaffected, although there would be certain new procedures to follow relating to settlement status. Any Staff affected would also be able to remain in the UK, but with additional checks and processes to be followed, with the assistance of HR. Regarding International Students (Non-EU), the College is aware that Students already enrolled will be unaffected and with regarding to future enrolments, post Brexit, there is a process which will have to be followed to enable students to gain a "temporary leave to stay", with extension options – extended leave

to stay and permanent status. Regarding goods and services, SLT advised that no issues had been identified.

STAFFING UPDATE: Corporation noted that a detailed staffing report had been presented and discussed at the last meeting in July 2019. In summary the Principal reported that following a significant increase in Student numbers (additional numbers between 150 -160 Students), the College has needed to increase Staffing by 1.2 FTE. Pete Bailey has negotiated changes to 77 existing Staff contracts to reflect the required increased hours. Furthermore, a small increase in non-Teaching Staff hours has also had to be made in respect of additional support. The changes have resulted in an increase pay cost to 74.7% (of income). The Director of Finance report that enquiries had been made regarding an in-year funding application to support the increase in Student numbers and it's intended that an application will be submitted at the end of October for this and if successful would provide additional funding, should the application meet the threshold requirements and receive approval.

STRATEGIC PLAN UPDATE: The Principal's drew Governors' attention to the key aspects within the update paper, including the latest analysis regarding achievements and free school meals with various comparisons and adjustments made in respect of the new inspection framework. The following details were recorded: -

- Level 2 Cohort is quite large this year at 207 Students, noting that Cardinal Newman had restricted its Level 2 cohort, having cancelled its Level 2 Programme midway through the application period (following greater than expected L3 intake), so that Students had to look to other providers, including Varndean;
- Overall Student numbers for this year have reached 1,830, making the College's overall operations very efficient. However, this has put pressure on room availability particularly relating to individual examination rooms, later this term in November.
- Latest forecast financial health is good.
- Summer works – gym, 2D workshop, reception, kitchen refurbishment and additional solar panels.

8. Student Governors' Report

Ethan Hilton and Izzy Langhamer gave the following update to Governors:

- Freshers Week was successful, with some new features such as the Photo booth.
- Izzy Langhamer attended an S7 Student Governor event last term which provided an opportunity to share ideas and discuss the Student Governor role.
- The Student Governors reported on a number of concerns raised by Students including feedback regarding the new canteen and particularly the price of food, choices, hot food timings, use of plastic cutlery and insufficient seating/tables. Elaine French reported that overall the general feedback was that the new catering contractors were providing a better service, although that had been one or two teething problems whilst the refurbishment work was finished at the start of term. Elaine French offered to set up a meeting after half term with the Student Governors and catering contractors to take forward some of the Students' issues. **ACTION: Elaine French**

- Environmental Issues: – referring also to the plastic cutlery issue mentioned above, the SU was keen to encourage a move towards disposable cutlery and to encourage more Students/Staff to utilise their own water bottles. At this point reference was made to the College’s Eco Code which was written in 2012. Donna-Marie Janson informed the meeting that members of Staff were currently working on an environmental project to identify improvements which the College could make and that the intention would be to liaise with the Student Union once the initial work had been completed. At this point the Corporation was reminded that Ayas Fallon-Khan was the Governor who attended the College’s Environmental Committee and he offered to provide input and support to the SU in their environmental and sustainability work. The Student Governors agreed to discuss this with the Student Union and then liaise with Ayas Fallon-Khan, through Donna-Marie Janson.

ACTION: Student Governors, Donna-Marie Janson and Ayas Fallon-Khan

- At this point Governors’ attention was drawn to the sustainability practices brought into effect at Blatchington Mill School whereby all single use plastic has been discontinued, together with food sources acquired only within a 25-mile radius of the school. SLT and the Student Governors agreed to include this information in their research.
- There have been requests from Students for a smoking shelter as they are concerned about safety issues regarding that fact that any Student smokers have to go off site to smoke and often smoke around the College’s entrance/exit areas. Having liaised with other S7 College Student Unions, most have a shelter or designated smoking area. SLT and Governors discussed the recent history relating to the decision to ban smoking on site, based mainly on health factors which it was thought should not be tolerated in a publicly funded institution. SLT explained that any smoking area would also need to be supervised by Staff who would also not want to be exposed to secondary smoke. In conclusion it was noted that the SU would organise a survey of Students to get a better idea of the numbers wanting a smoking designated area. **ACTION: Student Governors**

9. Curriculum and Standards

SLT presented the papers to Corporation and the following points were noted:

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

The Principal guided Governors through the dashboard highlighting certain indicators and performance comparisons and Governors noted in particular the improvements in the BTEC performance. It was noted that SLT was completed further investigation on the potential impact on achievements following the transition from AS/A2 to A2 linear.

It was also noted that the dashboard required some amendments owing to some unexplained errors on the second page, which Philip Harland agreed would be revised.

ACTION: Philip Harland

IB results – marginally lower for 2019 compared to previous years although much higher average than the majority of other institutions worldwide.

b) Student Enrolment & Class Sizes

The Principal introduced the paper confirming the additional 250 Students enrolled for 2019/2020 which has affected the College's average class sizes for many subjects for both year 1 level 3 and level 2 subjects (student numbers for Level 2 has increased by 11% compared to 9% in the previous year) and also tutor groups. Varndean College hopes that the additional Level 2 Students will then stay on at Varndean to complete their Level 3 subjects. In future years if applications continue to increase, the College will have to continue with its waiting list, first introduced this year. Owing to an increase in numbers, there have been fewer opportunities to allow flexibility for Students to change courses during their first Autumn Term. It was also noted that once the STEM centre has been completed later this year, there will be more classroom space available, but despite this the pressure on accommodation will remain challenging, also taking into account that once the STEM centre has been completed, 2 mobile classrooms will have to be removed to comply with the LA requirements. The Corporation was also made aware of the potential impact from the Haywards Heath new sixth form provision, after 2020. Governors agreed that further thought regarding future strategy could be taken forward at either a mid-term seminar this term or the strategic planning day next term. **ACTION: Janice Robinson/Philip Harland**

c) Careers Strategy

Donna-Marie Janson introduced the revised document (changes marked in yellow text) and highlighted the following changes:

- Major change has been implemented following the new Unifrog programme which several feeder schools are using which assists Students in seeking apprenticeships or employment opportunities and preparing personal statements etc, providing continuity for Students through Secondary School into Sixth Form as records established at School, including attendance at talks, training events etc are maintained within a central record for each Student, and carried forward between educational institutions using Unifrog. Staff at Varndean have recently undergone Unifrog training, so that they are able to support Students utilising the programme. The system will also record all interaction between Staff and Students in relation to their career plans or future HE progression.
- Distinct tutor groups have been established for Oxbridge, Art Foundation, direct employment (Students not seeking HE entries) and Medical/Dental/Veterinary applicants, so that Students can received focused support.

10. Finance

Elaine French presented the following papers to Corporation and drew Governors' attention to the key points detailed in the Executive Summary, as follows:

a) Financial Updates including Dashboard and Management Accounts

- Draft year-end figures as at July 2019 – summary detail included showing little change since period 10.
- Budgeted £105K, with the draft surplus for the year end 2019 being £116K, representing a positive variance of £10,944.
- Income and expenditure are over budget by £104,622 and £93,677 respectively.

- The auditors are in the process of completing their audit working and finalising the financial statements for the year and the outcome from this will be presented to Corporation via Resources and Audit Committees later this term.
- Page 38 – International Students’ income has exceeded the budget by £94K owing particularly to the success of the College’s short course programme and summer camp, the latter of which made a profit of £24K. In response to a question from Governors, Elaine French confirmed that there were some changes in key personnel which had resulted in further growth in the International Students’ income
- Increase in expenditure owing mainly to an increase in Staffing costs regarding the agreed pay award and costs associated with growth in Student numbers.
- Central services costs – under budget by approximately £67K owing to accounting adjustments.
- International marketing costs which look higher than the original budget, but will in fact be offset by additional income. In future years the management accounts will reflect a change in marketing cost reporting as currently this category includes running department costs which will be shown elsewhere.
- Financial health score remains at “good”.
- Governors were informed that the financial statements for the year ending July 2019 will reflect the annual re-valuation of the local Government pension scheme, noting that last year there was a decrease in liability of approximately £500K, whilst this year, there has been an increase in liabilities of approximately £1M, owing to a recent ruling affecting the way in which pension liabilities are valued and affecting all Colleges. It was noted that this would not impact the financial health score.

b) Capital/Developments (including Property Update)

Reference was made to comments made within the Principal’s Report.

The STEM building is going to plan and there are monthly meetings with the Construction Team which the Business Director attends and every 2 weeks the Project Manager issues an update with a timeline for works planned for the next 2 weeks. This week the contractors are working on brickwork and cladding to the south elevations. The concrete floors were completed over the last few weeks, incorporating underfloor heating and the first fix of M&E (mechanical and electrical installations). At the beginning of the new year the contractors will commence the lab installations and a meeting to discuss the tender for fitting out the laboratories has taken place. Governors were informed that SLT will be investigating a new way of fitting out laboratory space in respect of desk/work tops which are on wheels so can be moved around to adapt to the needs of each class, making the facilities much more flexible.

c) Health and Safety Annual Report

Corporation noted the contents of the Report with the following highlights:

- It has been made apparent last year that departmental risk assessment needed improvement so the intention will be to organise training for staff to ensure a better understanding of requirements.
- Nick Stubbs, the College's Health and Safety advisor, receives regular health and safety updates from the construction Project Manager and has confirmed that there have been no issues on site to date.
- In response to a question from Governors regarding the plan timing, Elaine French confirmed that there were no issues to date.

11. Policies

a) Health and Safety Policy

Elaine French drew Governors' attention to the changes (clarification of staff responsibilities, further information on health and safety in the workplace and welfare arrangements, together with reference to LA consortium re science and arts). The policy was approved by Corporation and the Chair authorised to sign the document. **ACTION: Elaine French**

b) Complaints and Appeals Policy and Procedures – Students, Parents/Carers

Approved by Corporation with housekeeping changes only.

12. Date of Next Meeting

Wednesday 4th December 2019 at 6.00 p.m.

13. Any Other Business

None.

14. Confidential Business

Refer to confidential minutes.

15. Enclosures - Noted

Chair.....

Date.....

Louise Pennington 9/10/19