

MINUTES OF THE CORPORATION MEETING

HELD ON WEDNESDAY 26th JANUARY 2022 AT 6.00 P.M. MEETING 21/03

HELD ONLINE VIA G. MEETS

Present: Jill Arnold, Belinda Dutch, Jane Farrell, Paul Herridge, Donna-Marie Janson, Simon Lindfield, Jack Pattison, Janice Robinson, Katharine Travis, Alan Walker, Brendan Ward, Aldona Wheeler, John Williams, Jason Wye

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

Apologies: Ayas Fallon-Khan, Robyn Read, Cintha Archer

Welcomes: None

In the Chair: Janice Robinson

At this point Simon Lindfield confirmed that he'd agreed with the Principal that he could take away the College's Christmas tree at the end of the Autumn Term and made a donation to a local charity.

1. Welcomes and Apologies for Absence

The meeting was quorate.

Apologies – as recorded above

2. Membership Matters - None

3. Declarations of Interest

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

4. Minutes of the Corporation held on 7th December 2021 – Part 1 (Non-Confidential)

The minutes of meeting were approved by the Corporation and the Chair was authorised to sign these, subject to the following changes:

Page 1 – Membership Matters. reference to “Governing Boy”, should be amended to read “Governing Body”.

Item 14 a) Safeguarding – reference to the number of vulnerable Students should be revised to read “the number of alerts” and the reference to suicide should be revised to read “suicidal ideation”.

ACTION: Louise Pennington

At this point Jack Pattison joined the meeting.

Confidential minutes part II – None.

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

The Corporation noted the progress with actions to date and those which were on going or would be taken forward in due course over the year.

In response to a question from the Corporation, the Deputy Principal confirmed that he had made the changes as recorded in the minutes, to the SAR and QIP, removing or revising the reference to financial sustainability as this was covered elsewhere as reported to the FEC Diagnostic Team during the recent visits. He confirmed that some other minor changes had been made prior to submission, including revising the Leadership grade to “outstanding”.

Regarding the discussion recorded relating to investigating sponsorship options, it was noted that a policy was being drafted which would be presented to a future Corporation Meeting.

ACTION: Janice Robinson/Elaine French

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

SIGNIFICANT 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.

6. Chair’s Report – nothing to report upon for this meeting.

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:

- a) **Strategic Plan** – reference was made to both the Staff and Governors Strategic Planning meetings, following which SLT had some revisions and additions to make to the draft Plan, including detailing the KPIs and data measures required for these.
- b) **FEC Report – Refer CONFIDENTIAL MINUTES PART II** – it was resolved that the minute in respect of this item, should be transferred to confidential record (Part II minutes) owing to the sensitive nature of the business.
- c) **Covid Update (rate of infections, vaccinations, disruption to teaching and learning etc)**

The Corporation was provided with the following update:

- 189 number of Students have tested Covid 19 positive since 5th January 2022 which is the highest since the pandemic started. The biggest impact upon Students’ Teaching and Learning has been the consequences of self-isolation – either 5 or 10 days.
- Student numbers are now reducing, but Staff numbers have been increasing, with 22 Staff isolating so far this term. Staff absence/isolation has placed pressure on the remaining Staff this week during interview week (new Students). Some Staff who are isolating, are still able to teach virtually.

- Staff and Students are encouraged to continue to wear masks, despite the relaxation in the official guidance, with effect from tomorrow and the College also continues to ensure the buildings remain well-ventilated with windows open in classrooms and corridors.
- Contingency plans for the Summer term, should examinations not take place, are underway – for second year Students this will comprise preparation for final exams and preparation for TAGs (Teacher Assessment Grades). The proposals will differ from last year; this year there will be three lots of examinations, with Students being off timetable for a week for each of the three sessions. This will mean additional pressure on Students. However, the final plan will be set once the official guidance has been issued from the Department for Education. It was recognised that if the assessment process is to be implemented, Students' learning will be impacted as they will be away from their studies for the 3 weeks of scheduled mock examinations.
- Regardless of the official announcement, the College's usual mock examinations will take place week. Should the TAGs be implemented for this year, the intention would be to hold another week of assessment before Easter and the other in the Summer Term.

8. Student Governors' Report

Jack Pattison presented the following update to Governors:

Jack Pattison

- SU has been running a clothes shop for recycling clothes on a Tuesday which has been working well and has been well advertised via the College's social media. Any profits raised will be donated to charity.
- SU election process is underway and social media is used for these notifications and information. The SU is looking at reviewing the various SU Executive roles and will keep Governors up to date on this, including if there's a request to revise the SU constitution. The purpose of this review is to improve inclusivity and better overall representation within the SU Executive and therefore possibly introduce a specific role for International Students, Level 2 Students etc.
- Carbon Literacy training courses are being offered to Students until the end of February, resulting in a qualification, which may be of use to Students applying to HE, along with being informed about the environment and sustainability matters.
- Mock examinations next week – some anxiety for Students, although this is fairly normal for this time of year. However, anxiety has intensified owing to the uncertainty regarding whether assessments (TAGs) (3 – as reported above) or whether examinations will take place.

The Corporation welcomed the SU marketing techniques being used – videos etc and how useful they were being to inform Students and others.

9) Curriculum and Standards

a) Student Update

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

- Currently focusing upon key metrics and once the new KPIs have been developed, these will be included in future reports to Corporation.
- Attendance – slight reduction has been recorded this year which is understandable when compared with previous (non-Covid years). Reference in the paper has also been made to compare this in the national context and the data provided by the Department for Education (DfE). There has been a 7% increase in absenteeism nationally, whilst the College’s attendance has dropped by 3.3% overall. SLT has identified areas of good and poor attendance in order to seek solutions to improving attendance. Tutorials have been affected most by worsening attendance, particularly in respect of Year 2 tutorials – partly caused by the change in culture implemented last year during the pandemic and lockdown when these Students were in Year 1. Timetables were altered and became more condensed last year, but in Year 2, the timetable has reverted back towards a wider spread of lessons/tutorials during the full day and this has resulted in “trapped times” ie non-lesson/tutorial time in the day, where Students may either go off site, or remain on site and use the Library etc. Students who perhaps live further away, are going home and not returning for a later scheduled Tutorial. SLT is looking at ways to resolve this. At this point, a Parent Governor reported upon issues impacting Students including limited study and social space, distance from home and also existing mechanisms for recording attendance ie via electronic system/based on a Students’ access card entry to the College’s site/electronic registers. It was reported that in some instances Students are recorded as absent when they are in fact present, so this will have impacted the accuracy of the data given. The Deputy Principal, confirmed that this would be taken forward and with the development of a new electronic system of recording absence/attendance via the tutorial process, this should improve.
- SLT confirmed that some additional Study space had been created and also noted the removal of outside and corridor seating owing to Covid restrictions/guidelines, previously used by Students between lessons, which was now being re-introduced, since a relaxation in the Covid guidelines. Governors also recognised the difficulties experienced by some more vulnerable Students who may not have a study space at home etc and the importance of catering for these Students during the day on site.
- In response to a question regarding the attendance statistics, it was confirmed that the attendance figures did include both onsite and online lessons/tutorials. Regarding hybrid learning, where certain Students are unable to join an onsite lesson, e.g. isolation owing to Covid or mental health issues, they are able to join a lesson/tutorial online, but this is an area to monitor to ensure it remains manageable for Teaching staff.
- Retention remains good and is broadly in line with last year and this also reflects the recognition by Management and Staff of the importance of supporting all Students and managing a Student issue via the Student support processes, rather than suspending Students etc., which may have been done in the past. Governors were also reminded that the College has had some increased capacity recently within the Student wellbeing and therapy Teams to check in with Students who may be struggling or need extra support e.g. with a 15-minute phone call once or twice per week. A new Safeguarding Support Office, replacing a previous admin post, has also been appointed which helps within this area including administrative support, and there are Safeguarding meetings once per week, including Heads of School and

Deputy Safeguarding Leads – which has proved useful for training and discussion sessions.

- Since the relaxation of Covid guidelines, the Staff have been able to offer enrichment activities again this year which has improved the overall education for Students and also helped socialisation for Students, improving friendship opportunities etc. This will be increased into the next academic year.
- Student performance – The Deputy Principal is working with Heads of School on an in-year tracking system of performance and gave a summary of the plans including noting that there were 3 reporting points during the year, the first of which gives Teachers the opportunity to gauge Students' achievement in the longer term; the grades are reported in November and work is underway to prepare live value added data on this with the assistance of the MIS Team, based on the question – “if the subjects achieved the grades estimated, what will the value added % look like etc. Further work will be completed in order to ensure that the grade estimates calculated per subject area are realistic. SLT will update Governors further at future meetings, as progress is made. The latest ALPs scores are lower than those achieved by the College last year: A Levels – 0.97, which would place the College in the ALPs 4 equivalent level, which is lower than the College's current ALPs 5. SLT will be monitoring this, as it may simply reflect Teaching Staff currently setting more harsh grades in order to encourage Students to recognise work needed to achieve their optimum desired grade. It was agreed that the setting of grades needed to be as accurate and consistent as possible for Students. SLT has introduced a mid-year review for each subject, to enable better tracking of developments and predicting final outcomes. Assistant Heads of Schools will be meeting with the Programme Leaders, once the next set of reporting data (value added, high grades, retention, attendance and review of each student progress) is made available to enable a review and action as appropriate.
- Destinations – the Vice-Principal reported on the data available in respect of both Level 3 and Level 2 Students, based on information collected so far from UCAS applications etc. Regarding UCAS applications, the information in the report was based upon the 396 UCAS applications submitted at the date of writing the report, but noting that the UCAS applications had now increased to 487. Regarding Level 2 Students, the data has been obtained from the applications from the Students applying to Level 3 courses at the College – last year 61% of Level 2 Students, enrolled on Level 3 courses for this year.

Thanks were recorded to the Deputy Principal and Vice-Principal for this update.

b) Equality Duty Annual Data Report (Staffing Report to follow in the Summer Term)

The Principal introduced the document and highlighted the following points:

- Staffing Report to follow in the Summer Term, owing to HR Director being absent on long term sick leave. **ACTION: Principal**
- Outcomes for daytime Students – achievement high overall and all are above the national benchmarks.
- Retention has improved across the board which was a key action from last year's Report.

- 2 genders are identified and have improved overall by 5%, giving a positive outcome of 96%, which when compared nationally is excellent.
- Achievements have improved for females, above the benchmark, whilst there is a 1% gap between male and females.
- Students of colour – there is more of a gap in outcomes compared to other Students with recurring themes and male Students of colour were more likely to under achieve compared to other Students at the College. Further investigation by the College is underway to determine the reasons for this.
- For those Students with learning disabilities, the retention levels have improved for male Students with disabilities, achieving 99% retention rate. In contrast, this outcome reversed with respect to female Students with disabilities, where retention has worsened compared to male Students.
- Deprivation continues to have an impact on the achievement rate but despite having improved by 25% overall, the figures remain some way off the outcomes for those Students not from an area of deprivation and also compared to the national position. SLT will be identifying further actions for improving Student support.
- 19+ Students – more females are on the roll compared to males. For Students with colour, the pass rates have fallen. There have also been issues arising from examination entry problems in respect of ESOL Students.
- The College is working with the Brighton and Hove Anti-Racist Group and is the only post-16 provider involved with the Group. The Group is providing bespoke support to the College and has assigned a Youth Worker to help with this; a focus group has been set up to investigate the various issues reported above, including reasons for the lower than expected results.
- The College is also working with the Black FE Leadership Group and The Brighton and Hove Anti- Racism group in this regard training has been provided for 22 Managers and Staff. A 10 point action plan and diagnostic assessment (of the College's support towards Staff and Students of colour) will be carried out.
- A new Quality structure has been implemented as an Adult Education provision action, with a new ESOL (and Counselling course) Qualities manager to better control provision eg examination entries.
- The College also now has a SEND Staff member providing bespoke support to evening Adult Education Students who is a SENDCO
- The next EDI Report (apart from the Staffing Report due in the Summer Term), will be issued in October as part of the self-assessment cycle and included in the SAR as an appendix.

Questions from Corporation:

- John Williams suggested that if it's not already been done, SLT may wish to approach Diversity Resource International (DRI) based in Lewes and he agreed to pass on the details.
- Regarding some of the comparison data with the national benchmarks, referred to above, it was confirmed that SLT would be carrying out further work on the data to ensure the analysis produced has taken into account various adjustments needed to reflect, for example, the small cohort etc

It was noted that the full Report had not been included in the meeting papers' pack and it was agreed that this would be circulated tomorrow to all Governors. **ACTION: Principal/Clerk**

Staffing report to follow in the Summer Term: **ACTION: Principal**

10. Finance

The Vice-Principal (Resources) presented the following to the Corporation:

a) Management Accounts and Executive Summary

- Reference was made to the figures presented to Corporation at the last meeting in December 2021, which showed an overall improvement in the College's financial position. However, it was noted that income had improved further, reflecting an increase in additional income from International Students, enrolled for the Spring Term. Of the International Students who have enrolled, the remaining 2 who had been working remotely have now arrived. This has generated an additional income of approximately £150K, on top of that budgeted, less costs/commission which has been included in the figures.
- The College has also received £86K additional tuition funding, which has been allocated in respect of staff costs.
- Headline figures – forecasting operating surplus of £168k (budgeted figure was £65K), Ebitda £700K approximately – 7.13%.
- Current ratio has improved too from 0.5 to 0.8 over the last year.
- Forecast cash days in hand at the year end is 35 cash days, which is above that for the FE sector average (25 cash days)
- Staff cost ratio has reduced to 75% (last year at the same time, it was in excess of 78%) and is 1% lower than the original budgeted figure. The ratio also takes into account the 1% pay rise agreed and the increase in National Insurance due in April 2022.
- Despite the improved financial position, SLT remains cautious and will continue to be prudent.
- Adult Education tuition fees – the Level 4 Counselling course enrolments have been reduced, equating to £50K under budget.
- A separate line in the accounts has been included in respect of externally funded, fixed-term staffing, where specific funding has been provided: £145K
- There has been an increase in costs in respect of non-pay expenditure (broadly as reported in the Management Accounts as at December 2021). The depreciation adjustment as at the year end, is predicted to be higher than that originally included in the budget.
- One of the more significant cost increases for the year arises from the nationwide increase in energy costs, as reported earlier. SLT has agreed a fixed term contract with the College's gas supplier (a new supplier as the original supplier went out of business). A predicted £50K increase in the cost of energy has been included, which although high, is much lower than a number of other providers, or those with variable contracts.
- Other additional costs include audit fees, owing to the delayed audit programme for this year caused by the impact of the pandemic.

- Reference was made to the new Management Accounts format and content, owing to the inclusion of some of the new Good Practice Guide Management Accounts template. It was noted that the Finance Committee would be reviewing the Guide in more detail at its next meeting, to determine which further elements of the Guide should be adopted to assist Governors' understanding etc. **ACTION: Finance Committee/ELF**

Questions from Governors:

- Governors queried the impact of the solar panels on the College's site and in response it was noted that the College participates in the Brighton Group for cheaper rate electricity but that to date the impact of this was not yet apparent, owing to the offset against the initial cost of acquiring the panels. Regarding a question from the Corporation on the percentage of electricity being generated by the Panels, Elaine French agreed to check the details and report back at a later meeting. **ACTION:ELF**

b) Other – update on increased funding settlement for FE Colleges

The Deputy Principal provided the Corporation with an update on the increased funding settlement provided to the sector, noting the following:

- National funding rate has increase by 8.4% for next year, equating to £4,542 per Student (full time).
- High value courses receive funding at a premium, with more funding allocated in respect of STEM subjects mainly.
- Full funding is based upon 540 to 580 Guided Learning Hours (GLH) and the additional funding is paid in year, rather than the usual lagged funding basis.
- SLT will be looking at timetabling for next year to ensure Students achieve the required GLH and extra periods will be provided where necessary, including additional tutorial time for year 1 initially and then plans will be to extend this to year 2, together with the provision of enrichment activities.
- Further details regarding the formal guidelines are still to be issued by the ESFA, so SLT will finalise the timetabling once these have been issued.
- Awaiting the final disadvantage funding allocation which is due shortly (end February/beginning March), but this will have reduced for the College.

11. Policies and Other Documents

a) Corporation Standing Orders – except clause 8 Appointment of Chair and Vice-Chair of the Corporation to reflect changes in appointment/recruitment process

Janice Robinson reiterated the proposals reported at the last meeting, following recommendations from the last Search and Governance Committee and presented the intended revised wording to the Corporation standing orders.

Regarding the Interview Panel for the new Chair of Governors, it was agreed that Simon Lindfield would chair the Panel, with at least 2 other Members and that he would be approaching Governors regarding this, based on the proposals already noted i.e. the Panel members would include the Principal and at least one other Committee/Working Group Chair

if possible. It was noted that the intention would be to have an appropriate skill set on the Panel.

The Corporation queried whether the wording under 8.4 in the standing orders, should be applied to both a Chair and Vice-Chair vacancy and a discussion was held. In conclusion, it was confirmed that the wording in the revised standing orders, included the word “may” so that this was an option available in terms of externally advertising, so that should it be decided to make an internal appointment, this would be possible within the process as set out; this may be particularly relevant in terms of continuity, should both the Chair and Vice-Chair retire/resign at the same time. The Corporation agreed that the external advertising option, particularly for the Chair appointment process, would make the process more professional and also potentially enable a broad field of potential candidates to be available for interview.

At this point it was also noted that the Instrument and Articles would need to be revised to reflect the changes agreed in the Standing Orders, which Louise Pennington agreed to take forward (and would circulate the revision, with the draft Corporation Minutes). **ACTION: Louise Pennington**

Reference was also made to the Governor Recruitment and Succession Planning Policy, which also allows for an external recruitment process for new Governors. At this point, it was noted that the Policy would also be revised, along with the Search and Governance Committee terms of reference to ensure consistency regarding the new process. (The S & G Committee is required to recommend all new Governor appointments, other than those who are elected – Staff, Students and Parents, as per the I and A and hence should there be an external Chair Designate/Governor, the S & G Committee would be required to meet to review the external candidate from a Governor suitability perspective). **ACTION: Louise Pennington**

It was also agreed that the Interview Panel terms of reference would be circulated, along with the documentation referred to above, with the draft Corporation minutes, to all Governors. **ACTION: Louise Pennington**

The Chair reported that both the internal and external advertisements would be issues in the next couple of weeks. **ACTION: Janice Robinson** At this point, the Chair recorded thanks to John Williams, for his advice on where to place advertisements that would reach local, voluntary organisations and community groups within Brighton and Hove and Sussex, taking into account the need to encourage applications in line with the principles of equality, diversity and inclusivity.

12. Date of Next Meeting: Wednesday 30th March 2022 at 6.00 p.m. – venue TBA

13. Any Other Business

a) New Parking Restrictions in Local Area and potential impact on Governing Body Committee meeting times

The Corporation noted the contents of the paper regarding the new parking restrictions. It was agreed that with regard to Governing Body meetings held during the day (Finance, Audit and Search and Governance Committee meetings), that the Chair should be invited to

express a preference, after which Louise Pennington would contact all Committee members to determine availability should it be decided to revise the current meeting dates/times. It was also noted that the dates/times could remain unchanged for this term and the meetings held online to avoid the parking issues. **ACTION: Louise Pennington/Committee Chairs**

14. Part II Confidential business – none

It was noted that the revised SPH Policies, listed below, would be deferred to a future meeting owing to absence of HR Manager who was due to provide feedback to the Chair of Remuneration Committee, regarding the detailed wording. **ACTION: Jane Farrell**

- SPH Remuneration Policy
- SPH Performance Review Scheme
- SPH Disciplinary Policy/Procedures
- SPH Grievance Policy/Procedures

15) Enclosures: noted remaining meeting dates for the 2021/2022 academic year to be included in Governors' diaries.

Chair.....

Date.....

Louise Pennington 26/01/22