

## **Newham Sixth Form College**

### **Corporation**

#### **Minutes of the meeting held on 7 February 2018**

**Present:** Gail May (Chair), Joanne Dean, Terry Paul, Wendy Bower, Jay Nair, Katharine Young, Martin Oakeshott, Shawab Iqbal, Rayon Walters, Miklos Sarosi, Eddie Playfair

**In attendance:** Ray Ferris (Vice Principal), Tracy Oko (Director of Student Services), Nick Christoforou (Director of Studies), Magdalene Johnson (Associate Principal - Quality), Isa Ijale (PTM Sports and Tourism), Paul Baglee (Clerk)

Apologies for absence were received from Julia Shelton, Allison Locke, Omari Ledeatte-Williams and Habib Rahman.

#### **1. Declarations of interest**

There were no interests declared.

#### **2. Appointment of independent members**

Katharine Young, Martin Oakeshott and Shawab Iqbal withdrew from the meeting while their appointments were considered.

**Decision: on the recommendation of the Governance and Search Committee, the members agreed to appoint Katharine Young, Martin Oakeshott and Shawab Iqbal as independent members with immediate effect, subject to satisfactory pre-appointment checks.**

**Decision: the governors agreed that Katharine Young and Martin Oakeshott should be appointed to the Audit and Scrutiny Committee. It was also agreed that Shawab Iqbal should decide which committee to join in discussion with the Clerk.**

#### **3. Presentation on Leisure, Sport and Tourism**

The members received a presentation on Leisure, Sport and Tourism from Isa Ijale, the programme team manager.

The members were advised that the team had high expectations that the students would perform consistently well. To this end the number of courses offered had been reduced so that the programmes could be delivered by permanent staff only.

The current focus was on attendance and tracking performance. Attendance rates were currently at 92% and two learning walks had already taken place, with a third scheduled for the second half of term. There was a rigorous approach to assessment and moderation. This showed that there was consistent good learning. The aim was for team to achieve a solid “good” in 2017/18 and then move towards “outstanding”.

**Members questions'** (*responses in italics*)

- How many courses does the team offer? *There are four travel and tourism groups with 24 students each and four sports groups with 21 students each.*

At the conclusion of the item the members thanked Isa Ijale for his presentation and he left the meeting.

**4. Briefing on The Further Education Act 2017**

The members received and accepted a briefing on the insolvency regime elements of The Further Education Act 2017.

The members were advised that when the regime is in place by late 2018, a more rigorous monitoring regime would be put in place for colleges at risk of becoming insolvent. The Act would establish an 'education administrator' to explore all options before applying for an Insolvency Order. The Act would also make members criminally liable for any 'wrongdoing' in their governance roles if they served while they were an undischarged bankrupt or subject to a disqualification order under the Insolvency Act. Members could also be liable if they took instruction from an individual who they knew to be disqualified.

It was noted that the member acceptance form had been updated so that individuals could self-declare their continued eligibility to serve. Pre-appointment verifications on new members would also include checks on company director and charity trustee disqualifications and bankruptcy and Insolvency Act orders.

**Action: members to be advised if insurance cover could be purchased to protect individual members and the college against 'wrongdoing'.**

**5. Exception from financial regulations request**

The members received and considered a report requesting an exception from the financial regulations.

The members were advised that the exception was sought to award the consultancy work associated with the Campus Masterplan refresh and initial concept design for phase two. It was anticipated that the cost of these works was £200k. However, the college had been successful in bidding for a grant from the Greater London Authority for 50% of these costs.

Awarding contracts with a value at or over £50k would normally require two quotes or a competitive tender process. An exception would enable the college to use the existing consultants. The reasons for this request related to the conditions of the grant and the tight timelines to complete the work. Failure to meet the timelines could mean that the grant award was revoked and the opportunity to bid for a capital grant of £1.5 million could be missed.

The exception would not create a commitment to the consultants beyond the Campus Masterplan refresh and the initial concept design work. If the project continued further services and works would be put out to competitive tender in line with financial regulations and European Union requirements.

The members noted that this was the college's first bid to the Greater London Authority. Members recognised the importance of building a relationship with the Authority.

**Members' question** (*response in italics*)

Are you content with the consultants work? *Yes we are content with their quality. They know the college well and we had no doubts about their ability to deliver.*

**Decision:** the members agreed to approve that the financial regulations could be waived to appoint CPB Projects to complete the work needed to produce the updated Masterplan and the Education and Business Case for phase two and Shepherd, Epstien, Hunter to complete the initial Phase Design Brief and Design Report.

**6. Campus masterplan and Condition Improvement Fund update**

The members received and accepted an update report on the Campus Masterplan and Condition Improvement Fund.

The members were advised that the college and main contractor had still to reach agreement to settle the final account for phase one. The respective valuations were some way apart. Negotiations continued and a meeting would take place with the managing director on 19 February 2018 as a further attempt to reach agreement, but a formal dispute could be declared.

**Members' questions** (*response in italics*)

- Is there an opportunity for mediation or adjudication? *These are options, but the contractor would need to agree to participate. The college would incur additional costs for either route.*
- What type of contract did we have for phase one and where does liability lie? *It's a design and build contract. The issue that led to the dispute occurred at an early stage. We raised this with the contractor but they refused to engage at that time. There is also a difficulty with the quality of their record keeping over contract variations. The college will apply more resources to internal project management for future large scale developments.*

The members were pleased to learn that the college had received a further grant from the Greater London Authority of £125k to match fund the refurbishment of the old Learning Resource Area. A College Improvement Fund bid of £82k had been submitted to replace the lift in C Block. A bid to improve the Link was not made as this area might be impacted by the phase two development.

**7. Health and safety update**

The members received and accepted an update report on health and safety. This included the minutes on the health and safety committee meetings on 27 September 2017 and 13 December 2017.

The members were advised that there had been an increased focus on security. A security team leader will be appointed and a lockdown drill had taken place for staff only at the start of term. This will become an annual event. In view of the rise in knife and acid attacks further measures were under consideration. Staff had received guidance on dealing with acid attacks and the college was liaising with the police regarding the introduction of a knife arch at the main entrance as a pre-emptive measure. There would be consultation with stakeholders before a final decision was made.

**Members' questions** (*response in italics*)

- Has consideration been given to asking the police to deploy the drugs dog and the knife dog? *We are in discussions with the police about preventative measures, but a final decision is yet to be made.*
- Have the security team received first aid training? *We'll find out, but we think that they have basic training.*

**8. Review of the risk register**

The members received and accepted a review of the risk register.

The members noted that a risk relating to the General Data Protection Regulation had been added (minute no. 9(f) refers).

**9. Principal's report**

The members received and considered the report of the principal.

**a) Key performance indicators and planning for 2018/19**

The members were advised that the college had under-achieved its recruitment target for 2017/18 by 161 students. That would lead to an estimated reduction in income of £0.55 million in the 2018/19 allocation and compensatory savings would need to be found. The members noted that would be further discussion at the strategic development day on financial planning for 2018/19. Consideration could also be given on the impact of demographic growth on demand, the flexibilities around a demand led curriculum, the financial structure of the curriculum and competitor offers. These discussions would contribute to an initial budget strategy paper for the first Corporation meeting of the summer term.

**b) Planning for strategic development day**

The members noted that the strategic development day, to be held on 24 March 2018 would be used to consider the key issues for the college's longer term strategy. This would include workforce development and building the skills for delivering the future curriculum.

**c) Marketing and school liaison update**

The members noted that the college's new website had launched between 22 December 2017 and 3 January 2018. Site traffic had increased and it was used to advertise the latest Open Day. Members were also advised of the school liaison activity from November 2017 to January 2018.

**Members' questions** (*responses in italics*)

Was the Open Day on 24 January 2018 successful? *The numbers attending were below target, but there was evidence that they stayed in college longer and where involved in more in-depth discussions in departments. The numbers attending the October and January open days when combined were higher than those in 2016/17.*

**d) New safeguarding guidance**

The members noted that new safeguarding guidance on sexual violence and sexual harassment between children in schools and colleges had been published by the Department for Education in December 2017. They received a written brief on how the college would implement the guidance.

**e) GDPR update**

The members were advised that the college had established a working group to support the implementation of the General Data Protection Regulations from May 2018. This was led by the Director of Finance and Resources and good progress had been made. Consideration was currently being given to the appointment of a Data Protection Officer and whether this should be a college employee or an independent consultant.

**Members' questions** (*responses in italics*)

- Can we ask the London Sixth Form College Partnership if we can have a shared Data Protection Officer to avoid any conflicts of interest created by an internal appointment? *We are still considering how this appointment can be made, but we'll find out what other colleges are doing.*
- Does the college have a document retention policy? *We'll add this to our work programme.*

**Action: Update report to be presented to the next meeting.**

**f) Performance tables**

The members received and noted the DfE performance tables for 2017. They were advised that the data showed that the college's A-level results had improved from 2016, but were below the national average. For applied general qualifications, performance was below the 2016 levels and below the national average, although some qualifications had been transferred to the technical qualifications heading. For GCSE English and Maths, performance was above the national average, but below the college targets.

**g) Support staff pay award 2017/18**

The members were advised that following negotiations, a support staff pay award of 1% made by the employers side had been accepted by the trade unions. Provision for the payment of the full award had been made in the budget.

**Decision: the members agreed that the support staff pay award should be accepted and implemented from September 2017.**

## **h) London Sixth Form College progress report**

The members received and noted a progress report on the London Sixth Form College Partnership from Kevin Watson, the director.

The members were advised that the partnership's governor liaison group had suggested that members could observe each other's meetings (if corporations agreed). The Chair and Vice-Chair would attend the next meeting at St Francis Xavier College on 16 May 2018, when each corporation would contribute to a report on teaching, learning and assessment.

**Decision: the members agreed that NewVic Corporation meetings could be open to other partnership corporation members and clerks for non-confidential items.**

## **i) Stakeholder forum minutes**

The members received and noted the minutes from stakeholder forum meetings.

## **10. Longer term strategy - curriculum**

The members received and considered a report on the longer term strategy for the curriculum.

The members were advised that the report had been written in preparation for the strategic development day on 24 March 2018. They were reminded that year 12 student numbers were due to grow locally by over a third up to 2022 and this provided the potential for the college to expand.

A range of curriculum reforms were in the process of implementation. From 2018 the majority of GCSEs would be assessed on a 9-1 scale (with grade 4 equivalent to a 'C' grade). A-levels would be de-coupled from AS-levels and delivered as a linear course with the assessment at the end of year 2. There would be more formal assessments for vocational courses and new T-level courses would be introduced. These reforms would create some volatility for the college and it was anticipated that the next Ofsted inspection would take place in October 2018.

As part of developing a longer term strategy, the college would need to re-assess its unique selling point. This could be quality and that might mean reducing student recruitment to courses.

### **Members' questions** (*responses in italics*)

- What will T-levels look like? *These are still in development, with consultation on-going, but we could deliver a presentation.*
- How will the changes to GCSEs affect college results? *We run a pilot in Maths last year for the more motivated students and the results were stronger. This was not a typical cohort, so it's not clear what the 2018 outcomes will be.*

**Action: list of likely issues to be compiled for Ofsted inspection.**

## 11. Monitoring

### a) Quality improvement action plan

The members received and accepted an updated version of the quality improvement action plan. They noted that progression to vocational level 3 courses had been added as an area for improvement.

**Action: completed self-assessment review to be circulated to members**

**Members' question** (*responses in italics*)

- In light of GDPR can letters still be sent to parents regarding student attendance? *There will be no changes to our current practice this year. However, this might need to be re-visited.*

### b) Courses requiring improvement

The members received and updated a report on courses requiring improvement.

## 12. Annual report on staffing and performance

The members received and considered the annual report on staffing and performance.

The Chair acknowledged that members had received an email from Rayon Walters expressing his concern about the lack of diversity in management positions at the college and particularly on the senior leadership team. This is an important issue and the Chair reported that she and the Principal had met with Rayon to discuss the context. The Corporation would need to consider this issue to understand it more clearly and to assess what more could be done. This would be considered in more detail when the annual report on equality and diversity was received. The Chair also advised members that the college's HR strategy needed to be linked to performance and the work to do this had started.

The members considered the staffing data contained in the annual report and were advised that further data would be prepared to assist with a review of diversity at senior management level. This would be prepared for the strategic development day and the next meeting. In addition staff surveys would be carried out to form a fuller picture of the workforce.

**Action: staff equality and diversity data to be prepared for the strategic development day and the next Corporation meeting**

**Action: staff surveys to be conducted to build a fuller picture of the workforce**

**Action: HR strategy to be linked to staff performance to support workforce development**

**Action: AoC benchmarks to be considered for future annual staffing reports**

### **13. Student destinations – additional data**

The members received and accepted an update report on student destinations.

The members were advised that the report provided final figures. This showed that 91% of applicants had progressed to higher education. This was in excess of the college target. Also 95 students had progressed to Russell group universities, up from 86 in 2016. Members were also advised that 30 students had progressed to apprenticeships, up from 15 in 2016.

The members noted that the college planned to review internal advice and guidance on progression at level 2 courses and A-level courses.

**Action: report on progression to apprenticeships to be presented to the next meeting.**

### **14. Link members**

The members received and accepted a report on link members and a report on a safeguarding visit from the link member.

**Decision: the following link governor appointments were agreed:**

**Equality and diversity – Shawab Iqbal**

**Quality links –Katharine Young and Miklos Sarosi**

**Brand and reputation – Martin Oakeshott**

**Employment and Enterprise – Wendy Bower**

### **15. Instrument and articles of government and standing orders**

The members received and considered a report on the instrument and articles of government and standing orders.

**Decision: members agreed that decisions can be taken by written resolution and that the Instrument of Government and Standing Orders be amended to reflect this as set out in the report.**

**Decision: members agreed that the Instrument of Government is amended, as set out in the report, to indicate that the quorum for meetings is at least 40% of the total number of members in office at the time of the meeting, subject to a minimum of three independent governors being present.**

**Action: members noted that the Eversheds Sutherland LLP revised code of conduct has now been published and that Standing Orders will be revised to incorporate these revisions and the clauses moved from the Instrument and Articles of Government. This work will be completed by the meeting on 21 May 2018.**

**Decision: members agreed to adopt the revised Code of Conduct Appendix 2, subject to adaptation as part of the work to revise Standing Orders.**

### **16. Annual report of the Governance and Search committee**

**Decision: the members agreed to accept the inaugural annual report of the Governance and Search committee**

#### **17. Minutes of the meeting held on 4 December 2017**

The minutes of the meeting held on 4 December 2017 were agreed as an accurate record and signed by the chair.

#### **18. Minutes of the meeting of the Governance and Search committee held on 4 December 2017**

The members received and noted minutes of the meeting of the Governance and Search committee held on 4 December 2017.

#### **19. Meeting dates 2017/18**

The members agreed the following meeting dates:

Spring Monday 26 March 2018

Summer Monday 21 May 2018

Monday 2 July 2018

All meetings to start at 6.30 pm

Strategic development day

Saturday 24 March 2018

#### **20. Confidential item**

All staff, other than the Principal, were asked to withdraw for this item.

The members were advised that the Principal had submitted his resignation and that he would be leaving the college at the end of the academic year. Eddie Playfair advised the members that it had been a privilege to serve as NewVlc Principal for the last 10 years and he was grateful for the support he had received from the Corporation during that time. He had accepted a position as a senior policy manager at the AoC, so he would continue to support the college sector. He asked that his resignation remain confidential for 24 hours so that he could advise staff.

Members paid tribute to Eddie Playfair's leadership of the college and recognised that there would be further opportunities to recognise his achievements before he left. The Principal then withdrew from the meeting.

**Decision: the members agreed that a selection panel consisting of the Chair, Vice-Chair, Shawab Iqbal, Terry Paul and Miklos Sarosi should be formed and given full delegated authority to conduct the selection process to appointment a new Principal.**

The members noted that there would be a further opportunity for other members to be involved in selection activities. The Corporation would be responsible for making the final appointment on the panel's recommendation.