

Newham Sixth Form College

Governing Body

Minutes of the meeting held on 22 March 2016

Present: Gail May (Chair), Meg Dabasia, Christopher Owens, Jay Nair, Jonathan Birdwell, Chinye Jibunoh, Joanne Dean, Allison Locke, Mariam-Oluwabusayo Ajibola, Eddie Playfair

In attendance: Ray Ferris (Vice Principal), Arthur Hasler (Director of Finance and Resources), Nick Christoforou (Director of Studies), Tracy Oko (Director of Student Services), Alfred Cardona (Head of Quality, Teaching and Learning), Penny Warburton (Head of School), Lisa Parkhomchuk (Head of School), Paul Baglee (Clerk)

Apologies for absence were received from Jessie Robinson, Rania Hafez, Claire Blakemore, Terry Paul, Shazia Ali-Webber and Susan Landeryou.

Apologies for lateness were received from Jay Nair.

Mariam-Oluwabusayo Ajibola, Meg Dabasia and Chinye Jibunoh offered their apologies as they were unable to stay until the end of the meeting.

1. Declarations of interest

There were no interests declared.

2. Presentation on value added

The governors received a presentation on value added from Penny Warburton, Head of School.

The governors were advised that value added is a measure of performance relative to prior attainment. It is considered by Ofsted to be the most important measure of outcomes as it demonstrates the progress made by individual students.

There are a number of different ways of measuring progress and the governors were further advised that the college has chosen a system called Alps. This system set minimum expected grades for students based on the performance of the top 25%. Course performance was plotted against one of three measures. These are red – top 25%, black – middle 50% and blue – bottom 25%. The governors were divided into groups and assessed the current performance on a range of courses to identify the predicted grades and the performance of students.

The governors noted that current ratings showed that performance in BTEC courses was in the top 40%, performance in AS courses had improved from the 60th to 50th percentile and in A-level from the 70th to 60th percentile. The governors were advised that the A-level rating would improve further if AS performance was maintained into A2.

Governors' questions (*responses in italics*)

- a) Can Alps be used to benchmark effectively? *We need to move quickly to embed the actions needed to improve performance. Alps data is available earlier after the results are known to support this approach. Alps does use full national data sets, but the level 3 value added data is not available until the end of October.*
- b) Does value added progress affect funding? *Value added is the main progress measure for inspections, but the Education Funding Agency no longer funds colleges on the basis of achievement.*

The governors thanked Penny Warburton for her presentation.

3. Report from the student governors

The governors received and accepted the report of the student governors which set out the work of the student union over the last term.

The governors were advised that the student union continued to hold weekly meetings to plan events. There had been a number of fundraising events to support the refugee crisis and Raleigh international and an end of term party had been organised. Attendance at student council meetings remained high and these meetings focused on topical issues. There had been a discussion on fundamental British values and how the college should implement its statutory duties under safeguarding and Prevent. It was agreed that the governing body should receive a report on Prevent.

The governors were also advised that the election results for the student union representatives in 2016/17 would be declared on 24 March 2016. There were more male candidates this year.

The governors congratulated the student union on its work. At the conclusion of the item Mariam-Oluwabusayo Ajibola offered her apologies and left the meeting.

Action: report on Prevent to be present to the governing body.

4. Management accounts to January 2016

The governors received and accepted a report on the management accounts to January 2016

The Director of Finance and Resources advised the governors that the college would produce a training video to support governors understanding of budget reporting. This would be available shortly and feedback would be welcomed.

In terms of the management accounts the governors were advised that the forecast currently showed an end of year deficit of £75k against a predicted positive position of £15k. However, the spending profile was not even, and this was not a cause for concern. The aim remained to achieve a balanced budget.

The governors noted that the college had received a windfall of £100k from VAT repayments on energy bills in previous financial years. The governors were further advised that the costs of changing the college's business model following the area based review (minute no. 8(d) refers) was not factored into the budget.

Governors' questions (*responses in italics*)

- a) The report highlights the potential costs of staff absences. Is this an increase in the number of staff absent or their periods of absence? *Short term absence does not generally lead to increase costs. We currently have fewer staff absent, but some are on longer term absence and we are managing this through our sickness absence procedures.*
- b) The college has a high dependency on Education Funding Agency (EFA) income. Has consideration being given to accessing apprenticeship funding? *We have considered this, but it's not our area of expertise and we anticipate that it would take a significant investment to achieve full cost recovery. Income diversification is not a strategic aim for the college and we are in the normal range when we benchmark our EFA income levels against other sixth form colleges.*

5. Budget plan 2016/17

The governors received and accepted a report on the budget plan for 2016/17.

The governors were reminded that the reporting arrangements would normally be to receive a draft budget in May and the final budget plan in July. However, an earlier report had been prepared to highlight the large scale challenges for 2016/17. The governors were advised that college's financial health remained as outstanding, but adjustments to disadvantage funding and the loss of income for reduced student numbers created a predicted shortfall of £1.3 million – a reduction of 8%.

The governors noted that the five year financial forecast included with the management accounts report (minute no 4 refers) showed an increasing deficit to 2020, but these figures did not factor in any interventions. The college would continue to find ways of reducing its costs, and a draft action plan had been drawn up to create a robust financial model. Significant savings had already been made to the non-staff budgets in recent years and further savings would be more difficult to achieve.

Governors' question (*response in italics*)

- a) Are governors personally liable for any deficit? *Governors are not personally liable provided they have followed professional advice and not acted negligently. Insurances are in place to provide personal protection for governors*

Decision: the governors agreed to note the report and receive the draft budget plan at their next meeting.

6. Financial regulations

The governors received and considered the revised financial regulations. These had been amended to provide a shorter and clearer oversight of the college's financial operation. However, the revised regulations remained aligned to the Association of College's model. There were no increases to the levels of financial authorisations. The college's whistleblowing policy and anti-bribery policy are appended to the regulations.

Governors' questions (responses in italics)

- a) Section 20 provides authorisation levels for changes to the approved budget. Should any changes be reserved for decision by the governing body? *Section 20 should reflect the authorisation levels for virements within the approved budget. The text will be amended to make this clearer.*
- b) Should 1.3 refer to the funding body's "joint" audit code of practice? *Yes, this will be amended.*

Decision: the governors agreed to accept the financial regulations subject to the amendments identified.

7. Campus masterplan update

The governors received and considered an update report on the campus masterplan.

The governors were advised that work was progressing well. The contractor's claim for additional costs, that was previously reported, had not been settled informally, so this matter had been referred to arbitration. The outcome will be reported.

The governors received the terms of the loan agreement that has been accepted by the campus masterplan subgroup. To obtain the best financial terms, the governors noted that the subgroup had also agreed the operational arrangements for the loan facility.

Governors' question (*response in italics*)

What happens to the loan if the college becomes an academy and will our funding body change? *The bank is aware that becoming an academy is an option for the college, but it was not prepared to build this into the contract. We will discuss with them if the need arises. The Education Funding Agency will remain as the college's funding body regardless of our status.*

Decision: that the approval of the operational arrangements for the loan facility be reaffirmed by the governing body and that the following resolution be adopted:

At a meeting of the governors of Newham Sixth Form College (the "**College**") held at Newham Sixth Form College, Prince Regent Lane on the 22 day of March 2016 the following Resolutions were passed.

Resolved that a loan facility in an original principal sum of up to £3,000,000 increasing to £3,600,000 between 31st December 2016 and 31st May 2017 only (the "**Facility**") be arranged with Lloyds Bank plc (the "**Bank**") and that the offer of such Facility made by the Bank in a letter dated 9th March 2016 (the "**Facility Letter**") be accepted and that **Eddie Playfair and Arthur Hasler** be authorised to make the necessary arrangements with the Bank and to sign on behalf of the College the Facility Letter which was produced to the meeting and its terms and conditions approved.

Resolved further in respect of the operation of the Facility that:

- (a) **any one of Eddie Playfair; Arthur Hasler or David Watherston** be and are hereby authorised on behalf of the College to give telephone instructions to the Bank for the purpose of (i) selecting interest bases or (ii) selecting certain interest periods, that are to apply from time to time to an amount outstanding under the Facility;

- (b) **any one of Eddie Playfair; Arthur Hasler or David Watherston** be and are hereby authorised on behalf of the College:
- (i) to give all written instructions to the Bank in respect of the drawdown and continuance of the Facility; and
 - (ii) to give written confirmation of all instructions that are not given to the Bank in writing.
- (c) **any two governors** be and are hereby authorised on behalf of the College to appoint in writing additional authorised officials of the College for the purposes of Resolutions (a) and/or (b) above and that, on receipt of a certified copy of such appointment (together with a copy of their specimen signatures), the Bank be authorised to act on the instructions of such additional authorised officials;
- (d) the Bank be furnished with a list of the names of the governors to be authorised to act on any information given by any member of the governors as to any changes therein; and
- (e) the foregoing Resolutions do not in any way prejudice or affect the instructions to the Bank contained in Resolutions of the governors constituting the bank mandate of the College.

8. Principal's report

The governors received and considered the report of the principal.

a) Key performance indicators 2015/16

The governors received and noted the college's performance against the 2015/16 key performance indicators. The governors were advised that there was little change since the indicators were last reviewed.

b) Planning for 2016/17: EFA allocation and college budget

The governors were advised that on the basis of reduced allocation from the Education Funding Agency, the college would need to make spending reductions in the order of £1.3 million to achieve a break-even budget. There had been significant reductions in the disadvantage block due to changes in the Index of Multiple Deprivation and the underfunding of students with less than a grade C in English and maths. This had also impacted on other colleges and negotiations were ongoing with the EFA about transitional protection.

A budget plan was being prepared and this was likely to have staffing implications. There was currently a recruitment freeze and the staffing establishment would need to be reduced and utilised more efficiently (minute no 26(b) refers). A draft budget will be presented to the next meeting.

c) Applications for 2016/17

The governors received and noted a report on the student applications for 2016/17.

The governors were reminded that the college had adopted an applicant-centred rather than school-centred approach to student recruitment. It was therefore difficult to compare and contrast application numbers and the same stage in previous years. However, to date 1481 applications had been received whereas 1525 had been received in the same period in 2015.

There was increased competition for students this year and the governors were provided with a breakdown of the number of applications from each Newham school. Where an unusual pattern was detected this would be followed up and school-based interviews could be offered.

The governors were advised that reporting on student recruitment had been raised at a recent audit visit. The governors were asked to comment on the level of information provided and the frequency of reporting.

Action: governors to comment on the level of information provided and the frequency of reporting.

d) Partnership recommendations

The governors were provided with details of the East London sub-region Area Review. This was scheduled to take place between May and October 2016.

The principal reported that since the last meeting he had met with some Newham secondary headteachers to consider the options for a local “partnership of equals”. He had also met with local authority representatives and the regional schools commissioner. The governors were asked to agree that further work could be undertaken to develop a partnership.

Decision: the governors agreed to adopt the following resolution:

The NewVIc corporation supports in principle the development of a formal collaborative arrangement between NewVIc and local schools based on shared values of ambition, challenge and equality and believes that this has the potential to make a greater positive contribution to raising achievement and aspiration in Newham. We support the development of such a proposal for our consideration as part of our contribution to the post-16 Area Review.

The governors were also advised that discussions had taken place with the French Education Charitable Trust on a potential bid to open an all-through bilingual free school in Newham on the college site. The governors were reminded that the college would need to raise significant income to carry out further phases of the campus masterplan and any free school bid would need to be viewed on a commercial basis, with the college providing the sixth form provision.

Decision: the governors agreed to adopt the following resolution:

The NewVIc Corporation is interested to learn more about the application by the French Education Charitable Trust (FECT) to open an all-through bilingual free school in Newham. We support further discussion on a possible commercial proposition for this school to be located on the NewVIc site.

e) Summer term development day

The governors noted the focus of the summer term development day would be the likely recommendations arising from the area review and planning for 2016/17.

f) Recent events

The governors received and noted a list of the recent events at the college.

9. Governing body compliance calendar

The governors received and adopted the governing body compliance calendar for April 2016 to March 2017.

10. Governing body development plan 2015/16

The governors received and considered a report on the impact of the recent skills audit on the governing body development plan 2015/16.

Decision: the governors agreed the following additional development priorities for 2015/16:

- **Reading statutory reports and accounts (see minute no 4 for development solution)**
- **Interpreting exam results and value added metrics**
- **Reviewing health and safety policy**
- **Prevent**

11. Post inspection action plan

The governors received and noted the updated post inspection action plan showing progress against the key actions to develop the college into an outstanding provider.

Governors' question (*response in italics*)

What actions are being taken to improve the success rates of male students? The difference in success rates between male and female students is statistically significant. We are currently looking at in-year progress and using learning walks to identify any classroom behaviour patterns that could impact on success.

12. Courses requiring improvement

The governors received and noted an update report on the courses requiring improvement.

The governors were advised that the report provided a course analysis of performance to standard monitoring assessment 3 and the predicted pass rates. The predicted pass rate for GCSE maths remained below target (50%) at 39% and this was subject to a separate report (minute no. 13 refers). The predicted pass rate for GCSE English Language was 64% which was above target (50%). The predicted grades for remaining subjects would be further reviewed when the outcomes of standard monitoring assessment 4 were known.

The governors were also advised that there were sector wide difficulties with on-line testing for some of the level 2 courses. However, there was an opportunity for re-takes, so this issue was not critical.

Governors' question (*response in italics*)

The SMA 3 result for the level 2 diploma for skills and business is 62%. Is this low? This needs to be updated as some data is missing. The revised results are likely to be higher.

13. Maths progress update

The governors received and considered an update report on the progress in maths.

The governors were reminded that the performance in GCSE maths was a major concern for the college. It was now a requirement that all students with less than a C grade at GCSE should retake maths. Course numbers were therefore significantly higher. In 2015/16 all those re-taking GCSE maths were vocational students.

In 2014/15, 22% of students had achieved grade A to C. As part of the work to address this, lesson observations had been carried out by an external specialist with a vocational background. These observations had shown that the quality of teaching was mostly good, but that learning was insufficiently consolidated. Work with student focus groups had also highlighted that there was also low motivation among students and a sense that maths was not relevant to their main subject. Therefore to support achievement the focus was to improve attendance at lessons, improve learning and teaching, improve motivation and to contextualise and embed maths into the curriculum.

As a result of this support, attendance at lessons had improved from 84% to 87%. A further analysis would be carried out when results of standard monitoring assessment 4 and the GCSE mock examination were known.

Action: maths performance data to be presented to the next meeting.

14. In year lesson observations update

The governors received and noted an update report on in-year lesson observations.

The governors were advised that most observations had taken place and currently 82% were good or better, with 16% at level 3 and 3% at level 4. The appropriate support was in place and a number of staff had volunteered to receive coaching to improve their practice. The CPD programme was well attended and relevant to staff needs.

15. Link governor reports

The governors received and noted the following link governor reports:

- Quality link governors (28 January 2016)
- Equality and Diversity report No 1 (23 February 2016)
- Equality and Diversity report No 2 (26 February 2016)
- Finance and forward planning (23 February 2016)
- Marketing (24 November 2015)

Action: classroom visits protocol to be drawn up by the quality link governor group.

Action: the clerk to speak to Joanne Dean about becoming a link governor.

16. Equalities objectives 2016 to 2020

Decision: the governors received and approved the equality objectives for 2016 to 2020. They noted that these had been reviewed by the link governors.

17. Review of admissions and progression policy

Decision: the governors agreed to approve the admissions and progressions policy.

18. UCAS application and offers 2016

The governors received and noted an update report on UCAS applications and offers in 2016.

The governors were advised that currently 769 students, including 16 former students, had made university applications. This was 86% of the cohort.

19. Name of the audit committee

On the recommendation of the audit committee, the governors agreed that the committee should be renamed the audit and scrutiny committee.

20. Review of performance of financial auditors in 2014/15 against indicators and indicators for 2015/16

On the recommendation of the audit committee, the governors agreed that Buzzacott should be reappointed as the external auditors for the 2015/16 audit, but there would be market testing for the following year. They also agreed to accept the performance of the auditors against the 2014/15 indicators and that the same performance indicators should be adopted for 2015/16.

21. Report from audit visits

On the recommendation of the audit committee, the governors agreed to accept audit visit reports for:

- Board assurance framework and impact
- ILR audit, funding and student data
- Key financial controls – central nominal ledger
- Safeguarding policy and procedure
- Staff selection and recruitment
- Study programmes and employability, enrichment and pastoral

22. Minutes of the meeting held on 9 February 2016

The minutes of the meeting held on 9 February 2016 were agreed as an accurate record and signed by the chair.

23. Minutes of the meeting of the search committee held on 9 February 2016

The governors received and noted the minutes of the search committee held on 9 February 2016.

24. Minutes of the meeting of the audit committee held on 23 February 2016

The governors received and noted the minutes of the audit committee held on 23 February 2016.

25. Meeting dates 2015/16

The governors agreed the following meeting dates:

- Summer Term 17 May 2016 at 6.30 pm
- Summer Term 5 July 2016 at 6.30 pm
- Summer term development day Saturday 11 June 2016

26. Confidential items

The staff governor withdrew from the meeting for these items.

a) Complaints from former students

The governors were reminded of an incident in the summer term 2015 that had led to the suspension of three students. These students had left the college at the end of their courses in June 2015 and they had recently written to the Chair to complain about their treatment. The Chair had reviewed the case and had now written to the former students to reject their complaints.

The governors were advised not to enter into communications with these students if they were contacted individually and to inform the clerk if contact was made.

b) Voluntary redundancies

The governors were advised that in order to achieve a balanced budget in 2016/17, staffing levels would need to be reduced. As a first step staff would be given the opportunity to apply for voluntary redundancy at an enhanced rate of 50% above the statutory minimum. This offer would be made on 24 March 2016 and staff would be given 3 weeks to apply. Each application would be treated on its own merits and it was anticipated that this would provide additional capacity for redeployment.