



## BRIGHTON HOVE & SUSSEX SIXTH FORM COLLEGE

### MINUTES OF THE MEETING OF THE CORPORATION HELD ON MONDAY 19<sup>TH</sup> MARCH 2018 AT 6.00 P.M. IN ROOM 413/414, COPPER BUILDING

Present: William Baldwin (Principal), Peter Freeman (Chair of Governors), Gillian Hampden-Thompson (Governor), Keir Hobby (Governor – Student), Veronica Jinks (Governor – Parent), Neil Jones (Governor – Teaching Staff), Howard Kidd (Governor), Chris Newson (Governor), Lynn O'Meara (Governor), Sarah Nield (Governor – Parent), Neil Perry (Governor), Chris Piper (Governor), Sanda Prail (Vice-Chair of Governors), Jo Redfern (Governor), Sue Smith (Governor – Support Staff), Abby Stock-Duerdoth (Governor – Student), Tom Wolfenden (Governor)

In attendance: Alison Cousens (Assistant Principal), Jutta Knapp (Assistant Principal), James Moncrieff (Deputy Principal), Louise Pennington (Clerk)

The meeting was quorate.

#### SECTION 1: ROUTINE AND STANDING ITEMS

##### 1.1 Apologies and Welcomes

Welcomes: Neil Jones (Governor – Teaching Staff), Chris Piper (Governor) and refer formal appointment in Governance Section below.

Apologies: Christian Heeger

At this point Peter Freeman invited Governors to approve the recommendations from the Search and Governance Committee for three year terms of office and these were endorsed:

- Chris Piper – Governor and Member of Audit Committee
- Outcome of Teaching Staff Governor election process - Neil Jones (and to join Q & C Committee)

##### 1.2 Minutes of the Meeting held on 13<sup>th</sup> December 2017

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

##### 1.3 Matters Arising

The Committee noted that all the items on the schedule had been completed and also noted the various updates, recorded in italics, which had been included within some items.

Regarding the reduction in the quantity of Governing Body Meeting papers and taking into account the use of an appendix to incorporate certain agreed documents, Governors welcomed the reduction in the size of the meeting papers. However it was hoped that more work would be done to reduce this further. It was also noted that the amount of papers per meeting was being monitored to enable comparisons to be made over time. **ACTION: Louise Pennington**

##### 1.4 Declaration of Interest

None.

#### SECTION 2: STRATEGIC ITEMS

At this point Sue Smith joined the meeting.

## 2.1 Chair's Report

Peter Freeman gave an oral report to Governors, noting the following:

- a) Damien Hinds', the new Secretary of State for Education, recent speech said that there would be no new policies issued in respect of education while the major changes to the curriculum and exam system previously advised were being implemented. Anne Milton, the Minister of State, gave a speech at the AoC Governance summit (copies available from Louise Pennington on request), which explained that Colleges would be allowed to adopt the new Charities Code of Governance if they so wished. The implications of this will be discussed at the next SFCA Governance Committee meeting later this week. SFCA will shortly publish a Guide to Governance. .
- b) The Chancellor, Philip Hammond, announced in his Spring Statement that there would be no change in public spending plans, which means that the £4,000 per student basic funding rate, first established in 2013, will remain until 2020 at the earliest in respect of the 16-19 age group. However there will be some minor changes in certain elements around the funding rate.
- c) Given that funding remains static, it's not unexpected that a number of school sixth forms have announced that they are closing. In Brighton and Hove, Blatchington Mill School's proposal to close its Sixth Form has been approved by the Local Authority. The Local Authority has also given approval for Hove Park School to go ahead with its proposed restructuring on its two sites (Sixth Form to move to the same site as years 7 and 8, the latter of which is currently with years 9 and 10). Chairs of Governors of local Secondary Schools and Colleges are meeting later this week at which further updates may be given.
- d) Cardinal Newman's recent Ofsted inspection has resulted in an improved outcome from "requires improvement" to "good", particularly highlighting the leadership element.
- e) New Principals have been appointed at the two Aldridge Academies with effect from Summer 2018 being the fourth in post since the Academies were established 7 years ago. Both Academies moved from "requires improvement" to "good" status following Ofsted visits last year.

## 2.2 Principal's Report

William Baldwin presented his Report to Corporation which provided a high level summary of all key areas of the College's operations and drew Governors' attention to updates to the various sections since its original production. The following points were recorded:

- Department for Education (DfE) key performance indicators were highlighted, noting that these were released in January 2018.
- Awaiting outcome of Condition Improvement Funding (CIF) bid which is due imminently.
- Finances – bearing in mind the fixed funding rate per student of £4,000, the regional Sixth Form Colleges' Association (SFCA) meeting held last week, informed Principals that its Chief Executive, Bill Watkins had confirmed that the DfE and Education Skills and Funding Agency (ESFA) had committed to completing a 16-19 funding analysis, which may be used to address the funding shortfall within the sector and in particular support the case for a change in the base rate by 2020.
- Earlier this term, owing to severe weather (snow), the College closed twice, in line with local Schools and also reflecting Southern Railways advice to Students not to travel.
- Girls' Football Team reached the Final of the Association of Colleges national knockout competition with the final scheduled to take place in Walsall.
- Latest news has indicated that 400 schools within the UK have received bomb threats but not BHASVIC.
- Anna Campbell, the 26 year old who died fighting with the Kurdish Women's Protection Units in Afrin, Syria, was an ex-Student at BHASVIC who completed her studies here in 2011.

### QUESTIONS:

- Tables and graphs recording Student Numbers were explained following a question from Governors, noting that the College was funded for 2,770 Students and that the target enrolments for next year was 2903. It was also noted that the target Student numbers' section was not completely clear but the Principal explained that the target grid numbers reflected 2017/2018 targets whereas the green bars reflected 2018/2019 targets for the number of enrolments and funded Students.
- Page 16, item 2.2. Narrative on Quality KPIs: clarification regarding the second paragraph in respect of the A Level scores was queried and in response it was noted that BHASVIC was recorded as being second out of 350 College providers, based upon the DfE analysis relating to dedicated post-16 FE providers.
- Other KPIs – Staff and Student satisfaction – noted overall staff satisfaction improvement but also the decrease in overall student satisfaction levels. William Baldwin explained that the slight reduction of the latter

was almost certainly in relation to the change to linear A Levels in some subject areas and the associated experience compared to previous qualification specifications, combined with a reduction from 4 to 3 A Levels, the new format giving no leverage should Students wish to change their A Level choices. James Moncrieff provided further information regarding this, including subject areas which were particularly affected and reported that this would take a few years to settle down. It was also noted that this was a national issue. SMT will be completing further research into the survey outcomes, including seeking comparable experiences from the other S7 Colleges. Actions to address issues per subject area are picked up via the departmental SARAP process and targets identified, the outcomes from which will be reported to Corporation in the Autumn Term.

- Retention chart comparing 2017 with 2016 – noted slight reduction in levels at this point. The College's Finance Team meets monthly to review the figures and examines month on month retention comparisons, compared with the previous year; current retention levels are actually higher month on month this year compared to the last two years. Student application numbers remain strong. Year on year comparisons will give limited information bearing in mind the change to linear A levels.
- Finance section 3 page 16, 2016/2017 – Governors were reminded that the key ratios had been taken from the Finance Record and that comparison with other documents may not be possible owing to differences in presentations e.g. Finance Record figure in respect of Staff pay as percentage of income, includes bursary income received by the College and the Staff pay figure excludes the pension liabilities regarding FRS102. The latter figures enable the ESFA to use key common statistics, obtained from College's Finance Record submissions, for benchmarking purposes. This also reflects the way in which the College presents the financial analysis within the Management Accounts, in contrast to the figures included within the Annual Report and Financial Statements. The negative impact upon income following cessation of the formula protection funding was noted, together with the boost in income as a result of in year funding for the additional students following the closure of Haywards Heath Sixth Form; both factors making it difficult to compare year on year income levels. At this point attention was drawn to the discussion held at the Resources Committee meeting regarding the proposal to revise the staff pay as percentage of income target from 68% to 74% (refer draft Committee minutes and agenda item 4.1 below), reflecting the static funding rate of £4,000 per student, combined with pay increases following the nationally negotiated recommendations. It was noted that the target was in line with SFC sector benchmark.
- HR KPIs narrative on page 17 of the document – the efficiencies achieved by the College in respect of Teaching Staff were noted and that the raw figures given included both full time and part time Teaching and Support Staff. Average class size is 18 which compares favourably within the sector.

In conclusion Governors noted that the performance of the College remained very good with broadly no apparent serious consequences arising yet, despite the new linear examinations. As the Annual Report is a new document, it was noted that further adjustments would be made to this over the next year. Governors agreed that the new dashboard presentation on the whole was clear to interpret, but noted that further work was required regarding Students' predicted grades.

### **2.3 Student Governors' Report**

Keir Hobby and Abby Stock-Duerdoth presented their Report:

- Student Governors' last meeting prior to the new Student Union (SU) election. Both have found being a Governor a valuable experience and very informative regarding the workings of the College.
- Student Governors will take away a number of key aspects which they hope to pass on to the new Governors, including the importance of communication between Governors, Managements, Staff, Student Union Executive and Students. With this in mind, the SU will be seeking ways to introduce strategies to better engage Students, including ESOL Students. Furthermore having had the role of chairing the Student Council meetings, Keir Hobby advised that guidance notes have been made to assist the next SU Executive with their respective roles and also to improve engagement with students in various aspects of college life going forward.

The Corporation recorded its thanks to the Student Governors for their valuable contribution to the Governing Body over the last year.

## **SECTION 3: CURRICULUM AND GUIDANCE ITEMS**

### **3.1 BHASVIC Annual Report 2016/2017**

William Baldwin introduced the Report, the contents of which were taken as read. Reference was also made to relevant points made above in Section 2.2. The following additional points were recorded:

- Governors confirmed that it was a public friendly version with clear KPIs. Printed copies have been issued to key stakeholders, electronic versions e mailed to parents and a copy has been placed on the website.
- SMT confirmed that the College would be monitoring the number of hits achieved via the website version.
- It was suggested that in future it would not be necessary for the Report to be included in the Corporation meeting papers if it has already been received at the Quality and Curriculum Committee. The Principal advised that as this was the official reporting of the KPIs on the Strategic Plan, that all Governors should continue to receive this. Furthermore, the Q & C Committee would also make recommendations after the relevant agenda items at future meetings regarding which papers should be brought to all Governors' attention/circulation to Governors. **ACTION: William Baldwin/Gillian Hampden-Thompson/Louise Pennington**
- Governors welcomed the graphical presentations used and noted that SMT would develop this further, especially with regard to the I and E Accounts.

### **3.2 College Development Plan (CDP) – 2017/2018**

James Moncrieff presented the document to the Corporation for noting and reminded Governors that the 4 main sections of last year's CDP had been reported to the respective Committees last term, whilst the latest version had been included in the Q & C (sections 1,2,3) and Resources Committee (section 4) papers. At this point reference was made to the relevant sections of the Q & C Committee and Resources Committee draft minutes.

Referring to the decision made above in item 3.1 regarding whether to include the CDP in the Corporation meeting papers, it was agreed that the same process should be followed, except that SMT would also provide a CDP Executive Summary for Corporation meetings (4 pages in total). **ACTION: James Moncrieff/Gillian Hampden-Thompson/Howard Kidd/Louise Pennington**

### **3.3 Memorandum of Understanding of "The Accord"**

William Baldwin introduced the revised Memorandum of Understanding between The Accord Colleges (BHASVIC, Varndean and Brighton MET) which has been unchanged since the 2008 version. Although fundamentally the same, there have been revisions to reflect current working practice and terminology.

In response to a question from the Corporation, William Baldwin explained why school Sixth Forms were not included in the arrangement and he explained the distinct purpose and ethos of the Further Education provision within Brighton and Hove and the fact that the Accord provides at least 85% of sixth form studies in the City. The Accord Colleges also benefit significantly from the joint application process which means that Students are only interviewed by their first choice College.

The Corporation approved the document and authorised that the Chair and Principal should sign this on the Corporation's behalf. **ACTION: William Baldwin/Peter Freeman**

The revised document was approved by Corporation and the Chair and Principal authorised to sign this on behalf of the College. **ACTION: William Baldwin/Peter Freeman**

## **SECTION 4: FINANCE AND GENERAL PURPOSES/AUDIT/INTERNAL ASSURANCE ITEMS**

### **4.1 Management Accounts 6 Months to 31/1/18**

Howard Kidd and Jutta Knapp introduced the paper, highlighting the key aspects and also made reference to the discussions held at Resources Committee and recorded in the draft minutes (page 84 of the papers). Referring to items 3.1 and 3.2 above, it was agreed that the Management Accounts should be included on the main Corporation Agenda as a regular standing agenda item.

The following points were highlighted:

- Page 55 – summary and the invitation to Governors to approve the Resources Committee’s recommendation that the target/benchmark in respect of Staff costs as percentage of income, should be revised from 68% to 74%. The various issues discussed at the Resources Committee regarding this change and also referred to earlier in the meeting, were revisited. Notwithstanding the issues and concerns raised, the Corporation approved the revised target/benchmark of 74%. **ACTION: Jutta Knapp**
- Page 57 – Income in respect of Students including lagged funding situation was noted.
- Operating surplus target of 3%, compares to 0.1% predicted outturn position, noting that the latter was expected to improve before the year end.
- Cash days in hand: good cash levels at present, being above the target and it this is also verified via the latest current asset ratio which is favourable.
- Pay as percentage of income – already discussed earlier in the meeting, but noting adverse position at 75% predicted outturn, compared to new target of 74% (previously 68%). At this point Howard Kidd informed Governors that he and Jutta Knapp had attended a SFCA Finance course in Birmingham last week. He reported that he had had some useful discussions with other successful Colleges who had agreed that Colleges needed to focus on controlling and reducing the Staff costs as percentage of income ratio, despite the restrictions on funding presently and it was suggested that Colleges should do this by maximising class sizes to reduce costs together with an examination of other methods of operation in order to improve efficiency. Governors were informed that the average class size at BHASVIC was above the national average.
- Borrowing % of income – significantly below the 45% target level set.
- EBITDA – favourable at present noting that the 4% target should be 6%.
- Operating cash flow – Governors were reminded about the various bank covenants in place and their dependency upon the College maintaining a surplus.
- Page 58 I and E Account – key income and expenditure noted including the fact that an additional column had been added to assist comparisons. Predicted outturn for 2017/2018 of £52,000 (previous year £273,000). Accounting adjustments were noted and treatment of depreciation (FRS102), along with capital expenditure and bank loans of £(253,000), with net cash outflow being £(349,000). Howard Kidd assisted Governors in interpreting the accounts with explanations relating to change in accounting treatments in order to assist comparisons to be made year on year. The issues raised above regarding the importance of securing a surplus in a sector where funding has remained static, whilst Staff costs continue to increased was reiterated, noting that this was unsustainable in the longer term. The unexpected additional income of £330,000 in 2016/17 in respect of additional students following the closure of the Haywards Heath Sixth Form provision was highlighted which was allocated to refurbishment costs, some of the work of which had not been completed until this year as reported on page 59 within the adjustments to the I & E Account for comparison purposes.
- The impact of proposed capital projects on the figures was noted, particularly upon cash flow.
- Page 58 other income (miscellaneous income) comparisons between last year position and forecast of £345,000 and £259,000 respectively, was raised and Jutta Knapp explained that the latter figure was difficult to predict at this point regarding the curriculum income.
- SMT has prepared some initial modelling in respect of the proposed building project taking into account loans and reminded Governors that a sensitivity analysis had been included within the December 2017 Corporation meeting paper on capital works. This will be re-presented next term via the financial forecasts.

## 4.2 Premises Update

Peter Freeman introduced the paper (from Resources Committee) and summarised the key aspects arising from this and referred to the commentary within the draft Resources Committee minutes.

Governors were informed that there was no further news regarding the College’s planning application and it was confirmed that as per the reference in the Resources Committee minutes, the College had submitted an email explaining its position in the light of the Local Authority’s decision to place a hold on all major building projects in light of Wealden District Council’s objection, whilst it sought legal advice. The next LA Planning Committee remains scheduled for 4<sup>th</sup> April but the lead Planning Officer on the College’s application has resigned from her post. In the meantime the College continues to finalise the design aspects of its plans, noting that decisions were due in respect of the contractors’ tender documentation requirements. The latter will be progressed once the College determines whether its application is on the 4<sup>th</sup> April Planning Committee agenda. Jutta Knapp explained various other issues arising including risks for potential contractors, OJEU process, timing and funding dependency, noting that the CIF bid outcome was awaited from the ESFA (due end of March/beginning of April).

Reference was made to the project proposals and decisions made by Corporation at its last meeting in December 2017, including the various options available and it was reiterated that authority had been given by Corporation to SMT

to instigate its preferred route, option A which was also reliant upon the £4M CIF grant funding application. Should planning/CIF bid not materialise, SMT has Corporation's approval to continue to investigate other options including whether to re-apply for a CIF grant next year and investigate smaller self-funded projects, and hence will be taking forward various design elements regarding this. A further update will be given at the next Corporation meeting in July. **ACTION: William Baldwin/Jutta Knapp**

It was also agreed that a Premises Group meeting should be convened next term once further information becomes available and should urgent decisions be required prior to the July Corporation meeting. **ACTION: Peter Freeman/Jutta Knapp/Louise Pennington**

**SECTION 5: GOVERNANCE ITEMS**

**5.1 Membership Matters (from Search and Governance Committee)**

Peter Freeman reported on the some of the discussions held at the Search Committee meeting, which was held earlier today, noting that the appointments had been dealt with earlier in the meeting.

**SECTION 6: CONSENT AGENDA**

The items listed within the consent agenda which required approval were endorsed by the Corporation, noting that no issues had been raised by Governors prior to the meeting, as follows (including items for noting):

- Quality Assurance and Improvement Policy
- Child Protection and Safeguarding Policy
- Student Charges Policy
- Student Charges' Schedule
- Student Financial Support Policy
- Risk Management - Risk Register and Risk Assurance Map – including additional revisions as detailed in the Audit Committee draft minutes and explained by William Baldwin and Jutta Knapp at the meeting: as per audit minutes' updates and including risk 5.4 and additional risk identified re Capita's performance and operating MIS system.
- Performance Indicators for Financial Statements Auditors

The Committee Chairs presented the respective draft minutes to the Corporation, the details of which were noted in respect of the following Committees:

- Resources Committee – 6<sup>th</sup> March 2018
- Quality and Curriculum Committee – 7<sup>th</sup> March 2018
- Audit Committee – 12<sup>th</sup> March 2018

**SECTION 7: OTHER MATTERS**

**7.1 Any Other Business**

Thanks were recorded to the two Student Governors as this was their last meeting, prior to the SU election process.

There was no other business.

**7.2 Date of Next Meeting**

**MONDAY 9<sup>th</sup> July 2018**

**SECTION 8: CONFIDENTIAL BUSINESS**

The minutes were approved and the Chair authorised the sign them.

CHAIR..... Date.....