

Group :	BOARD	Date:	04 JULY 2011
Location:	ROOM 11, SHREWSBURY SIXTH FORM COLLEGE	Time:	6.15 PM
Attendees:	Clerk to the Corporation Vice-Principal Assistant Principal – Resources and Risk Assistant Principal – Information Services	Apologies:	Karen Burgoyne Harriet Davies Tom Lee
Membership:	Tim Jones (Chair), Janet Barlow, Adrian Bayling, Karen Burgoyne, Steve Cunningham, Harriet Davies, Anne Dokov, Chris Fountain, Simon Keeble, Tom Lee, Barbara McCormack, Penny Osborne, Geoff Parry, David Pulford, Chris Romberg, Robert Rosson, Martin Ward (Principal), Dominic Wilson		

(NOTE: Prior to the meeting a presentation/training session was given on Safeguarding)

PART I – OPEN ITEMS

59. Declarations of Interest

Barbara McCormack, Staff Governor, declared an interest in Item 7(f) – Summary of Decisions - Joint Consultative Negotiating Committee.

Minutes

60. Resolved:

That the Minutes of the meetings held on 21 March and 6 May (Special) 2011 be approved as correct records.

61. Matters Arising

There were no matters arising

Expiry of Terms of Office

62. Resolved:

(a) That the expiry of terms of office of the various categories of Governor be noted as follows:

- Dominic Wilson (independent) – 5 July 2011
- Harriet Davies (student) - 15 July 2011
- Tom Lee (student) - 15 July 2011

(b) That the thanks of the Board be placed on record to the student Governors for their contribution to Board meetings and in their role as Student Presidents.

(c) That the appreciation and thanks of the Board to Dominic Wilson be placed on record for his work on the Board and various Committees over the past 7 years, particularly in his role as Chair of Search and for his work on Progression.

(d) That it be noted that Jeevan Jones and Holly Shaddock had been appointed as the new Student Governors for 2011/12

Prospective Governor

The Chair of Search advised that the Search Committee and the Board had previously considered an application from Mr J.B. Wallace in 2009 and, as there had been no vacancies at that time, had, with his consent, agreed to place his details on the Succession Planning File. As there was now a vacancy his application, c.v.and skills audit had been a considered at Search and the Committee had agreed that Mr Wallace had the necessary skills and experience to add to the Board. The Principal reported that Mr Wallace was an ex-student and had gained experience in marketing, and graphic design and was currently a Creative Director with his own business.

63. Resolved:

That Mr James Wallace be appointed to the Board for a four year period with effect from 26 September 2011 to 26 September 2015.

Modification of Instruments and Articles of Government (Appendix 28/11)

The Clerk to the Corporation submitted a report detailing minor changes to the Instruments and Articles of Association following the transfer of powers to the Young People's Learning Agency (YPLA). The changes reflected the fact that the Learning and Skills Council had been dissolved and its functions transferred to local education authorities and the YPLA.

64. Resolved:

That the minor modifications to the Instruments and Articles of Government reflecting the transfer of powers from the Learning and Skills Council to the YPLA be noted.

Schedule of Meetings 2011/12 (Appendix 29/11)

65. Resolved:

That the Schedule of Meetings for 2011/12 be approved

Standing Orders (Appendix 30/11)

The Clerk to the Corporation submitted Standing Orders for Shrewsbury Sixth Form College for approval. She advised that it was considered good practice to adopt Standing Orders to sit alongside the

Instruments and Articles of Government and emphasised that the Instruments would always take precedence over the Standing Orders should any question as to interpretation arise.

66. Resolved:

(a) That the Standing Orders for Shrewsbury Sixth Form College be approved.

(b) That it be noted that the terms of reference for Committees would need to be amended when next reviewed to remove those sections which are now contained within the Standing Orders.

Student Report

The Principal advised that the Student Governors had been unable to attend the meeting. He reported that they had worked hard in their roles as Student Presidents and that Tom Lee had revised many procedures which would make it easier for the incoming Student Presidents to build on.

He reported that they had not found their leadership duties smooth and that there had been some difficulty in working as a team particularly over the Christmas Party. However, both student governors were that they were pleased they had taken up their roles and considered the experience would be of benefit in the future.

67. Resolved:

That the report of the Principal on the Student Governors be noted.

Summary of Decisions of Committees (Appendix 31/11)

The Chairs of Committees presented the summaries of decisions of Committees held during the summer term and highlighted particular issues as follows:

(a) **Quality, Standards and Curriculum Committee** - The Chair referred in particular to Student Applications and planned numbers for September 2011 which were of particular importance. The Principal stated that in respect of Student Support, the question of how it would operate would be the sole item at the next Staff Meeting.

(b) **Audit Committee** – The Chair commented that there had been a long discussion as to whether the strategy for Internal Audit 2011/12 should be amended in the light of the restructure but that the Committee had concluded that the financial position was for the Finance and Estates Committee to consider and monitor.

(c) **Finance and Estates Committee** – The Chair reported that the College finances were being tightly monitored and had achieved 'Good' status. The Principal referred to the capital projects and advised that good progress was being made. He commented on feedback he had received from the Town Council and town businesses who had all expressed satisfaction at the removal of the huts. He said that there was interest in archaeological aspects of the site but that he was hopeful that there would be solution to deal with their treatment.

(d) **Search Committee** – The Chair drew attention to the expiry of term of office of the Penny Osborne in December. Penny had indicated that she would like to continue for a further term of office and he advised that the recommendation to appoint her for a further term of office would be taken to the next

Board meeting. He stated that the Membership of Committees for 2011/12 would also be submitted to the September meeting. JJ

(e) **Personnel Committee** – The Chair drew particular attention to outcome of the staff survey and commented that, as the survey had been undertaken during the restructuring proposals, the outcomes had not been as positive as the previous year. In most cases responses were still above benchmark.

The Principal referred to Item 5 – Staffing Plan – and updated members as follows:

- 5 changes to teaching staff contracts – now agreed
- 1 appeal – outcome to be reported under Confidential items
- 1 teaching member requested compulsory redundancy following rejection of offer of full time post - remained issue of dispute with NUT
- 1 teacher 0.2 fte made redundant as no teaching in particular area concerned
- Remaining issues regarding reductions in contracts and voluntary redundancy were going through.

A Governor queried the notice periods in respect of redundancies. The Principal advised that legal advice had been taken regarding the statutory periods required and that action had been taken to ensure that the maximum 12 weeks notice required for staff had been given.

(f) **Joint Consultative Negotiating Committee** – In the absence of the Chair at the Committee meeting on 23 June, a Governor on the JCNC highlighted the issues around the restructure as a result of cuts in funding. He also referred to the term dates which had been published with the exception of the end of the summer 2012 which was dependent on the start date of the autumn term 2012.

In respect of the restructuring, the Principal reported on the NUT dispute regarding one full time post. He confirmed that the member of staff concerned had been offered a full time post which she had rejected and that she had then requested to be made compulsorily redundant. The College had offered her enhanced redundancy at 1.4, slightly lower than the voluntary enhancement of 1.5, but this had been refused. Offers in respect of two further issues of dispute had been made, one now resolved in respect of increased hours in teaching, the other an offer of hours from 0.83 to 0.9. However, because the NUT decided not to agree to the two offers, these had subsequently been withdrawn and the Management Team remained in dispute with the NUT. He stated that the Management Team could not negotiate further as it would undermine the whole process of the restructure, particularly in respect of those staff who had taken voluntary redundancy. If there was inconsistency it could lead to industrial tribunals and it would not morally right. He welcomed Governors views on this issue.

A Governor commented that it was important to support the Senior Leadership Team in what it was doing as there was no alternative. He could not understand the strike based on one job when a job had been on offer and stated that the Board should be resolute in implementing its decision.

In response to a query, the Principal confirmed that the improved offer made by the Senior Leadership Team had been withdrawn and that statutory compulsory redundancy would now be paid.

A Governor advised that she knew the individual concerned and felt that she had been very hard done by in comparison to a restructure two years ago. She was being asked to accept a position paid £9,000 less in an area she had not taught in before. The teacher had great respect in the College and the Governor hoped there would be some 'slack' in the system to negotiate or re-visit.

The Principal acknowledged the value of the teacher concerned but added that all teaching staff were valuable and this was not the issue. It had been a difficult process and other staff had taken on duties on a

lower salary in areas they may not have wanted. He stated that if an exception was made, the rest of the restructure would fall as it would indicate that 'deals' could be made in particular circumstances and this would leave the College open to challenge. The post in question had since been allocated following the refusal of the post by the teacher.

A Governor agreed with the Management Team position and stated that it was important not to set a precedent by making an exception.

A Governor stated that the three posts involved were all in the same department which had created tension. The Principal agreed that it was in an area where there was clear overstaffing and that the teacher had come out top of the criteria. When she had refused the post, it had been allocated to the next person. A Governor queried whether certain Curriculum Leaders had had their teaching protected in a future stage of the re-structure. The Vice Principal stated that this was not the case.

A Governor felt that some staff did not agree with making the cuts upfront and that they could have been done at a later stage. The Chair stated that although it might appear that the College had cash surpluses, there had been a number of assumptions made in the financial modelling and it would be very tight to break even after the three years taking into account the need to attract 50 extra learners and inflation and interest factors which could have an impact. Cash flow would also need to be tightly monitored.

A Governor commented that restructures were difficult in a small organisation like the College but that it was right to complete the implementation. It was now for the Leadership Team to aim to repair relationships to try to help staff through the process.

A Governor suggested that the format of the Summaries be amended to show those members present and also the start and finish times of meetings. The Clerk undertook to make these changes. JJ

68. Resolved:

(a) That the Summaries of Decisions from meetings held during the summer term and the additional comments of the Chairs be noted.

(b) That the update on the implementation of the restructuring proposals be noted

Review of Quality Improvement Plan and Performance Indicators (Appendix 32/11)

The Vice-Principal submitted a report outlining the progress made on the whole college Quality Improvement Plan together with Key Performance Indicators.

69. Resolved:

That the progress on achievement of quality improvement actions and key performance indicators be noted.

Three Year Financial Plan (Appendix 33/11)

The Assistant Principal, Resources, submitted a report which had been reviewed and recommended for approval by the Finance and Estates Committee on 20 June 2011.

The Principal stated that the challenge for the College would be to manage the non—pay costs of the College and drew particular attention to the Central Administration costs.

70. Resolved:

- (a) That the financial strategic objectives, as detailed on page 5 of the commentary, be approved.
- (b) That the Key Performance Indicator targets, as set out on page 6 of the commentary, be approved.
- (c) That the 3 year Financial Plan, including the initial budget for 2011/12, be approved.
- (d) That the Financial Management and Control Evaluation (FMCE) targets be noted.

Additional Item

Policy Statement on 16-19 Bursary Fund (Appendix 34/11)

The Principal submitted a report on the allocation of the new 16-19 Bursary Fund which amounted to £64,162..

A Governor suggested minor amendments to the policy to ensure clarity.

At the request of a Governor, the Principal undertook to send him a copy of the Bursary application form.

The Principal confirmed that, in the case of any of the Bursary funds not being used, they would need to be paid back.

71. Resolved:

- (a) That, subject to the following amendments, the policy statement on the 16-19 Bursary Fund be approved:
 - para. 1.3 – Delete 'Depending on the circumstances'
 - para. 3 – Delete 'In special circumstances' and insert 'at the discretion of the panel'
 - para. 4 (i) - Include provision for casting vote
- (b) That the budget and linked statement on continuation EMA be noted.

Safeguarding Children Report

72. Resolved:

That the verbal report of the Principal advising that no cases on safeguarding had been referred be noted.

73. **Date of Next Meeting** – Monday, 26 September 2011 at 6.00 pm