

19 May 2015

Corporation Business

1. **Apologies for absence** 5.30
 2. **Declarations of interest** 5.35
 3. **Appointment of members** 5.40
To appoint new members of the Corporation
Paper to follow
Chris Bilsland
 4. **Minutes of the meeting held on 24 March 2015** 5.50
Minutes attached
 5. **Matters arising from the minutes**
 6. **Minutes of the meeting held on 14 April 2014**
Minutes attached
 7. **Matters Arising**
 8. **FE Commissioner's Monitoring report and SFA
Notice of Concern (Administered Status)** 6.00
Report attached
Chris Bilsland
 9. **Interim Principal's report** 6.10
Report attached
Jo Lomax
 10. **Risk management report** 6.25
To discuss the major risks affecting the College
Ian Rule
- #### Matters for decision
11. **Curriculum strategy** 6.30
To approve the curriculum strategy
Report attached
Jo Lomax
 12. **Corporation and committee membership** 6.45
To agree that there should be some flexibility in Board
size and changes to committee membership
Report attached
Allison Howe

Matters for discussion

- | | | |
|------------|---|-------------|
| 13. | Student Performance Report and Data Dashboard | 6.50 |
| | Paper attached | |
| | Rob Rees | |
| 14. | Quality Improvement Action Plan | 7.10 |
| | Paper attached | |
| | Rob Rees | |
| 15. | Three year financial plan | 7.25 |
| | Paper attached | |
| | Ian Rule | |
| 16. | Staff and student concerns – consultation on closure of Camberwell | 7.35 |
| | Paper attached | |
| | Chris Bilsland | |

Matters for information

- | | | |
|------------|-----------------------------|-------------|
| 17. | Committee report | |
| 18. | Any other business | 7.50 |
| 19. | Date of next meeting | |
| | 7 July 2015 | |

Present:

Chris Bilsland (Chair)
Ade Adebambo
Paul Archenoul
Michael Lambert
John Litchfield
Jo Lomax
Nathan McDermott
Hilary Moore
Nigel Peet
Kate Shoemsmith
David Wilson

In attendance:

Allison Howe, Clerk
Stephen Lawes, Vice Principal Estates Strategy
Rob Rees, Interim Vice Principal Curriculum, Quality and Learner Experience
Ian Rule, Vice Principal Corporate Services

Items were taken in the following order:

1. Apologies for absence

Apologies were received from Elaine Hawkins.

2. Declarations of interest

There were none.

3. Appointment of members

The tabled paper was presented by the Chair. Michael Lambert attended his first meeting as staff Governor. The Chair thanked Pennie Clarke-Bovell, former staff Governor for the contribution she had made during her term of office as a staff Governor.

The recommended candidates both brought different expertise – David Bellamy had expertise in data management and IT, Lekhnath Pandey came from the Chamber of Commerce, and was a business owner and employer.

The Corporation Board approved the appointment of Mr David Bellamy and Mr Lekhnath Pandey for a period of 4 years with immediate effect. The Clerk would write to inform them of the appointments (ACTION 1). The Corporation Board also noted the election of Michael Lambert as staff Governor.

4. Minutes of the meeting held on 24 March 2015

The minutes were approved as a true record.

5. Matters arising

The Unions had asked for link Governors to become more active – this would be discussed in more detail at item 9.

6. Minutes of the meeting held on 14 April 2015

The minutes were approved as a true record of the meeting.

7. Matters arising from the minutes

Actions

| Date of meeting | No. | Action | Who | Date | Status |
|-----------------|-----|--|-----------|---------------|-------------------|
| 24 March 2015 | 1 | The Clerk to remind governors about the Organisational Review steering group and date of meeting | AH | 30 March 2015 | Complete |
| 24 March 2015 | 2 | The Curriculum Strategy would be provided to the next meeting | JLo | 5 May 2015 | On agenda |
| 24 March 2015 | 3 | Success rates data assessment to be reported to next meeting | RR | 5 May 2015 | Item 13 on agenda |
| 24 March 2015 | 4 | Student survey results to be reported to the next meeting | RR | 5 May 2015 | Item 13 on agenda |
| 24 March 2015 | 5 | Equality Impact Assessment to be undertaken in respect of Fees Policy | IR | 30 April 2015 | Complete |
| 24 March 2015 | 6 | Clerk to research whether staff governors are linked to curriculum areas in other Colleges | AH | 31 March 2015 | Complete |
| 24 March 2015 | 7 | Clerk to send out a revised list of link areas | AH | 27 March 2015 | Complete |
| 24 March 2015 | 8 | A new Equality Action Plan would be devised and brought to a subsequent meeting | JLo | 24 June 2015 | On agenda plan |
| 24 March 2015 | 9 | Prevent training materials used by SLT to be circulated to Governors | RR | | Circulated |
| 14 April 2015 | 1 | Governors to discuss revised proposals | AH/C B | Date to be | |

| | | | | | |
|---------------|---|--|--------|------------------|---|
| | | | | arranged | |
| 14 April 2015 | 2 | Governors to approve final structure | AH/C B | 14 July 2015 | |
| 14 April 2015 | 3 | Governors to be alerted immediately if issues of concern arise | JL | ASAP | Ongoing |
| 14 April 2014 | 4 | Equality Impact on students to be undertaken by Director of Student Experience | DT | ASAP | Verbally updated by RR. To be circulated. |
| 14 April 2014 | | Structure diagram to reflect line management responsibilities of VP Estates and VP Finance | JL | 15 April 2015 | Complete |
| 14 April 2014 | | Awayday to be arranged to consider sustainability of structure | AH/C B | August/Sept 2015 | |

8. FE Commissioner's Monitoring report and SFA Notice of Concern (Administered Status)

Item 8 and Item 9 were taken together.

9. Interim Principal's report

The Chair reported the various Notice of Concern and Schedules received from the SFA. Governors had been informed at each stage. Administrative status meant there was one more level of monitoring. Key changes were to do with expenditure, addressing the schedules in the PIAP, we have to ensure that the College doesn't interfere in the SPA process, Malcolm Rodrigues and Rachel Whittington would be appointed as observers to the Board. An appeal against apprenticeship sub-contracting would be made during June for an uplift in January 2016.

The Chair stated that ordinarily, in administered status there would be removal of Governors and the senior leadership team, however as changes had already been put in place, this was deemed unnecessary. There is a 30 June deadline, to submit a financial plan. This would be considered by the Financial Recovery Board in advance of that date, but would not come to the Board prior to submission to the SFA.

It was noted that the two VP posts (Curriculum and Planning and Development) were being advertised. The SFA had been informed, and they had not commented. Interviews were currently taking place for a Head of English and a Head of Mathematics.

A Governor asked what formed the Financial Plan, it was explained that it was the three year financial plan tied into the Curriculum Plan and the Estates Plan.

The FE Commissioner's visit had taken place in January 2015. The report was received around Easter time. The report was in line with the verbal feedback given at the time, but it had been changed to match the Ofsted report. The recommendations were for the FE Commissioner to initiate a Structures and Prospects Appraisal, to appoint a business governor to the Board, to have governor representation from Lewisham and Southwark Boroughs, and an alternative financial plan. A seat was reserved for a Southwark Governor, but the Borough continued to refuse to participate.

The Ofsted Inspector arrived on Thursday 14 May 2015, Jo Parkman was very supportive and had been prepared to share ideas. She had several meetings, considered the QSR report, curriculum planning, maths and English, student support and safeguarding. It was a supportive visit. The key priorities were already on the improvement plan. The inspector agreed the College was on the right path. It was anticipated there would be a further visit during early July 2015 to ensure the transition between the interim Principal and new Principal to ensure that improvement continued.

The lead inspector at the previous inspection, Alan Hinchliffe, had advised the College to call in inspectors in Autumn 2015, Jo Parkman stated that was not a good idea as the QSR data wasn't released until January 2016. The new CIF was being introduced in the Autumn, early indications of the changes would be discussed by Quality Recovery Board (ACTION 2) and the next Corporation meeting (ACTION 3). There would not be sectors under the new framework, the focus would be on study programmes. This would be tied in with the new observation policy, also to go to the next Quality Recovery Board meeting. There would also be a new grading level about preparing people for work. Ofsted were also considering how the finances impacted on learning. A communication plan would be disseminated. The basic framework had already been communicated to staff. An associate Ofsted inspector working with the College would be disseminating information following his Ofsted training. The Chair backed up the positive response from the Inspector.

The Structures and Prospects Appraisal had started. The first meeting had taken place and the minutes were attached. Dr David Collins explained the options and stated he would like the appraisal completed by the end of June. The College had to produce the Curriculum Strategy and get it agreed by the CEOs of Lewisham and Southwark. A speedy response was received from Lewisham, no response had been received from Southwark. Meetings had been requested with both CEOs. The meeting had taken place with Lewisham only.

Since then, there had been a change in shift. The Commissioner had met with the Boroughs of Lewisham, Southwark, Lambeth and Greenwich. The Boroughs had been asked to put forward their own strategies. Southwark have wanted to demerge from the College. Lewisham also had a strategy which the College had yet to see. The Boroughs had been asked to submit their plans by Friday 15 May. There now seemed to be a review of South East London. There would be another case conference meeting on 22 May, when the College expected to receive further information.

A Governor asked whether there were plans to further merge or federate. The College had not been informed of the exact plans. The College would not reconsider the plans to downsize the College in light of the FE Commissioner review. There was a need to meet the quality test and the financial test first.

The Chair was of the view that if there was a big picture issue, there was a need to present a strong College, and be seen as an improving College.

A Governor asked what could be done to ensure that LB Southwark were aware of the importance of the College. The Governors and managers as well as the officials, were able to see that Southwark were not co-operating or supporting the College. The Chair could not see how a smaller de-merged College would benefit the Borough. A former Southwark Governor felt that the Borough had reneged on earlier promises to support the merged College.

With a reduced income, there was a need to ensure the College was sustainable. There were tough decisions to be made. The staff income ratio had to be reduced. Staff needed to understand this. Managers had tried hard to communicate the facts however this was bound to hit morale. The curriculum had been considered. A member of the FE Commissioner's team had come in to review the finances and the plans to improve the financial position of the College. He had reported that he believed the College could become financially viable.

A staff Governor asked how the College would improve its quality position, with the organisational review. In response, the Interim Principal stated that the Organisational review plan had taken into account the requirements of Ofsted, the FE Commissioner and the funding agencies. There was little in the restructure about improving quality, rather, the staff Governor feared it would compromise quality. The Chair stated that the Quality Improvement plan demonstrated how the College would improve quality and the Organisational Review demonstrated how the financial objectives were being met. Staff were currently being consulted on how to improve the position of the College. The other staff Governor reported that staff morale was very low not only as a result of the restructure but also as a result of the second Grade 4. There was a need to bring certainty to the College. Financial stability was the key to ensuring certainty. Managers were proactive in asking staff to feedback into the consultation. Things were being changed as a result of feedback. A Governor asked how much staff were engaging with consultation, managers stated that there was a great deal of engagement and the Executive agreed the responses and they were responded within a specific time frame. All the final proposals would be discussed with Carole Kitching.

It was noted that SFA funding had been cut by £5.2m from the adult budgets which explained why that area was being strongly affected. The College had historically spent more on staff than other colleges. Staff needed to understand the reasons for the cuts. It was agreed that the Interim Principal would highlight the need for cuts in staff communications (ACTION 4). Consultation meetings were being held across the College, so there were opportunities for staff to engage with managers. It was noted that ESOL used to generate income but no longer did so due to funding changes.

A Governor stated that he had met with staff who did support the closure of Camberwell and could not understand why it had not been done before. Staff might disagree with proposed actions but needed to understand the rationale. Graphs showing changes in income were a good way of highlighting the need for cuts. There was a need to communicate more and more – this was not news, it had been communicated for a long time.

The Chair met with the unions last week and they had now requested.

(1) A joint approach to the current crisis by college management and staff unions to find an alternative route to compulsory redundancies. It was agreed that the Interim Principal would pursue this with UCU (ACTION 5).

(2) A further meeting between the Chair, the Vice Principal Corporate Services and union reps to examine the college's financial problems in detail. The Chair was keen for this to be done to ensure the unions were aware of how dire the current financial position was (ACTION 6).

(3) A joint Governor/ College Management/ Trade union working group to visit the campus and devise an alternative business plan to keep the Camberwell Centre open. This was also agreed with the Vice Principal Estates Strategy to lead (ACTION 7).

The Staff Governor circulated a draft business plan to fund the Camberwell site. The Chair responded by asking the ESPB to consider the plan at its meeting on 21 May 2015 (ACTION 8). This was a starting point for discussion. The Staff Governor stated that Governors should visit the sites and talk to staff and be open-minded as the organisational review was in his view 'self-destructive'.

LB Southwark was asked to assist the College find alternative accommodation. The issue was whether Southwark were willing to help. Non-Council premises were being sought, such as the Thames Reach Learning Centre and the Camberwell School of Art.

(4) Urgent implementation of the Link Governor scheme. Although the link Governor scheme had been implemented, the Unions wanted Governors to be more visible. There was a need for greater communication about Governor activity (ACTION 9).

The Corporation Board noted the content of the report.

10. Risk management report

The Vice Principal Corporate Services explained that the risk register contained the strategic risks, risks with an impact of 5 and those with a residual risk of 15 or over. The risk register had been updated.

A Governor asked that the relationship with Southwark needs to be borne in mind when reviewing the risk register (ACTION 10).

It was noted that the risk review dates needed updating (ACTION 11).

The Corporation Board noted the content of the report.

11. Curriculum strategy

The Interim Principal introduced the Draft Curriculum Strategy, the focus of which had been changed at the recommendation of the FE Commissioner.

This was looked at in some detail by the Quality Recovery Board and the local stakeholders. This had come from within each curriculum area, and was then pulled together to reflect growth areas and the estates strategy. It would be shared once approved, and staff would be able to input as this was a working

document (ACTION 12). Since being at Quality Recovery Board, the strategy was more achievable. There was a need for more focus on enterprise.

The Corporation Board approved the adoption of the Curriculum Strategy.

12. Corporation and Committee membership

The Chair introduced the paper, which recommended making the Board size flexible to accommodate the vacancy for a Southwark Council executive.

Paul Archenoul and Michael Lambert agreed to sit on the Financial Recovery Board. New Governors to be asked for availability on Financial Recovery Board.

The Chair of the ESPB highlighted the vacancies of the Estates Strategy Project Board.

The Corporation Board approved the recommendation to flex the size of the Board and amend the Instrument and Articles accordingly.

13. Student performance report and data dashboard

The report was introduced by the Vice Principal Curriculum, Quality and Learner Experience who stated that he was 90% confident of outcomes. He had met with every Curriculum Manager to go through line by line progress of students and was certain they were accurate but conservative. In year achievement was strong. Attendance at Functional Skills had improved. GCSE English and maths were looking 50A*-C and 90% pass rate.

Meetings with Curriculum Managers would be taking place weekly to maximise success further.

The Corporation Board noted the report.

14. Quality improvement Action Plan

The report was introduced by the Interim Vice Principal Curriculum, Quality and Learner Experience.

There was a time constraint about attaching the financial plan to the QIAP. Work placements were being struggled with nationally. There were some curriculum areas where placements were struggling, particularly business and construction. This was discussed in terms of the College's ability of being able to work in conjunction with Lewisham Council on public service contracts.

The ALS survey had not yet been achieved.

It was noted that some Governors attended student forums where feedback from the teaching and learning survey was discussed.

The Corporation Board noted the QIAP.

15. Three year financial plan

The report was introduced by the Vice Principal Corporate Services who summarised the assumptions and figures within the three year financial plan. He explained that this was a further iteration of the financial plan which had

been sent to the SFA. There had been a response from the SFA and EFA. This version picked up their comments.

The organisational review identified £6.5m savings which was £0.5m short of target. There was a need to identify further savings.

The curriculum plan assumed delivery 5% over EFA funding. The EFA have challenged that on the basis of historical data and current application data did not support that assumption, so the financial plans now assume 90% of the funding. Further sensitivity analysis would be undertaken. The final version would include risk analysis around the estates and curriculum plan.

The Chair stated he felt uneasy about a budget deficit and hoped a break even position could be achieved. The Cashflow position was precarious even assuming the sale of Camberwell. The Chair pointed out this position was as a result of historical over-optimistic income assumptions.

The plan did not forecast an increase of income as a result of opening the Waterloo Campus which it was anticipated would lead to some increase

A Governor asked what the cumulating operating deficit from 2012/13 to 2015/16. It was approximately £14m including restructuring costs. The financial plan was more closely aligned to performance data.

The Corporation Board noted the content of the report.

16. Staff and student concerns – consultation on closure of Camberwell

The paper was introduced by the Chair. The actions agreed earlier would deal with the concerns raised in the paper.

17. Committee report

The Corporation Board noted the content of the report.

18. Any other business

Executive team members were asked to leave the meeting at this point with the exception of the Principal. Some senior staff had informed the leadership team that they were departing. It had yet to be decided whether to go straight out to appointment or to get interim replacements. A Governor pointed out that there was a concern by Ofsted about Interims. The Staff Governor said he found the number of interims and the amount of change disconcerting. An external Governor responded that interims could inject a great deal into an organisation.

The Principal Designate had informed the Chair that she would start at the College on Monday 8 June 2015.

19. Date of next meeting

1,2,3,6 July for 2015 for 14 July 2015

Actions

| Date of meeting | No. | Action | Who | Date | Status |
|------------------------|------------|---|---------------------------|---------------------|---------------------------------|
| 24 March 2015 | 8 | A new Equality Action Plan would be devised and brought to a subsequent meeting | JLo | 14 July 2015 | On agenda plan |
| 19 May 2015 | 1 | Clerk to advise new Governors of appointment | AH | 20 May 2015 | Complete |
| 19 May 2015 | 2 | Changes to CIF to be discussed by QRB | RR | 23 June 2015 | On agenda |
| 19 May 2015 | 3 | Changes to CIF to be discussed by Corporation Board | RR | 14 July 2015 | On agenda |
| 19 May 2015 | 4 | Interim Principal to highlight the reasons and need for cuts in staff communications | JLo | | Complete |
| 19 May 2015 | 5 | Interim Principal to liaise with unions to discuss an alternative approach to compulsory redundancies | JLo | | Discussed at UCU meeting |
| 19 May 2015 | 6 | Meeting between Chair, Vice Principal Corporate Services and UCU reps to discuss finance | CB/ R/UC U | | Complete |
| 19 May 2015 | 7 | Governor/Management/UCU visit to Camberwell to be arranged | SL | | Complete |
| 19 May 2015 | 8 | Draft business plan to fund Camberwell to be considered by ESPB | SL | 21 May 2015 | Complete |
| 19 May 2015 | 9 | Governor activity in College to be better communicated | AH | | Ongoing |
| 19 May 2015 | 10 | Relationship with Southwark to be added to risk register | IR | 30 June 2015 | Complete |
| 19 May 2015 | 11 | Risk review dates to be updated on risk register | IR | 30 June 2015 | Complete |
| 19 May 2015 | 12 | Curriculum strategy to be shared with staff for input | JL | 25 May 2015 | Complete |