



MINUTES OF THE STRATEGY AND POLICY COMMITTEE MEETING

Held at Esher Sixth Form College
Thursday 5 March 2020, at 6.00 pm.

Present:

David Irving (Chair)
Dan Dean
Ruth Seabrook

Tim Oliver
Declan Mason

Ken Kehoe (Clerk)

1. REGISTER OF INTERESTS

There were no declarations of business interests from Trustees. The Chair of Governors noted that he could not take part in the discussions and decisions on bullet 4, of item 10 on the agenda.

2. WELCOME AND APOLOGIES FOR ABSENCE

Apologies for absence were received from Florence Kilby. The Chair welcomed the new Clerk.

3. MINUTES OF THE LAST MEETING

The minutes of the previous meeting of Wednesday 6 November were approved and signed as an accurate record.

4. MATTERS ARISING

S&P1--001: Item 7 Code of Conduct – The new Clerk should review the standard Academy Trust Code of Conduct to determine whether it included provisions that should be covered by the Code of Conduct approved by the Board of trustees – **ongoing**.

S&P1-002: Item 7 Code of Conduct – amended Code of Conduct approved by the Board of Trustees in December – **complete**.

S&P1-003: Item 8 Constitution – Succession Planning – **This item was covered later in the meeting.**

5. ADMISSIONS POLICY 2021 AND REVIEW OF ADMISSIONS APPEALS PROCEDURE

The Principal introduced the draft Admissions Policy for 2021. The policy was essentially unchanged, but he was proposing to add further detail on the criterion for Looked after Children to make it clear that for the child to be granted Exceptional Applicant Status, the child had to be under, or have been under, a local authority care order. He also updated the committee on the latest developments relating to school sixth forms in the local area.

The committee welcomed the Principal's proposed change to the Admissions Policy and agreed to recommend the Admissions Policy to the Board of Trustees, subject to any further developments in local school sixth form provision before the Board of Trustees' meeting.

The committee considered the Admissions Appeals process. They questioned how it had been drawn up and whether there had been any challenges to it. The Principal noted that the process had been drawn up by the College, that the College was not subject to the Schools Admissions Code and that the process had not been challenged.

6. MEMBERS - TERMS OF REFERENCE

The Committee considered the draft Terms of Reference for Members. In discussion, the following points were made:

- There appeared to be an inconsistency between the statement that Members would be invited to attend all Board of Trustee meetings, and the list in the final bullet point suggesting that they attend on an occasional basis;
- It would be important to maintain a clear distinction between Members and Trustees at Trustee meetings, and for Members to be clear that they are observers.

The Committee agreed:

- The sub-paragraphs of the final bullet should be deleted. The mechanisms for the Members to ensure effective Governance should be discussed at the Members' Annual General Meeting;
- The Chair of Trustees and the Principal should attend the AGM;
- The reference in the Draft Terms of Reference to the Members appointing the Trust's auditors should be discussed with Terry Price;
- The Clerk and Principal should check the Terms of Reference against the Articles of Association.

Action: The reference in the Draft Terms of Reference to the Members appointing the Trust's auditors should be discussed with Terry Price;

Action: The Clerk and Principal should check the Terms of Reference against the Articles of Association.

7. SCHEME OF DELEGATION

The Principal introduced the draft Scheme of Delegation, drawing attention to the section relating to the roles and responsibilities of Members. The reference to the delegation of powers on financial matters being set out in the Financial Regulations followed a recommendation from the auditors.

In discussion, the committee focussed on the extent to which the Board of Trustees could sub-delegate their powers. The committee agreed that:

- the draft should be amended to delete the terms "any of" and "outlined below";
- subject to those amendments, they would recommend the Scheme of Delegation to the Board of Trustees.

8. STRATEGIC PLANNING - STUDENT NUMBERS 2020 AND BEYOND

The Chair began by thanking the Principal for his thoughtful paper. The Principal explained that the paper did not require decisions now but that its purpose was to begin a process of deliberation by the Trustees. He noted that once the College's financial position was stable, the Trustees would need to look again at what was the right size for the College.

In discussion, committee members made the following points:

- With the increase in student numbers, the staff have been working flat out and they feel stretched;
- The staff have understood and accepted the reasons for the increase in student numbers but they may expect some relief if the financial position stabilises;
- The increased numbers had put pressure on resources. The College was close to capacity for examinations and next year would be critical as 6.1 was large. Space in the LRC's at peak times was a further issue;
- It feels like the College is at, or close to, its maximum size. Leaving aside finances, there seems little rationale for further expansion, even though there were people who couldn't come to the College;
- Any move to a small reduction in student numbers would need to be managed carefully.

The Principal said that he intended to put the paper on the Governors' Portal and he would raise the issue in his Report.

The committee asked that a range of forecasts, assuming fixed per head funding, be prepared to illustrate the impact of different sizes of student body.

Action: The Principal, in liaison with the Director of Finance and Estates, to draw up illustrative scenarios, based on different numbers of students, for the committee to consider.

9. REVIEW OF PROCEDURE FOR APPEALS AGAINST THE EXCLUSION OF STUDENTS

The Principal introduced the draft, noting that the main change was to make clear that the Appeals Process applied to exclusions only, as the duration of suspensions was so short that there was no realistic way to conduct an appeal.

In discussion, the committee considered whether there would be merit in moving to the system adopted by some other colleges of having a senior leader carry out the exclusion, with the appeal being made to the Principal. The Chair of Governors noted that, in his experience, the cases had been clear cut and that a significant part of the role was in managing the parents of the excluded students. The committee noted that the parents of a student that had been excluded would likely be re-assured that the appeal was being dealt with by a Trustee.

The committee approved the Appeals procedure.

10. THE CONSTITUTION

The committee noted:

- The appointment of the new Clerk;
- Elmbridge Council had not put forward a candidate to fill the Trustee vacancy and a further search would now be necessary; and that

- The Chair of Governors was drawing up proposals for Chairs of Committees and the Vice-Chair of the Academy Trust.

The committee considered whether to recommend to the Board of Trustees that Tim Oliver should be re-appointed for a further Term of Office. Mr Oliver took no part in the deliberations.

The committee unanimously agreed that they would recommend Tim Oliver's reappointment.

11. ANY OTHER BUSINESS

The Principal informed the committee that the planning for Covid-19 was continuing. He also informed the committee that the following week, there would be a sixth day of industrial action. He hoped that a new pay offer that was being put forward would break the impasse.

The Chair of the committee noted that this was his last meeting. The Chair of Trustees expressed his thanks to David Irving for his service to the College.

12. DATE OF NEXT MEETING: Wednesday 3rd June 2020

*The meeting closed at 7pm.
Attendance was 71.4%.*

Signed.....

Date.....

SUMMARY OF ACTIONS

S&P1-001	6. Members- Terms of Reference The reference in the Draft Terms of Reference to the Members appointing the Trust's auditors should be discussed with Terry Price.
S&P2-002	6. Members- Terms of Reference The Clerk and Principal should check the Terms of Reference against the Articles of Association.
S&P3-003	8. Strategic Planning - Student Numbers 2020 and beyond The Principal, in liaison with the Director of Finance and Estates, to draw up illustrative scenarios, based on different numbers of students, for the committee to consider.

SUMMARY OF GOVERNOR CHALLENGE [C] / SUPPORT [S]

C/S	Minute	Topic
C	5	<p>Admissions Appeals Procedure</p> <p>The committee questioned how the draft Appeal process had been drawn up and whether there had been any challenges to it. The Principal noted that the process had been drawn up by the College, that the College was not subject to the Admissions Code and that the process had not been challenged.</p>
C	6 and 7	<p>Terms of Reference and Scheme of Delegation</p> <p>The committee asked for changes to the draft Terms of Reference for members, and to the Scheme of Delegation.</p>
S	8	<p>Strategic Planning - Student Numbers 2020 and beyond</p> <p>The committee welcomed the thoughtful and timely paper from the Principal on the appropriate level of student numbers in the medium term.</p>