

Scarborough Sixth Form College

SEARCH & CONDUCT COMMITTEE MEETING
Tuesday 8 December 2020 at 5.00pm
MINUTES

Chaired by: Ian Brabbs

Members Present: Steve Oldridge Phil Rumsey

Also Present: Heather Campbell – Clerk to the Corporation

1 **Apologies for absence**

Apologies were received from Mick Paxton.

The meeting was quorate with 3 members being present.

2 **Declarations of any personal conflicts of interest** – None.

3 **Minutes of the previous meeting**

a The Minutes of the meeting held on 10 March 2020 were approved at the 7 July 2020 Corporation Meeting and signed by the Chair.

b Updates from Clerk or College Management – None.

c Review of actions previously agreed:

The Chair highlighted that there were some outstanding actions and the following was noted:

- 3-Dec-2019 Item 11 – Exploring of Code of Governance and SP Remuneration Policy with Venn – this remain as a WIP
- 3-Dec-2019 Item 11 – Clerk to update the Register of Governors Interests with the outcome of the review by the committee was now complete
- 10-Mar-02020 – Item 10 – Clerk to pick up challenging college management training for governors with Phil – Phil advised he has been appointed as a governor for the Hope Group (Graham & Pindar schools) and he will explore what training scrutiny they may have in place for their governors. Steve noted that scrutiny may not be a high priority as the FEC have put in their report that they feel governance at the College is robust.
- 10-Mar-2020 – Item 12 – Chair to Draft Self-Assessment Template for each committee and the Corporation – this remains WIP and is to be deferred to see what comes out of the likely governance review.

ACTION AGREED

Clerk to update the Actions Agreed Report to reflect the above.

d Matters arising relating to the minutes that were not covered in agenda

No matters were raised.

4 **To discuss Membership Issues**

a **Turnover – Terms of Office Ending within the next 6 Months**

Members were provided with the latest Corporation List which included the dates that each governor's term of office ends.

The Chair noted that there were no governors whose term of office was due to end within the next 6 months.

b **Committee Membership**

The Chair observed that Trish Hawkyard who was an independent member and the Safeguarding governor and Vice Chair of the EWC had resigned and a replacement was required.

Members discussed options of replacing Trish as an independent member and the following was noted:

- Chair is aware of a newly retired doctor who was looking to take on work as a charity trustee who may be interested in a role as a governor who would have similar skills and expertise to Trish
- NHS Safeguarding Officer was told about the vacancy and having expressed an interest was given Clerk's contact email by the College's Safeguarding Officer – the Clerk emailed the interested party back with the information but has not heard back from her
- Phil noted that the current members of the EWC committee should be asked if they wanted to take on the Safeguarding Governors duties as this comes under the committee's remit of student welfare

The Chair noted that we currently have 11 independent members which in the Instrument and Articles of Government is defined as a minimum number of such members. The Corporation can therefore increase the number of independent members beyond 11

The Chair recommended that the Clerk include Membership as an item on the next EWC to discuss the appointment of a replacement Vice Chair and a member of the committee being appointed as the new Safeguarding Governor on either a temporary or permanent basis as the committee saw fit.

2 Parent Governor Vacancies

The Clerk advised that while the 2 Parent Governor Vacancies was advertised on the College website due to the pandemic the letter to parents that should have gone out in March 2020 had not been sent. As a result the parents of the new intake in September 2019 had not been contacted.

Phil noted that he will be sending out his weekly briefing to Parents and Students next week and will include a report that the College is looking for 2 Parent Governors.

Members agreed this would be appropriate and that in addition the Clerk should advertise the vacancies in early January 2021 by letter to first year students 'parents if not filled in the meantime.

ACTIONS AGREED

The Chair to make enquiry as to the interest of the recently retire GP in becoming a governor

Phil to include a report in his weekly email to Parents that the College is looking for 2 Parent Governors.

Clerk to advertise the vacancies in early January in a letter to parents.

c Student Governor Recruitment Process

Members noted that the Recruitment Process for Student Governors will take place in March 2021 to replace the current Student Governor whose term of office ends on 30 April 2021.

5 Confidentiality Requests to Corporation

The Clerk advised that no confidentiality requests had been received.

6 Review Public Access Policy

The Chair advised that the Search Committee is required to review the Public Access Policy together with the associated confidential classifications on an annual basis on behalf of the Corporation.

Members discussed the policy and noted that under the Standing Orders by default all meetings are private.

The following was raised:

- Paragraph 2.4 Requests from person wishing to attend a meeting – the members believed that it would assist making a decision on any application to attend a meeting if there was a requirement to include in the request the reason for the attendance.
- Paragraph 2.8 An electronic copy of approved Corporation and Committee minutes –the members agreed that this provision should include similar wording to 2.7 with a reference to 'non-restricted meetings'

The Chair advised he would email amended wording to the Clerk to update the policy so it can go to the Corporation for approval at their meeting next week.

Members agreed to recommend the Corporation approve the updated Public Access policy subject to the amendments to the wording suggested by the Chair with no change to the list of items of business classified as confidential in the Annex to the policy

RECOMMENDATION TO CORPORATION

That the Corporation approve the updated Public Access Policy.

7 Governor Attendance 2019-20

Members considered Governor Attendance for 2019-20 and reviewed the movement year on year. It was noted that Covid has impacted on the number of meetings held in 2020 affecting the governor attendance at Committee meetings which still averaged 79% which was lower than the previous year but within the benchmark for good attendance of 78-80%.

Attendance at Corporation meetings was 85% a substantial improvement compared to 71% the previous year.

Members agreed that there were no particular concerns with regard to attendance that needed to be raised with governors save for a reminder from the Chair at the next Corporation meeting of the need for governors to attend all meetings if at all possible.

8 Register of Interests 2020

Members noted the Register of Interests and that there was one member who had not completed and returned their Notification of Interest form.

The Clerk advised that she had emailed the governor on 3 occasions with no response. She suggested that she should present the ROI form to the governor at the next Corporation for them to complete and sign before leaving the meeting.

Members agreed this would be an appropriate course of action.

ACTIONS AGREED

Clerk to have a paper copy of the notification of interests form to hand to the governor at next week's Corporation to complete and sign.

9 Receive Updated Standing Orders and Recommend to the Corporation

The Clerk advised that the Standing Orders had been updated with the amendments agreed at the last Search Committee held on 10 March 2020 but that the amendments still needed to be approved by the Corporation. She had highlighted the amendments for ease of reference.

Members further considered the Standing Orders and the Chair advised that as a result of the recent complaint by the ESFA with regard to the implementation of the College Grievance Procedure which at their request had been investigated by the Vice Chair it may be appropriate to amend the Complaints against the Corporation policy included in Annex 2 to the Standing Orders to allow for an investigation either by the Clerk or another designated member of the Corporation not involved in the complaint. The members agreed to amend the policy as suggested and the Chair agreed to forward his suggested wording for the amendment for consideration at the next Corporation meeting.

Members agreed to recommend the Corporation approve the updated Standing Orders subject to the Chair's proposed new wording for Item 4.

ACTION AGREED

The Chair to email suggested amendments to the wording of the Complaints policy to the Clerk for her to update the Standing Orders prior to it going to Corporation for approval.

RECOMMENDATION

That the Corporation approve the updated Standing Orders.

10 **Review Register of Confidential & Restricted Decision from committees**

The Chair referred members to the Register and briefly went through the items categorised as "Confidential" and whether any such items should be de-classified. The members considered whether the regular financial/budget updates considered at Finance & Estates Committee and Corporation meetings should remain confidential indefinitely and agreed that such items together with item relating to the purchase of the Former Caretaker's Bungalow should remain classified as "Confidential" for a period of 6 years.

11 **Receive Record of Governor Skills Template and recommend to the Corporation**

The Chair referred to the governors skills template which the Clerk had put together from a template found on the internet and advised that the intention would be to forward the template to governors for completion before using the completed forms to prepare a skills matrix to assist the Search Committee when looking to recommend the appointment of new governors to fill gaps as well as providing a useful record of the skills and expertise available to the College. Members discussed the areas of knowledge included in the template and whether they were too detailed and/or numerous as well as the system of scoring/assessing the governor's level of knowledge/expertise. There was also a discussion as to the frequency at which the exercise would be carried out. The consensus was that this should be every 3/4 years to take account of the regular change in the composition of the Corporation.

The Chair noted the suggested amendments to the template and agreed to redraft it for further consideration by the committee. .

ACTION AGREED

Chair to prepare a revised Record of Governor Skills Template for further consideration by the committee.

12 **Statutory Requirements of being a Sixth Form College Governor**

The Chair referred members to the paper he had prepared and advised that in a recent webinar on Recruiting and Retaining governors there was a reminder that as the College is a statutory charity the position of the governors is identical to that of the trustees of a registered charity.

He took members through the following:

- Background
- Statutory Requirements
- How to meet the Statutory Requirements
- Recommendations
- S6F Governor Eligibility Declaration and Consent Form

Members considered the paper and the following recommendations were discussed and agreed:

- The induction procedure for potential new governors requires amendment to include provision for the signature of a form of declaration of eligibility and for the various checks and searches recommended by the Charity Commission to be carried out including the DBS check before the appointment can be confirmed by the Corporation.
- All new governors to be given Charity Commission Guidance 'The Essential Trustee' (form CC3)
- A decision will need to be made as to how often a new form of declaration of eligibility is signed and the recommended checks and searches carried out again. As a minimum this should be done before re-appointment of a governor and it is arguable that the form of declaration should be signed and the checks and searches carried out annually when the Register of Interests form is completed by governors.
- It is recommended that the form of declaration of eligibility should include a reminder of the need for governors to avoid a conflict of interest when acting in their capacity of governor.
- It is recommended that a procedure be adopted to ensure that the Register of Interests is reviewed on a regular basis (at least annually) to ensure that any conflict of interest not disclosed at the start of a meeting can be identified.

The Chair asked members if they agreed to recommend that the Corporation approve the new induction procedure including the Governor Eligibility Declaration and Consent Form.

Members agreed.

The Chair agreed to assist the Clerk to revise the induction procedure to include the new checks and searches.

RECOMMENDATION

That the Corporation approve the new induction procedure and the use of the Governor Eligibility Declaration and Consent Form on an annual basis.

ACTION AGREED

Clerk to source the Charity Commission Guidance 'The Essential Trustee' (form CC3) for provision to both existing and new governors on appointment.

Chair to assist the Clerk to revise the induction procedure.

13 **Governor Training Record 2019-20**

See confidential minute.

14 **Self-Assessment Questionnaire for Corporation and Committees**

The Chair advised that he had had a look at samples of Self-Assessment templates for both the Corporation and Committees to replace/improve the existing self-assessment questionnaires but after considering them realised that any changes would impact on the College SAR which drew on the existing self-assessment questionnaires. Further that the likely governance review may result in recommendations with regard to self-assessment.

Members agreed to defer any further review of the self-assessment questionnaires until after the outcome of the probable governance review..

15 **Quality Committee**

The Chair observed that the FE Commissioners had recommended in their report following their recent diagnostic assessment that the Corporation should think about having a Quality Committee. He referred to the information copied to members prior to the meeting by the Clerk which disclosed that the Corporation had had a Quality committee which was disbanded 10 years ago. At that time a proposal was put forward to the Corporation to disband the Quality committee as it was felt that all governors should be responsible for and involved in decisions relating to quality matters due to the importance to the success of the College and the Corporation had approved the proposal.

If despite the FE Commissioners recommendation the Corporation was to decide to continue without a separate Quality committee Phil suggested that when the Corporation received department presentations or dealt with business which would fall to a Quality committee to consider that that part of the Agenda should be headed "Quality" and separate minutes prepared as with Confidential business so that it would be a simple task to identify the Corporation minutes relating to quality issues in the event of an Ofsted or EFSA inspection. Further that quality improvement items should be dealt with at the start of all Corporation meetings to highlight their importance and ensure that sufficient time was available for their full consideration

The consensus of the members was to recommend to the Corporation that notwithstanding the recommendation from the FE Commissioners the Corporation should continue to operate without a Quality committee but adopt the procedure outlined in the previous paragraph..

RECOMMENDATION

That the Corporation do not re-instate a Quality Committee but that department presentations and agenda items relating to quality remain with the full Corporation, and be specifically badged under the heading of 'quality improvement to be dealt with at the start of all Corporation meetings with separate minutes to be maintained and labelled to enable quality improvement business to be readily identified.

16 **Governance Review**

The Chair advised that he had originally put this item on the agenda following a recommendation in a recent governance webinar that Colleges should consider the commission of an audit of governance whether internal or external which recommendation had now been endorsed in the FE Commissioners report which had also highlighted the availability of a DofE scheme to meet the cost of a Governance Review.

Members discussed the recommendation. Phil noted that the free review scheme ended in March 2021 and suggested that he explore further what the review would entail while asking NorVIC forum if any other college had made use of the free governance review.

The members agreed to Phil exploring the free Governance Review scheme further to enable the committee to make a recommendation to the Corporation.

ACTION AGREED

Phil to explore what the free Governance Review entails and to ask NorVIC colleges if any of them have taken up the free review.

17 **Standing Item: Any Confidential and Restricted Business to be identified**

The members considered the guidance document on confidential and restricted business and determined that Item 13 Governor Training Log be classified as “confidential” on the grounds that it contained details of the training undertaken by named governors.

18 **Any Other Business**

None matters raised.

19 **Date of the next meeting: 9 March 2021**

There being no further business the meeting closed at 6.30pm