

# **THE SIXTH FORM COLLEGE, SOLIHULL**

## **Corporate Board**

Minutes of a meeting held on Tuesday 4 July 2017 at 4.30pm.

**Present:** Alan Price (Chair), Neal Clements (Vice-Chair), Isbaa Akhtar, Luke Banks, Russell Beale-Burchell, Zoe Bereza, Jonathan Bridges, Abid Butt, Fiona Dennis-Stephens, Peter Farrow, Rona Miller, Karen Sherwood, Martin Sullivan, Shilpa Unarkat

**In attendance:** Clare Sutton (Director of Finance), Sonia Wood (Interim Vice-Principal)

**Clerk:** Janice Hamilton

**Secretary:** Janet Parkes

### **1 Completion of Governance Self-Assessment Questionnaire 2017**

The Chair urged governors to complete the questionnaire and return to Janet Parkes by Friday 7 July 2017 at the latest.

**2 Apologies** were received and accepted from Martyn Collin, Adill Hadi, Luke Millard, Jack Redfern and Asa Walker.

### **3 Declaration of Interests, Presentation of Papers, College Mission**

The Clerk must be informed of any changes to governors' declaration of interest form as and when a change takes place. Governors must declare the nature and extent of any financial and/or personal interest in any agenda item and must take no part in the consideration of that item or vote on any question with respect to that item, or form part of the quorum. Governors must withdraw where requested to do so by a majority of members present at the meeting.

The Chair informed the meeting that the Clerk attends all Board and Committee meetings. If she is requested or required to answer questions or to present a paper in her role as Vice-Principal, an Acting Clerk will be appointed for that part of the meeting.

*Resolved:* Abid Butt, Martin Sullivan, Janice Hamilton and Sonia Wood declared an interest in agenda item 13, Academisation and Merger.

Governors noted the College Mission and guidance on presentation of papers.

**4 Minutes of previous meeting** held on 2 May 2017 were agreed and signed.

**5 Matters arising:** none.

### **6 Financial Plan 2017/18 to 2021/22**

Clare Sutton reminded that whilst we are required to produce a minimum two-year plan, the College prepares a five-year plan annually. Academies do not have to produce a financial plan beyond a one-year budget but it is our intention to maintain five-year financial planning for the College after merger. She drew attention to sections of the commentary.

*Resolved:* the Board approved the Financial Plan 2017/18 to 2021/22.

### **7 Principal's Report including Strategic Priorities Dashboard**

Confidential item, minuted separately. Martin Sullivan wished to thank all governors for their time and support to the College over the years, and to him personally.

## **8 Chair's Report including Safeguarding Dashboard**

Alan Price drew governors' attention to the Safeguarding & Prevent dashboard. He then invited governors to provide feedback on their attendance at recent College events.

Jonathan Bridges attended the Cenbase joint training day on 5 July 2017. He had found the discussions interesting, and had received information regarding the SFCA 'Save our sixth formers' campaign. Karen Sherwood visited the private view of the Art exhibition on 13 June 2017. Her caseload includes BTEC Art students, and she was pleased to report the fantastic work that had been produced. Zoe Bereza had also attended and commented on the phenomenal student work and professional displays. Alan Price attended the meeting of the National Chairs' Advisory Group in London on 20 June 2017. The group is chaired by Les Walton, who runs a large multi-academy trust, and membership is growing. A very interesting presentation was given by a regional schools commissioner. Neal Clements (as well as Alan Price, Luke Millard, Zoe Bereza and Karen Sherwood) had attended the Awards Evening on 26 June 2017. He was pleased to see all College stakeholders, ie students, staff and contractors, involved in the event. Alan Price commented on the high standard of student performances.

## **9 Report from Curriculum & Quality Committee: 9 May 2017**

Rona Miller drew attention to the executive summary and highlighted the Committee's recommendation to approve the Entry Criteria for 2018/19, which are amended only to take account of GCSE grade changes.

*Resolved:* to note receipt of the executive summary and draft minutes of the meeting held on 9 May 2017, and student retention report.

*Resolved:* on the advice of the Curriculum & Quality Committee, the Board approved the Entry Criteria for 2018/19.

## **10 Report from Finance & General Purposes Committee: 23 May 2017**

Neal Clements drew attention to the executive summary of the meeting. He wished to add that he had since met with Ross Harris, new IT Manager, to discuss Tyber development.

*Resolved:* to note receipt of the executive summary and draft minutes of the meeting held on 23 May 2017, and May management accounts.

## **11 Report from Human Resources Committee: 6 June 2017**

Rona Miller drew attention to the executive summary and highlighted the review of Career Passport.

*Resolved:* to note receipt of the executive summary and draft minutes of the meeting held on 6 June 2017.

## **12 Report from Audit Committee: 20 June 2017**

Peter Farrow drew attention to the executive summary and highlighted the abridged internal audit plan for next year.

*5.40pm Abid Butt and Fiona Dennis-Stephens arrived.*

### **13     Academisation and Merger**

The Chair reported that in accordance with s.33N of The Further & Higher Education Act 1992 (the 'Act'), the Corporate Board had published details and consulted in accordance with the Sixth Form College Corporations (Publication of Proposals) (England) Regulations 2012 (the 'Regulations') on its proposal that the Corporate Board should be dissolved. The Chair reminded governors the rationale was so that The Sixth Form College, Solihull (the 'College'), presently established as a sixth form college in accordance with the Act, can be replaced with The Sixth Form College, Solihull, a 16-19 academy. The Chair confirmed that this was, in effect, a conversion of the College's legal status, through dissolution, rather than a discontinuation of provision.

The Chair explained it was intended that The Sixth Form College, Solihull, a 16-19 academy will become part of Ninestiles Academy Trust (the 'Trust'), being an existing multi-academy trust structure established by Ninestiles Academy to support and maintain academies approved by the Department for Education under the academies programme.

The Chair explained that following the publication and consultation process on the proposal in accordance with the Regulations, and having taken into account the views expressed in any representations made on the proposal during the consultation period and a summary of the consultation having subsequently been published within the timescales set out in the Regulations, the purpose of the meeting was, if governors saw fit, for the Corporate Board, in accordance with s.330 of the Act, to resolve that the Corporate Board be dissolved at 11.59pm on 31 July 2017 (the 'Dissolution Date').

As part of the academisation arrangements, the Corporate Board in accordance with s.33P of the Act will transfer the operation of the College, its property rights and liabilities of The Sixth Form College, Solihull, a sixth form college to the Trust with effect from the Dissolution Date on the terms and conditions of an agreement to be approved by governors as part of the academisation process.

It was noted that the Corporate Board of the College has discussed academisation and merger with the Trust in detail over the last few years. The Chair reminded governors that if the proposals were to go ahead, it would see the creation of the first multi-academy trust of its kind in the country for those aged three to 19 and would cater for more than 7,500 children and young people. The Chair reminded the meeting of the key messaging from the consultation:

- improving the quality of teaching and educational outcomes for children and young people in Birmingham and Solihull is the key motivation for the proposals;
- the aim is to create a Trust which will boost both the aspirations and attainment of those living in the communities they serve;
- the vision is to create a Trust offering young people and their families access to the best possible education at each and every level, from pre-school to post-16;
- staff would be able to share their expertise and learn from one another, contributing to a stable, motivated and expert workforce which would provide excellence at every stage of a child's educational journey;
- the 'all through' Trust would create new career development opportunities for existing staff while helping to attract the best educational practitioners in the country;

- the merger would allow the Ninestiles Academy Trust to continue to grow and prosper, making it more financially stable and robust in order for it to run effective services despite economically challenging times facing the education sector;
- the Trust will have the scale, resources and profile to initiate significant new developments and partnerships with regional employers and HE, leveraging a further set of opportunities for local young people;
- The Sixth Form College, Solihull, would continue being a specialist provider of A level, BTEC and CACHE education to 16-19 year olds from Solihull and Birmingham.

The Chair explained the stated aims of the merger are to enable the Trust and the College to: offer superb opportunities for social mobility and academic success for all the communities of south east Birmingham and Solihull; boost both the aspirations and attainment of students; give families confidence and continuity within an education experience that supports the development of their children at every crucial step; enable visionary strategic investment as a result of the combined scale of both the Trust and the College; provide greater access to specialist staff, facilities and curriculum that no individual school could sustain; and create a single organisation that benefits from extensive community, education and business links. The Chair continued that in the College Leadership Team's view the change from a sixth form College to academy status will impact positively on the College and its students. The College would continue to offer an excellent range of subjects, and continue to be inspected under the same Ofsted framework. As a 16-19 academy the College would continue to be called The Sixth Form College, Solihull and its ethos and values would be further built upon. In the longer term, the Corporate Board believes that working closely alongside the Trust would help the College to become even stronger.

The Chair reported that the business of this meeting is to consider, and if thought fit, agree to dissolve the Corporate Board and to enter into certain documentation pertaining to the academisation arrangements including the transfer of its property, rights and liabilities. It was proposed that the following document circulated for this meeting be approved: a transfer agreement to be entered into between the Corporate Board and the Trust to transfer all property, rights and liabilities of the College from the Corporate Board to the Trust with effect from the Dissolution Date, conditional on the funding arrangements being entered into, a draft of which was produced at the meeting. A draft of the supplemental funding agreement with the Secretary of State for Education setting out the terms of the funding for The Sixth Form College, Solihull, a 16-19 academy, was made available at the meeting. The Clerk reported that the draft agreement is with the DfE awaiting final clearance. *Post-meeting note: the DfE officially cleared the supplemental funding agreement on 6 July 2017.* Document TR1, to transfer the freehold of the site of the College from the Corporate Board to the Trust, was not yet available. A detailed draft had been sent to the DfE lead and the expectation is that it will be ready for signature by 7 July 2017.

The Chair reported that the Trust had agreed and consented to the transfer of all property, rights and liabilities of the College with effect from the Dissolution Date. The Chair explained consent was a legislative requirement in accordance with s.33P of the Act. A copy of the letter confirming the Trust's consent had been provided. Governors considered the terms of the documents and after careful consideration made the resolution that the Corporate Board of The Sixth Form College, Solihull be dissolved on 31 July 2017 (or the Dissolution Date agreed by the Secretary of State for Education if later) in order to facilitate the College operating as a 16-19 academy with effect from 1 August 2017 (or later depending on actual Dissolution Date) maintained by the Trust which will operate the academy within the established policy, financial and operational framework for academy trusts and the academies sector as a whole. The Corporate Board considered the terms of all documentation and after careful consideration of the terms, the following resolutions were agreed.

*Resolved:* the Board approved the terms of documents that had been presented to them; authorised the Chair and/or Vice-Chair and, in the case of any document requiring execution as a deed, any two governors or any one governor in the presence of a witness who attests his/her signature, to execute the documents for and on behalf of the Corporate Board in the form produced to the meeting (subject to such amendments, modifications, variations and alterations as those executing the same on behalf of the Corporate Board think fit), and to deliver the documents to the Trust at completion; authorised the Chair and/or Vice-Chair to do all such acts and things and agree and execute for and on behalf of the Corporate Board all such other documents, deeds, certificates or notices as he/she considers necessary or desirable in connection with the transaction; conditional to the Funding Arrangements being entered into by the Secretary of State that the Corporate Board transfers its property, rights and liabilities to the Trust and that in accordance with s.330 of the Act, the Corporate Board be dissolved with effect from 11.59pm on 31 July 2017, being the Dissolution Date.

It was noted that in accordance with the Act, the Corporate Board is required to notify the Secretary of State of the resolution and the Dissolution Date as soon as reasonably practical.

#### **14 Determination of Confidential Items**

*Resolved:* that the following items be confidential and minuted separately: item 6 Financial plan 2017/18 to 2021/22; item 7 Principal's report; Item 8 Safeguarding dashboard (document); Item 9 Executive summary, confidential minutes and student retention report; Item 10 Executive summary, confidential minutes and management accounts; item 11 Executive summary and confidential minutes; item 12 Executive summary, confidential minutes, risk management review and internal audit plan; item 13 Academisation and merger (documents).

#### **15 Review of the Meeting**

12 out of a possible 13 proformas were returned, all with positive responses. Comments: good luck to everyone at the College for the future; my thanks.

The Chair said it has been a pleasure to work with the College and Corporate Board. He presented Janet Parkes, Secretary to Corporate Board, with a bouquet of flowers for her commitment to the Board and support to governors over 26 years.

The meeting closed at 6.20pm.