



## Minutes of the Search Committee Meeting held on Monday 18 October 2021 at 3pm via Teams

**Present:** Mike Hill (*Principal*)  
Oliver Maddock (*Chair*)  
Michael Martin

**In attendance:** Helen Stevenson (*Chair of Governors*)  
Mark Dawson (*Parent Governor*)  
Ruth Potter (*Clerk*)

*The Chair welcomed all attendees to the meeting and it was opened in prayer.*

### 1. **DECLARATIONS OF INTEREST**

Attendees were invited to declare whether they had any direct or indirect personal, prejudicial or pecuniary interest or conflict of interest in any matter which formed part of the agenda for this meeting or was likely to be discussed at this meeting. No new interests were declared other than those which were already recorded on the College's register of interests.

The declarations of interest were **noted** by the Committee.

### 2. **APOLOGIES FOR ABSENCE**

No apologies for absence were received as all members were present. The meeting was declared quorate.

### 3. **ITEMS TO BE INCLUDED UNDER ANY OTHER BUSINESS**

3.1 There was one item of additional business accepted by the Chair entitled 'ESFA Funding Agreement – Schedule 9, College Governance.' It was agreed to consider this item under Matters Arising.

### 4. **MINUTES OF THE PREVIOUS COMMITTEE MEETING HELD ON 24 MAY 2021 AND THE SPECIAL MEETING HELD ON 28 MAY 2021** (*previously circulated*)

#### 4.1 **To approve the minutes of the previous Committee meeting held on 24 May 2021**

The minutes were approved as a correct record and would be signed by the Chair in accordance with Article 12 (3) of the Articles of Government. The publication of the minutes was authorised in accordance with Article 13.

#### 4.2 **To approve the minutes of the Special Committee meeting held on 28 May 2021**

The minutes were approved as a correct record and would be signed by the Chair in accordance with Article 12 (3) of the Articles of Government. The publication of the minutes was authorised in accordance with Article 13.

## 5. MATTERS ARISING FROM THE MINUTES

- 5.1 **To consider any matters arising from the minutes** (*previously circulated*)  
Committee members noted the items on the action log that had been completed or were on the agenda for further discussion during the meeting.

### Minute 8.2 – FE Skills Bill Governance Recommendations

By way of an update on this matter, the Clerk presented a report entitled 'ESFA Funding Agreement – Schedule 9, College Governance'. As anticipated, the College's ESFA Funding Agreement for 2021-22 had been updated to include a number of new 'Specific Governance Requirements' at Section 5 of Schedule 9. The Clerk presented a table of the new requirements with information on the College's current compliance position.

The following points were highlighted:

- Clause 5.1 – the Clerk was appointed in the previous reporting year when this requirement was not applicable. Any future appointment of the governance professional must follow the requirement in place at the time.
- Clause 5.2 – details of governor and Clerk training were recorded in a training log which would inform this annual report. The expanded governance training offer (to be discussed under item 6.3 of the agenda) would also strengthen development activities for governance personnel.
- Clause 5.3 – the Governance SAR process would facilitate the annual governance self-assessment. Review of governance codes and compliance checklist exercise was one of the ETF Board Review recommendations and was due for completion by Summer 2022 with a Board decision on which code to follow in future due by Autumn 2022. Triennial external review of governance would be based on compliance against the chosen code of governance. Further guidance on this requirement for colleges to commission an external review of governance was due to be published by the DfE.

A discussion ensued particularly in relation to the external review of governance against the adopted code of governance. The Principal indicated that a faith school code of governance was under development and could be considered by governors in due course. Details on approved providers for the external governance review – and anticipated costs – were not yet available. Updates would be shared with the Committee in future meetings.

The Committee **noted** the contents of the Clerk's report.

## 6. GOVERNING BODY REVIEW

- 6.1 **Annual Report on Governing Body Attendance 2020-21** (*previously circulated*)

The Committee considered the two separate reports which had previously been circulated, namely:

- Attendance Figures 2020-21 – this report provided overall attendance statistics for all Full Governing Body (FGB) meetings and all Committees.
- Attendance Data relating to individual Governors and Associate Members during the last academic year.

Discussion ensued with a specific focus on areas where attendance had fallen below 75% (for committees and individual board members). It was noted that the Chair had already written to one Foundation Governor in relation to persistent non-attendance and was awaiting a response.

The Committee:

- **noted** the contents of the report.
- **agreed** that if no response had been received to the Chair's letter by the end of October, and no formal resignation had been tendered, the Archdiocese would be contacted in relation to removal of the non-attending Foundation Governor.
- **agreed** that the attendance of individual members whose attendance had dipped below 75% during 2020-21 would be monitored through the Autumn Term and the Clerk would email individuals for whom attendance continued to present a challenge.

**ACTION – (a) Contact Archdiocese regarding removal of Foundation Governor if no response or resignation received.  
(b) Monitor attendance of members and contact individuals for whom attendance continues to be a cause for concern.**

## 6.2 **Annual Analysis of Governing Body Skills Audit** *(previously circulated)*

The Clerk presented an analysis of the Governing Body Skills Audit 2021 which had been based on the National Governance Association (NGA) model. It was noted that the skills audit questionnaire return rate from Governing Body members stood at 83%.

The analysis demonstrated the collective strength of the board across a number of core areas. Three of the lowest scoring areas were highlighted for closer scrutiny as follows:

- I have an awareness of national education policy relating to sixth form colleges.
- I have built strong collaborative relationships with members of the board.
- I have identified the areas where I need to develop my knowledge and skills as a governor.

A discussion ensued and it was noted that a number of new members had joined the board in the last six months, during a period when governance meetings had remained virtual. Activities already underway to address these areas were highlighted and additional actions discussed.

The Committee:

- **noted** the annual analysis of the Governing Body Skills Audit
- **agreed** that SFCA fortnightly updates would be circulated to board members in an effort to further strengthen knowledge and awareness of national education policy relating to sixth form colleges
- **agreed** that a governors' twilight session in College would be arranged for board members towards the end of the Spring Term.

**ACTION – (a) Clerk to circulate SFCA fortnightly update to board members**  
**(b) Clerk to send quick survey round to board members to ascertain most popular evening during the week for a governors’ twilight session.**

6.3 **Annual Governing Body Training and Development Plan** (*previously circulated*)

The Clerk presented her report on the Governing Body Training Plan for 2021-22. She referred Committee members to the ETF Board Review recommendation to ‘consider developing a full training programme based on need’ and also to the new requirement of the College’s ESFA Funding Agreement to ‘report in its annual reports on activities undertaken over the year to develop governors and clerks/heads of governance’.

In response to this, the Governing Body Training Programme for the academic year comprised three key strands as follows:

- ETF Governance Development Programme – providing governors with access to a wide range of learning resources covering all core governance areas as well as a diagnostic tool to help identify individual development needs.
- SFCA Governance Webinar Programme – convenient means by which governors could keep up-to-date with sector news and emerging issues. All webinars were recorded, so governors could access recordings at any time.
- Bespoke training – this could be arranged as and when a specific need was identified.

In addition, all board members were required to complete mandatory annual training in key areas such as safeguarding and prevent.

A discussion ensued and it was **agreed** that board members should take ownership for identifying and addressing their own development needs as follows:

- at the beginning of the academic year, board members would use their completed skills audit questionnaire to identify their own development needs for the academic year ahead
- at the end of the academic year, the annual 1-2-1 between individual board members and Chair of Governors would be an opportunity to report back on what activities had been undertaken to address identified development needs.

In addition, it was **agreed** that all Committees would include a standing agenda item ‘Governor Training’ to facilitate reports of training undertaken and flag upcoming training opportunities.

**ACTION – Committee agendas to include standing item on ‘Governor training’**

#### 6.4 **Annual Governing Body Checks and Documentation Review** *(previously circulated)*

The Clerk reported that standard annual documentation had been requested from all board members in August with a view to having all completed and signed documentation in place for the beginning of the academic year.

Documentation requested included:

- Declaration of eligibility
- Declaration of interests
- Equality and diversity monitoring form
- Skills audit questionnaire
- Code of conduct

An overview of submitted documentation was presented to the Committee which highlighted non-submission by three governors following a number of reminders.

It was **agreed** that the Chair of Governors would write to board members who had failed to return the necessary documentation.

The Clerk reported that all DBS checks for board members were up-to-date based upon the College policy to conduct checks upon appointment or re-appointment to the board.

**ACTION – Chair of Governors to contact non-responsive board members to secure submission of required documentation.**

#### 6.5 **Annual Report on Governors' Equality and Diversity Data** *(previously circulated)*

The Clerk presented this anonymised report which was based upon data collected from governors using the College's Governor Equality and Diversity Monitoring Form.

Categories for data reports included:

- age range
- gender
- race
- disability
- religion
- employment status.

Reference was made to the ESFA's FE Governor Workforce Data Collection exercise which would be mandatory for the academic year 2020-21 and would perhaps lead to more accurate benchmarking of this data across the sector.

A key area of under-representation on the Board was from people of black or minority ethnic backgrounds and a discussion ensued in relation to how best to address this imbalance when considering recruitment strategies.

The Chair of Governors advised that she would be willing to place an advertisement for a governor in *The Guardian* and/or *Schools Week* at no cost to the College.

The Committee:

- **noted** the Annual Report on Governors' Equality and Diversity data
- **agreed** to make explicit reference to welcoming female candidates and those from black or minority backgrounds when advertising governor vacancies
- **agreed** to place an advertisement for a Foundation Governor.

**ACTION – Place advertisement for Foundation Governor.**

## 6.6 **Membership and succession planning** (*previously circulated*)

The Clerk referred to her report and highlighted the following points:

- The Board was currently carrying one Foundation Governor vacancy.
- Two more Foundation Governors had terms of office that were due to expire in this academic year. It was not currently known whether these two governors wished to be considered for re-appointment.
- Recruitment exercise was necessary in order to strengthen the Governing Body's Foundation Governor membership and fill vacancies.
- Governor recruitment policy was due to be revised in line with ETF Board Review recommendations.

Discussion ensued regarding the additional potential Foundation Governor vacancies and it was **agreed** that the Clerk would contact the governors in question to ascertain their intentions in time for consideration at the next FGB meeting.

**ACTION – Clerk to contact Foundation Governors whose terms of office are due to expire.**

The Clerk referenced the current expected composition of the Governing Body as set out in the Governor Recruitment Policy and notified members that she had been reviewing FGB and Search minutes in order to track this back to approved amendments to the Instrument and Articles of Government. Minutes from March 2016 confirmed that approval had been received from the Trustees to the latest amendment (to reduce Student Governor numbers to one and increase Co-opted Governor numbers to three), however actual evidence of the Trustees' approval could not be located. It was **agreed** that the Clerk would investigate this matter further and share findings with the Chair of Search Committee.

**ACTION – Clerk to liaise with Chair of Search Committee re. approval history to Instrument and Articles of Government.**

## 7. **GOVERNANCE ACTION PLAN**

### 7.1 **Education and Training Foundation (ETF) Board Review Action Plan** (*previously circulated*)

The Clerk presented the ETF Board Review Report and Action Plan which had been considered by the Board at the FGB meeting on 12 October. The Board

had noted and accepted the report and action plan, progress against which would be monitored throughout the year.

The Clerk invited Committee Members to review progress reported in the Action Plan log she had produced which included Autumn Term 1 updates on each action point and also introduced a RAG rating system designed to highlight any areas that were not on track for completion in line with the suggested timeframe.

Committee members **noted** the progress recorded in the action log and thanked the Clerk for her work on this.

## 7.2 **Governance SAR** *(previously circulated)*

The Principal presented his report on the draft Governance SAR which had also been presented to the Board at the FGB meeting on 12 October.

The following next steps were **agreed**:

- Clerk and Principal to populate draft Governance SAR with recommendations from the ETF Board Review Report and strengths and weaknesses arising from analysis of Committee KPIs
- add to agenda for discussion at the next Search Committee meeting on 15 November.

**ACTION – Clerk and Principal to update draft Governance SAR with ETF Board Review recommendations.**

*Helen Stevenson left the meeting at 4.25pm*

## 7.3 **Governor Induction Policy** *(previously circulated)*

The Clerk presented a draft Governor Induction Policy for consideration and referred Committee Members to the relevant recommendation within the ETF Board Review Report. It was noted that whilst a governor induction process had already been in place, the intention was to enshrine this practice into written policy and build upon best practice. It was intended that the Induction Policy would form part of the Governor's Handbook once this had been drafted. In the meantime, though, Committee Members **recommended approval** to the Board of the draft Governor Induction Policy.

**ACTION – Clerk to add to next FGB agenda.**

## 8. **COMMITTEE EFFECTIVENESS**

### 8.1 **Search Committee Cycle of Business** *(previously circulated)*

The Clerk presented this document to Committee Members for feedback and suggested that it would serve a number of purposes linked to transparent and accountable governance, such as:

- governor induction aid for new members of the board and Committee
- business continuity aid in the event that clerking services get disrupted in the future
- accessible means by which the business of the Committee can be reviewed, revised and made more efficient in response to internal and external needs.

The Committee **noted** the contents of the document and thanked the Clerk for its preparation.

**8.2 Search Committee Terms of Reference** (*previously circulated*)

The Clerk invited Committee Members to conduct an annual review of the current Terms of Reference to determine whether these remained fit for purpose. She indicated that amendment may be desirable to ensure that some of the new governance requirements within the ESFA Funding Agreement were embedded within Search Committee's terms of reference.

It was **agreed** that the Clerk would draft revised Terms of Reference for consideration at the next Search Committee meeting.

**ACTION – Clerk to draft revised Search Committee Terms of Reference.**

**8.3 Review of Search Committee's Key Performance Indicators (KPIs) 2020-21** (*enclosure*)

The Clerk advised governors that the Committee was required to review its own performance annually and presented an analysis of performance against agreed KPIs from the previous academic year.

It was noted that all KPIs had been met with the exception of:

- KPI 2: Skills audit analysis – which was partially achieved as production of the analysis had been delayed due to the lack of a permanent clerk.
- KPI 7(b): Annual review of terms of reference – which was being conducted across all Committees during Autumn Term meetings.
- KPI 7(c): Governing body self-assessment report – which had not been conducted, however it was noted that governance had been subject to both an internal audit and an external review during the Summer Term.

Governors **noted** and **agreed** the analysis report on KPIs for 2020-21.

**8.4 Approval of Search Committee's Key Performance Indicators (KPIs) for 2021-22** (*previously circulated*)

The Clerk recommended a number of changes to the KPIs for the current academic year. Discussion ensued regarding KPI 7(b) in relation to reviewing the performance of governors and it was noted that this may require revision once the process for board member annual appraisal with the Chair of Governors had been designed.

The Committee **approved** the key performance indicators for 2021-22 as presented by the Clerk.

**8.5 Review of Search Committee Skills Analysis and Training Plan** (*previously circulated*)

The Clerk presented an anonymised analysis of the most recent skills audit responses for Search Committee members, collated in September 2021. Whilst no specific skills gaps had been identified, Committee Members were invited to reflect on the analysis and consider whether there were any training and development needs.

