

GOVERNORS NEWSLETTER

ISSUE #2 SPRING 2023

There are two organisations that provide support and guidance to the College Executive and to the Board, one of which is better known than the other. Both organisations have gone through some changes recently in respect of their interface with college governance, because of concerns raised by Chairs of Boards over the last twelve months. The following is a broad outline of the organisation and the changes.

FE SUSSEX

FE Sussex is a consortium of post-16 colleges in Sussex, established in 1998 centred in the quality improvement of teaching and learning.

It operates as a member organisation with all member colleges paying a subscription based on the size of their college, which contributes a minimal amount towards the operating costs of FE Sussex. Other income is raised through the delivery of education related projects, commercial contracts with other organisations and the provision of various administration and professional services, such as consultancy and event organisation.

Until very recently, FE Sussex recognises that it had not engaged in any meaningful way with its member college governance. The recent Skills and Post-16 Education Act 2022, places greater responsibility on Boards and governors of colleges and this has led to a level of engagement from Chairs of Boards with the CEO of FE Sussex. This is in its early stages but there is agreement on whether the current company mechanism is fit for purpose, how the role of Chairs fits with current ways of working and how it could be clarified/improved going forward, including quick wins to improve communication including the distribution of the FE Sussex newsletter.

There will be a pre-Board session in March 2023 with Janet Clark (FE Sussex CEO), where she will outline the vision for FE Sussex and how it might respond to the changes needed.

THE ASSOCIATION OF COLLEGES (AOC)

The AoC is a not-for-profit member organisation set up in 1996 by colleges, for colleges and has become the national voice for Further Education, sixth form, tertiary, and specialist colleges. As with FE Sussex, its origins were to support college executives and this is still its primary function, lobbying government and other agencies nationally.

In 2008, the AoC established the Governor's Council which met periodically to discuss national concerns and to work with chairs in lobbying on their behalf. In addition, there are regional chairs forums that meet online to discuss both national issues and how they manifest locally. There has been concern however, that the new Skills & Post-16

Education Act 2022, placed obligations on Boards and governors, but there was no real voice within the AoC for influencing policy. In 2022, there was a consultation across all colleges to review the remit of the Governor's Council and to consider how this could be enhanced.

Autumn 2022, saw the establishment of the National Chairs Council (NCC) with a mission to **develop and use the experience and expertise of governors, to represent their views in the formulation of AoC policy and promote best practice in college governance.** This is viewed as a positive step and is part of a group of ten chairs, led by Sandra Prail (Chair of BHASVIC College), who will determine the policy issues for NCC to focus on in the coming twelve months.

ONS UPDATE

- The ESFA will update the College Financial Handbook and aim to share a draft in Autumn 2023 for consultation. The updated handbook will be finalised for publication in March 2024, with an effective date of 1st August 2024 and will set out the action that colleges must take to comply with 'Managing Public Money'.
- Now that colleges form part of the Whole of Government Accounts (WGA), it is anticipated there will be pressure to change the year end from 31st July to 31st March, to allow college financial results to be easily consolidated into departmental accounts. The ESFA will be canvassing opinion on this in the coming months.
- For college fixed asset disposals, no consent from the DfE is required, but proceeds must be ringfenced for reinvestment in future capital expenditure.

Bitesize Guides – to aid colleges in meeting new requirements following reclassification.

ACCOUNTABILITY AGREEMENTS

A requirement of the Skills & Education Act 2022 is for colleges to produce an Accountability Agreement to demonstrate how their curriculum delivery will support local, regional and national skills needs. The agreement is made up of two parts – Part 1 replaces the existing annual grant funding agreement. The DfE will set out national skills priorities and essential terms and conditions for providers to adhere to. Part 2 is an annual Accountability Agreement in which colleges will be required to outline their curriculum strategy, labour market information (LMI), local demographics and set outcome targets focussed on curriculum change, to deliver to Local Skills Improvement Plan (LSIP) priorities. The Executive Team are preparing a draft of this agreement to submit to the next Curriculum & Standards Committee and then full Board in March 2023, for sign off.

INDUSTRIAL RELATIONS

University & College Union (UCU) are asking members to vote on binding national negotiations on pay, workload and professionalism. On 1st April 2023, a special UCU conference will consider a national aggregated action ballot, to include all branches in terms of industrial action. This would prevent local arrangements being negotiated. The leadership team continues to work positively and productively with our recognised unions and as part of business planning, are modelling pay award options for consideration.

EXTERNAL REVIEW OF GOVERNANCE

Adopting an approach of continual review and reflection, ensures that the Corporation is responsive to the ever-changing needs of the college and its stakeholders. ETF/ IoD have been appointed to conduct an external review of governance for the college in the Summer Term, following a postponement in the Spring Term. As a result of this delay, additional in person observations and interviews will be included at no extra cost to the college.



REVIEWERS



Marilyn Hawkins is a national expert in Further Education and has been a member of over 20 different boards over the years, as a trustee or non-executive director. Marilyn was a highly successful College Principal, an Inspector of leadership and governance and as Deputy FE Commissioner, led many governance reviews throughout England. She has supported numerous boards in improving governance and has worked with ETF in on chair and governor development.



Paul Munden is an experienced commercial law barrister and Chartered Director. Over the last ten years Paul has served as general counsel of the Business Link operation in London. During this time Paul has advised on a wide range of complex and politically sensitive commercial law issues, working with senior leaders in government and the civil service. Paul is currently a governance course leader at the Institute of Directors and has contributed to the development of courses in its Chartered Director programme.

REVIEW SCHEDULE

Key milestone dates:

- **Discovery & Analysis**
1st February - 21st April
- **Governance Survey**
17th Apr - 1st May
- **Structured Interviews**
1st May - 19th May (TBC)
- **External Stakeholder Engagement**
1st May - 19th May
- **Committees/Local Board Meeting Observations**
May & June
- **Main Board Observation**
3rd July
- **Draft Report**
10th July
- **Presentation of Findings**
End of July (TBC)

INTRODUCING OUR NEW GOVERNORS

We have successfully appointed six new Governors so far this academic year. Click on this [link](#) to find out a little bit about them.



Andy Davy
Independent Governor



Ashley Heminway
Staff Governor
(Hastings)



Carol Tomsett
Staff Governor
(Lewes)



Penny Coppins
Staff Governor
(Eastbourne)



Trista Jin
Student Governor
(Lewes)



Emel Yerlikaya
Student Governor
(Hastings)

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