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The Composition of English Further Education Corporations and College Governance Frameworks

A report on the Association of Colleges' survey of FE corporations

6 May 2014



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The Composition of English Further Education Corporations and College Governance Frameworks

Executive Summary

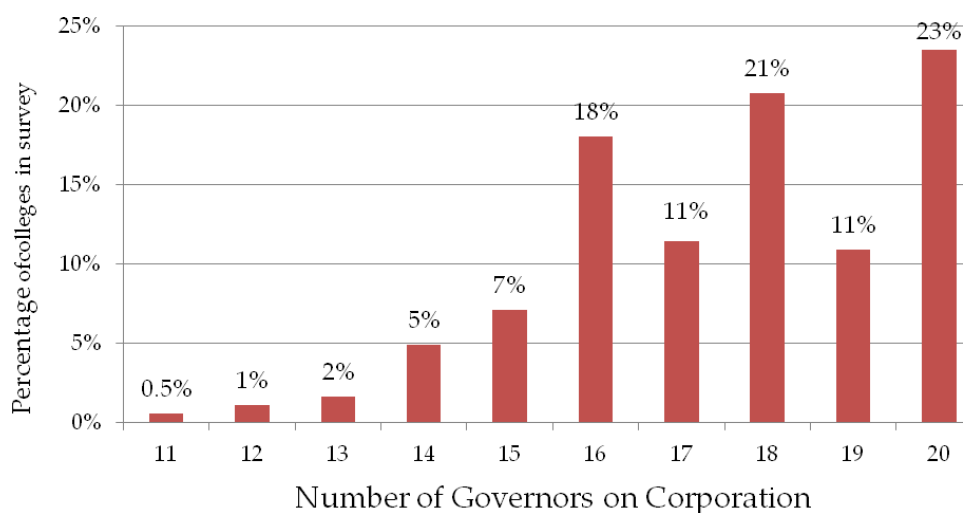
Introduction

1. This is a high-level summary showing the key findings of the AoC survey covering the composition of English Further Education (FE) college corporations and governance frameworks. The report gives more detailed information on all the findings in a form that will facilitate benchmarking individual colleges.
2. The results of the survey cover 183 colleges who use the standard Instrument and Articles of Government to underpin their governance frameworks. This number of respondents represents 56% of English Further Education (FE) colleges and covers some 3258 governors' positions. On the basis of this, a simple extrapolation shows that overall there are currently just under 6,000 governors appointed to corporations in English FE colleges.
3. While some terms for types of governors are defined within the Instrument and Articles of Government and supporting documents, others are not. For convenience, this report has adopted the terms and descriptors most commonly used across the college sector.

Size of corporations

4. A typical corporation in an English general further education college (GFEC) is made up of 17 governors. These include one executive governor (the Principal) and 16 non-executive governors: two student governors, two staff governors and twelve independent/external governors. A typical Sixth Form College (SFC) corporation also includes a parent governor, increasing the overall size of their corporation to 18.
5. Figure 3 in the report (shown below) shows that the smallest corporation responding to the survey was a GFEC with 11 governors. Just under a quarter of colleges (23%) have corporations set at 20, the maximum under the un-modified Instrument and Articles of Government.

The size of corporations in the College Sector



6. The smallest corporation of 11 (a GFEC) included the Principal, two student governors, one staff governor and seven independent/external governors. The smallest SFC corporation has an overall membership of 12: the Principal, two student, one parent and two staff governors and just six independent/external governors.

Co-opted members

7. Thirty percent of colleges (56 colleges in the survey) have at least one co-opted governor. Eight percent (14 colleges) have three or more co-opted governors. Most co-opted governors are not members of the corporation and are appointed to support committees only.

Terms of office for governors

8. Seventy-six percent of colleges set a four year term of office for governors. Fifty-five percent of colleges set an overall limit for the terms of office of governors.

Number of committees

9. A typical English college has five standing committees which support the corporation. Only two percent of respondents (3 colleges) have no standing committees other than the mandatory audit committee. Over a quarter of colleges (27%) operate through six or more standing committees (including 23% of GFECs and 39% of SFCs).



Governors' professional and work backgrounds

10. Around one in four independent/external governors (26%) currently work or have worked in the education sector. The next biggest source for independent/external governors is finance, which provides around one in six (18%). These two business areas are followed by HR and Law, which each make up the background for around 7% of independent/external governors.
11. A typical corporation of 12 independent/external governors would therefore include three with an education background, two with a finance background, one with a legal and one with an HR background.

Public positions held by governors

12. Just under half of corporations (49%) have at least one governor who is a local councillor and just under a third (31%) have at least one governor who is either a board or committee member at a Local Enterprise Partnership. Two colleges reported having a governor who is a Member of Parliament.

Vacancies

13. At the time of the survey, over half of the colleges (52%) had at least one vacancy for an independent/external governor and 29% had at least two vacancies. Twenty colleges (11%) had three or more vacancies (17 GFECs and 3 SFCs) for internal/external governors.
14. The average vacancy rate across the college sector for all governors was 9% (representing around two governors in a typical corporation) but this included a vacancy rate of student governors and parent governors of 24% and 20% respectively. These relatively high vacancy rates for student governors and parent governors may reflect the timing of the survey, which was undertaken in early October 2013, and the fact that appointment processes for the appointment of new student and parent governors were underway at that time.

Gender

15. Just over six out of ten governors (62%) are male and just under four out of ten (38%) are female.



Age of governors

16. The survey provides a picture of the age of governors on corporations. The majority of governors (60%) are between 45 and 64 years of age. Fourteen percent are aged 65 years or more.

Ethnicity

17. The survey shows a national and regional snapshot of corporations. Eighty-eight percent of governors are white British with another three percent with white backgrounds. Four percent of governors have a Black African, Black Caribbean or Other Black background, and Indian, Pakistani and British Asian backgrounds account for 3% of governors.

Disabilities

18. Colleges were asked whether any of their governors assess themselves as disabled. Three percent of governors in the colleges that responded to this question assessed themselves as disabled.

Appointment of chair

19. Fifty-six percent of colleges elect their chair at least every two years (28% elect the chair annually and 28% every two years). A very small number of colleges (7 in total representing 4% of respondents) said they had no fixed term for their chair.

20. Figure 20 in the report (shown below) shows 17% of chairs have been in post for less than one year. Forty-four percent have been in post for two years or less. Twelve percent of chairs have been in post for eight or more years.

How long has your current chair been in place

Period chair has been in post	No of colleges	%
Less than 1 year	31	17%
1 to less than 2 years	49	27%
2 to less than 3 years	25	14%
3 to less than 4 years	15	8%
4 to less than 5 years	9	5%
5 to less than 6 years	18	10%
6 to less than 7 years	4	2%
7 to less than 8 years	9	5%
8 to less than 9 years	4	2
9 to less than 10 years	3	2%
10 or more years	15	8%
Vacancy	1	1%
Total colleges	183	100%

Amending the Instrument and Articles of Government

21. Just over half of colleges (51%) told us they have, or have decided, to use the new freedoms in the 2011 Education Act to amend their Instrument and Articles of Government. A further 29% of respondents who have not proposed any changes so far, said they may make changes during the academic year 2013/14.

More complex business models

22. Eleven percent of colleges classify themselves as operating within a group structure (13% of GFECs and 6% of SFCs). Twenty-three percent sponsor either an academy, free school, UTC or studio school.

Part 1: The results on the composition of corporations

23. The results cover 183 English FE colleges and provide information on some 3258 governors' positions, including vacancies. On the basis of this, a straightforward extrapolation shows that overall there are currently some 6,000 governors appointed to corporations in English FE colleges¹.

Figure 1: Number and type of governor by region

Region	Type of Governor						All Governors
	Student	Staff	Parent	Executive	Independent/ External	Co-opted	
Eastern	30	30	4	15	186	10	275
East Midlands	31	27	1	16	197	8	280
London	39	38	6	20	250	12	365
North East	19	19	3	10	119	4	174
North West	60	57	7	31	363	21	539
South East	59	60	12	33	377	36	577
South West	36	34	4	18	229	6	327
West Midlands	38	38	2	20	241	13	352
Yorkshire & Humberside	40	39	7	20	250	13	369
Total ²	352	342	46	183	2212	123	3258

Size of corporations

24. The data shows that, a typical corporation in an English general further education college (GFEC) is made up of 17 governors. These include one executive governor (the Principal) and 16 non-executive governors: two student governors, two staff governors and twelve independent/external governors. A typical Sixth Form College (SFC) corporation includes a parent governor, increasing the overall size of their corporation to 18.

¹ This extrapolation is based on an overall (all colleges) response rate of 56% applied to all governors (including co-opted governors).

² 180 colleges provided full information on the types of governors who make up their corporation and committees.

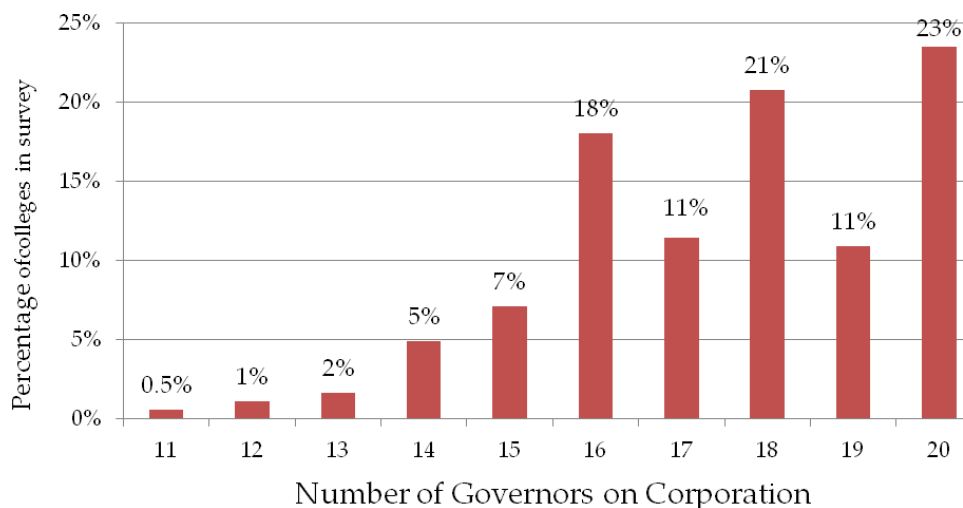
25. Figure 2 shows the average size of a GFEC is 17.3 governors and an SFC 18.1 governors.

Figure 2: Average size of corporations

Average number of governors on corporations						
	Type of college					
	College Sector	Non-SFCs ³	GFECs	SFCs	A&HCs	AD&PAs
Average	17.5	17.4	17.3	18.1	18.5	18

26. As figure 3 shows, the smallest corporation responding to the survey was a GFEC with 11 governors. This included the Principal, two student governors, one staff governor and seven independent/external governors. The smallest SFC corporation had just six independent/external governors making the overall membership of 12. Just under a quarter of colleges (23%) have corporations set at 20, the maximum under the un-modified Instrument and Articles of Government.

Figure 3: The size of corporations in the college sector



27. Figures 4 and 5 show the size of Corporations for GFECs and SFCs respectively.

³ Non-SFCs represent the college sector excluding SFCs and as such represents colleges regulated by the Department for Business Innovation and Skills and the Skills Funding Agency.

Figure 4: The size of GFEC corporations

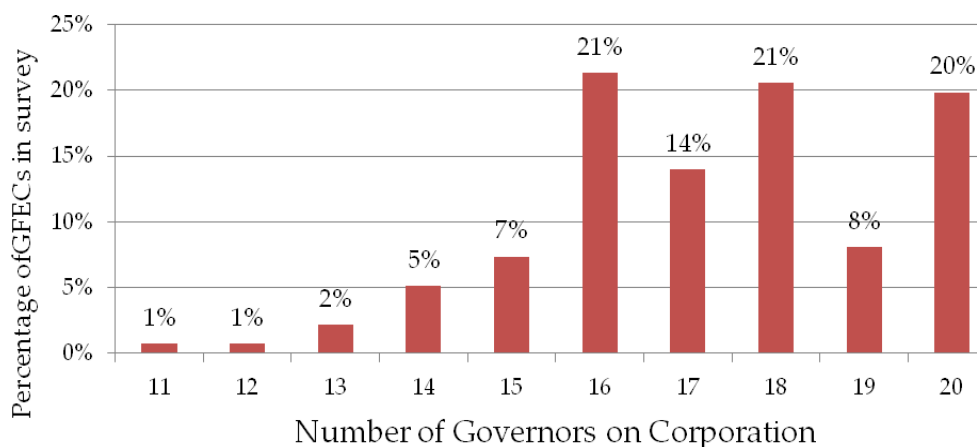
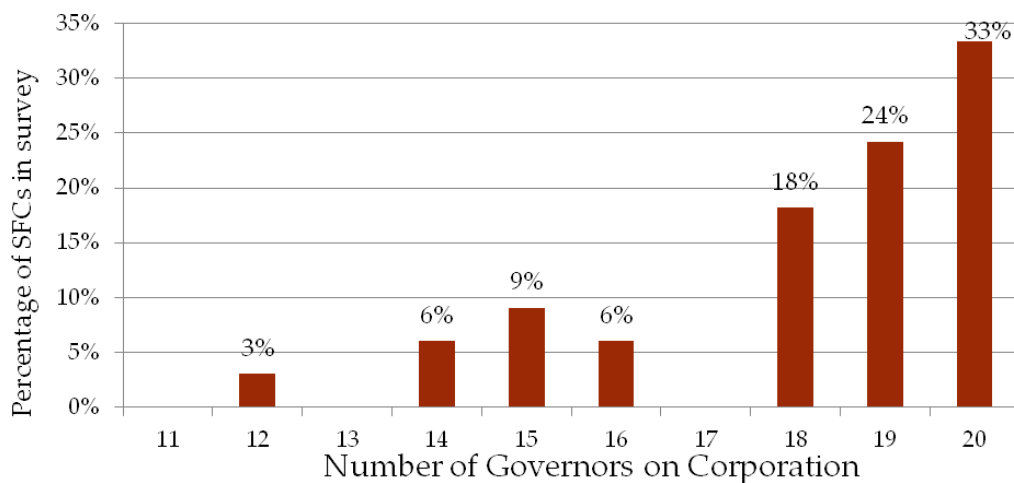


Figure 5: The size of SFC corporations



28. In assessing the size of corporations we have taken into account the position of co-opted governors (see paragraph 38 below).

Executive governors

29. Under the unmodified Instrument and Articles of Government for FE colleges, a Principal can (if they wish) choose to be a member of the corporation. We found that

all the Principals in our survey took up the opportunity to be an executive governor⁴, which is the term used in this report to describe their position.

30. In addition, three GFECs reported that they had modified their Instruments and Articles to provide for two executive governor positions. That is the Principal and one other member of the senior management team. On the face of it, therefore this may indicate that there are currently 5 or 6 such arrangements across the English college sector.

Independent/external governors

31. This report has adopted the term independent or external governor⁵ to define a college governor who is not a student governor, staff governor, parent governor or executive governor. Though they constitute the largest type of non-executive governor on a corporation they have not been given a distinctive label in the unmodified Instrument and Articles of Government for FE colleges⁶. The term business or employer governors is also sometimes used.

32. The survey collected information on the number of “business and employer governors” and separately on those categorised as “other governors”⁷. Forty-seven percent (47%) of colleges used the term “business and employer governor” exclusively and 38% classified them all as “other governor”. Fifteen percent of colleges spread their governors across both headings.

33. The survey collected data on 2212 independent/external governors (1229 business/employer governors and 983 other governors). The mean average number of governors in colleges was 12.3 and figure 6 shows the mean average across the types of college.

Figure 6: Average number of independent/external governors on corporations

⁴ Also referred to as ex-officio governor or member.

⁵ Independent or external governor is the most commonly used term to describe this type of governor in English FE colleges.

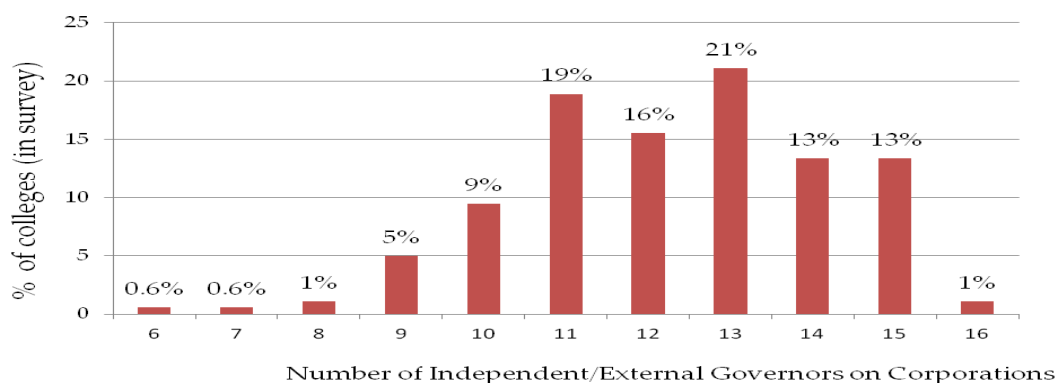
⁶ The term independent/external governor is used in the 2013 Joint Audit Code of Practice

⁷ “Other governors” being non-executive governors not being categorised as student, staff, parent or business/ employer governors

Average number of independent/external governors on corporations					
	Type of college				
	College Sector	Non-SFCs	GFECs	SFCs	A&HCs
Average	12.3	12.5	12.3	11.5	13.6

34. Figure 7 shows the number of independent/external governors on corporations in terms of the percentage number of colleges responding to the survey. The minimum number of independent/external governors in any one college is six and the maximum number is sixteen. Twenty-one percent of colleges have 13 independent/external governors and 27% fourteen or more.

Figure 7: The number of independent/external governors on corporations



Student governors

35. Ninety-three percent of corporations have two student governors. Six percent (all GFECs) have just one student governor and 1% have three (GFECs). All the SFCs and A&HCs have two student governors.

Staff governors

36. Eighty-four percent of corporations have two staff governors, 13% have one staff governor and 3% three staff governors. Figure 8 shows the percentage of colleges with the number of staff governors on their corporations.

Figure 8: The percentage of staff governors on the corporation by type of college

Type of College	No. of Staff Governors		
	1	2	3
College Sector	13%	84%	3%
Non-SFCs	14%	84%	3%
SFCs	9%	88%	3%
GFECs	13%	85%	2%
A&HCs	27%	73%	0%

Parent governors

37. Thirty-six colleges in the survey appointed parent governors: all 33 SFCs, two GFECs and one A&HC. Seventy-two percent of the SFCs (24 colleges) appointed one parent governor and 27% of SFCs (9 colleges) appointed two parent governors.

Co-opted governors

38. Thirty percent of colleges (56 colleges in the survey) have at least one co-opted governor. Eight percent (14 colleges) have three or more co-opted members. Most co-opted governors are not members of the corporation and are appointed to support committees only.

39. The AoC survey did not specifically ask respondents to differentiate between those co-opted governors who are on the corporation and those that are not. It was possible however, by cross-checking data within responses and on occasion seeking clarification directly, to assess that only eight colleges' co-opted governors were corporation members (relating to 17 governors in all). This represents just four percent of colleges overall⁸.

Vacancies

40. As figure 9 shows, the average vacancy rate across the college sector for all governors at the time of the survey was 9% (representing around two governors in a typical corporation) but this included a vacancy rate of student governors and parent governors of 24% and 20% respectively. These relatively high vacancy rates for student governors and parent governors may reflect the timing of the survey, which was undertaken in early October 2013, and the fact that appointment processes for the appointment of new student and parent governors were underway at that time.

⁸ This estimate is in line with the ACER 2012 survey which found that 3% of colleges in the Eastern Region appointed co-opted governors to their corporations.

Figure 9: Vacancy rates in corporations

Type of college	Type of governors					Overall
	Student governor	Staff governor	Parent governor	Executive/ Principal	Independent/ External governor	
College Sector	24%	5%	20%	0%	8%	9%
Non-SFCs	25%	6%	75%	0%	8%	9%
SFCs	18%	2%	14%	0%	6%	7%
GFECs	24%	7%	100%	0%	8%	10%
A&HCs	32%	0%	0%	0%	3%	6%
AD&PAs	33%	0%	0%	0%	13%	13%

41. Over half the colleges (52%) had at least one vacancy for an independent/external governor and 29% had at least two vacancies. Eleven percent had three or more vacancies (17 GFECs and 3 SFCs) for internal/external governors.

Gender

42. Just over six out of ten governors (62%) are male and just under four out of ten (38%) are female. This is in line with the FE Women’s Leadership Network’s findings from their 2012 survey, which showed that 65% of governors were male. The AoC survey did not differentiate gender between types of governor nor did it ask for the gender of Chairs. The 2012 ACER survey of the Eastern Region found that 70% of independent/external governors were male and 76% of Chairs.

Age of governors

43. The survey provides a picture of the age of governors on corporations. The majority of governors (60%) are between 45 and 64 years of age. Fourteen percent are aged 65 years or more. The summary table below shows the age of governors.

Figure 10: Age of governors on corporations.

Age of governors on corporations						
24 or under	25 - 34	35 - 44	45 - 54	55 - 64	65 - 74	75 or over
9%	5%	13%	29%	31%	13%	1%

44. The survey does not differentiate the type of governor but more detailed information from the ACER’s 2012 survey shows (unsurprisingly) that 90% of student governors were in the first age range (24 and under) and that only 5% of independent/external governors are less than 35 years of age.

Ethnicity

45. One hundred and sixty-five colleges (90% of respondents) provided details of their college’s ethnic composition. Eighty-eight percent of governors are white British with another three percent with white backgrounds. Four percent of governors have a Black African, Black Caribbean or Other Black background, and Indian, Pakistani and British Asian backgrounds account for 3% of governors.

46. The results on ethnicity in figure 11 show a national and regional snapshot of corporations. While the survey can give a helpful national and regional overview and a baseline for assessing changes in the ethnicity of corporations, colleges themselves will be assessing the composition of their corporations with regard to the communities they serve.

Figure 11: The ethnicity of governors⁹

Area/ Region	White British/ English/ Scottish/ Northern Irish	White Irish	White Gypsy or Irish Traveller	White Other	White and Black Caribbean	White and Black African	White and Asian	Other mixed / multiple ethnic background	Indian	Pakistani	Bangladeshi	Chinese	Any other Asian/Asian British	Black African	Black Caribbean	Any other Black / African / Caribbean	Arab	Any other ethnic group
Eastern	88%	1%	0%	2%	0%	0%	0%	0%	2%	0%	0%	0%	3%	1%	0.5%	1%	0.5%	0.5%
East Midlands	88%	1%	0%	2%	0.4%	2%	0.4%	1%	1%	0.4%	0%	0%	2%	0%	2%	0%	0%	0%
London	67%	1%	0%	3%	1%	0.3%	0.3%	3%	2%	2%	0.3%	0.3%	2%	3%	10%	3%	0.3%	1%
North East	95%	0%	0%	3%	0%	0%	1%	0%	1%	0%	0%	0%	0%	1%	0%	0%	0%	0%
North West	93%	1%	0%	1%	0%	0%	0%	0.5%	1%	1%	0.2%	0%	2%	0%	0%	0.2%	0%	0%
South East	90%	0.4%	0%	2%	0%	0.2%	1%	1%	0.4%	1%	0%	1%	1%	0.4%	1%	0.2%	0%	0.4%
South West	93%	1%	0%	2%	0%	0%	0%	2%	1%	0%	0%	0%	0.4%	0.4%	0.4%	0%	0.4%	0%
West Midlands	88%	1%	0%	1%	0.3%	0%	0%	0.3%	3%	1%	0%	0%	2%	1%	2%	0.3%	0.0%	0.7%
Yorkshire & Humberside	92%	0%	0%	1%	0%	0%	0%	0.3%	2%	2%	0%	0.3%	1%	1%	1%	0%	0.3%	0.3%
National	88%	1%	0%	2%	0.2%	0.3%	0.3%	1%	1%	1%	0.1%	0.2%	1%	1%	2%	1%	0.2%	0.3%

⁹ Results are shown to the nearest whole percentage except where the rounded result is 0 % in which case they are shown to first decimal place.

Disabilities

47. One hundred and thirty colleges (71% of the respondents) responded to the question about whether any of their governors assess themselves as disabled. Of these, 48 colleges (37% of the 130 respondents) said they had one or more governors who are self-assessed as disabled. Overall the 48 colleges had 63 governors who self-assessed as having a disability. This represents 3% of the governors in the 130 respondent colleges.
48. This question was carefully drafted in a way that would secure a response, so it is disappointing that 53 colleges (29%) did not respond. However, it must be recognised that the survey was completed by clerks on behalf their corporations and as such this can limit the sort of questions about individuals' circumstances. Using the rudimentary question of whether or not non-executive governors are disabled, ACER's 2012 survey showed that 3% of independent/external governors in the Eastern Region were disabled.

Governors' professional and work backgrounds

49. As figure 12 shows, around one in four independent/external governors (26%) currently works in or has worked in the education sector. The next biggest business area from which independent/external governors are drawn is finance, which provides around one in six independent/external governors (18%). These two business areas are followed by HR and Law which each make up the background for around 7% of independent/external governors.

Figure 12: The professional and work background of independent/external governors

Background experience	Type of College				
	College Sector	Non-SFCs	SFCs	GFECs	A&HCs
Education	26%	25%	30%	25%	23%
Finance	18%	17%	19%	18%	15%
HR/Personnel	7%	7%	7%	7%	1%
Law	7%	6%	7%	6%	7%
Marketing & Communications	5%	5%	4%	5%	4%
Engineering	5%	5%	4%	5%	4%
Construction & Property	5%	5%	5%	5%	6%
Health & Social Care	4%	4%	5%	4%	3%
Hospitality/Leisure/Tourism	2%	2%	2%	2%	2%
Agriculture/Food	2%	2%	0%	1%	20%
Retail	2%	3%	0%	2%	3%
Other	18%	19%	17%	19%	14%

50. A typical corporation of 12 independent/external governors would therefore include three with an education background, two with a finance background, one with a legal and one with an HR background.
51. Figure 13 looks more closely at the education backgrounds of independent/external governors and shows the extent to which they are drawn from schools, further or higher education.

Figure 13: Independent/external governors with an education background

Background experience	Type of College				
	College Sector	Non-SFCs	SFCs	GFECs	A&HCs
Education (Schools)	7%	7%	10%	7%	4%
Education (Further)	7%	7%	7%	7%	8%
Education (Higher)	8%	7%	9%	7%	7%
Education (Other)	3%	3%	5%	3%	4%
Total	26%	25%	30%	25%	23%

52. In terms of specific skills for particular colleges, 20% of independent/external governors at agricultural and horticultural colleges (A&HCs) have an agricultural or food-processing background. This would represent between two and three governors in a typical A&HC corporation.

Public positions held by governors

53. Finally, we asked clerks to tell us whether any governors on their corporation hold public positions. Just under half of corporations (49% in the survey) have at least one governor who is a local councillor and 31% of corporations (56 colleges in the survey) have at least one governor who is either a board or committee member at a Local Enterprise Partnership. Two colleges reported having a governor who is a Member of Parliament.

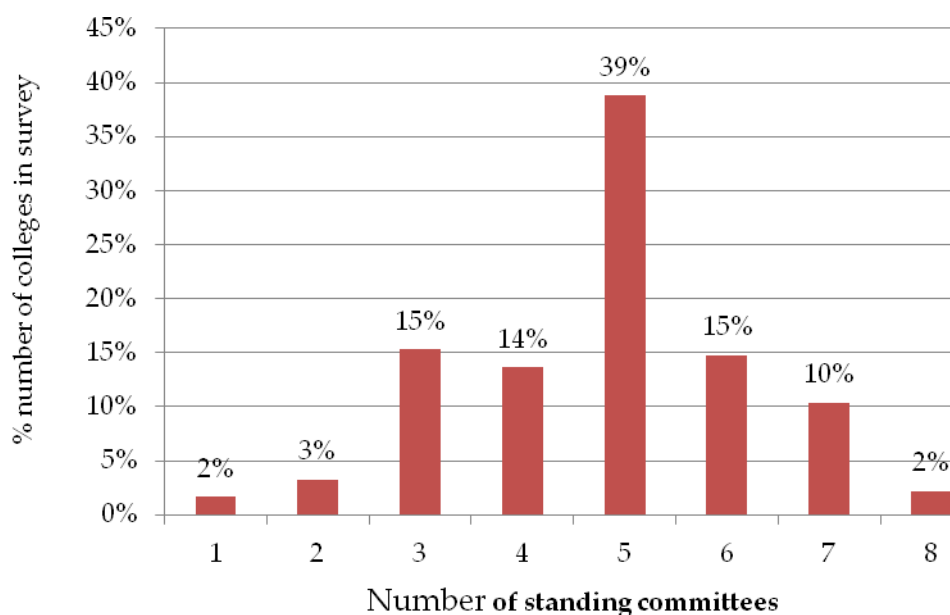
Part 2: The results on governance frameworks

Number of committees

54. The survey explored the number of committees that colleges have. It shows that a typical English college has five standing committees that is: an audit committee, which remains as the mandatory¹⁰ and four others. The term standing committee is deliberately used to indicate those which have been formed with a view to having a continued existence to do assigned work on an ongoing basis. As such they would exclude committees set up for specific purpose with a limited life.

55. As figure 14 shows only 2% of corporations (3 colleges in the survey) have no standing committees other than the audit committee. Over a quarter of colleges (27%) operate through six or more standing committees.

Figure 14: College Sector - the number of standing committees supporting corporations



56. Figure 15 shows the number of standing committees at GFECs and figure 16 for SFCs.

¹⁰ Audit Committees are mandatory under the Joint Audit Code of Practice (July 2013)

Figure 15: GFECs - the number of standing committees supporting corporations

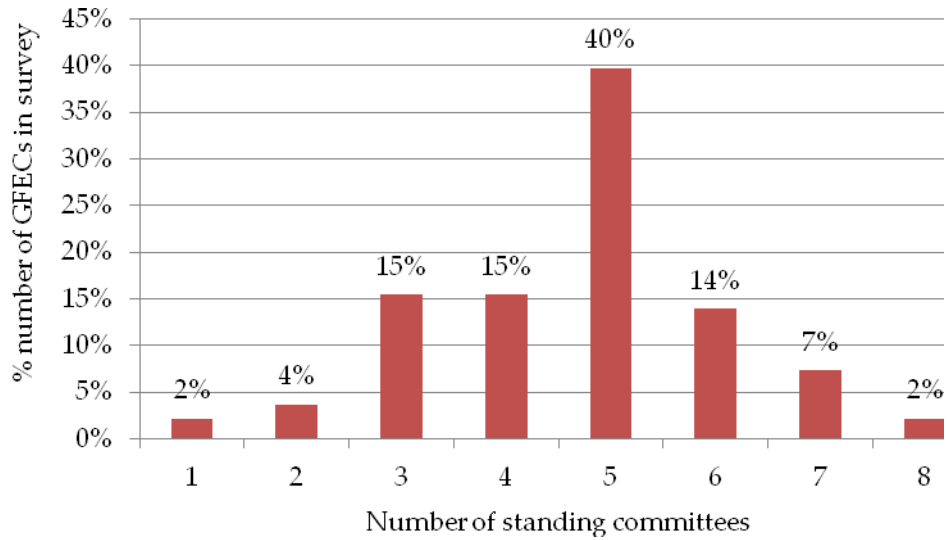
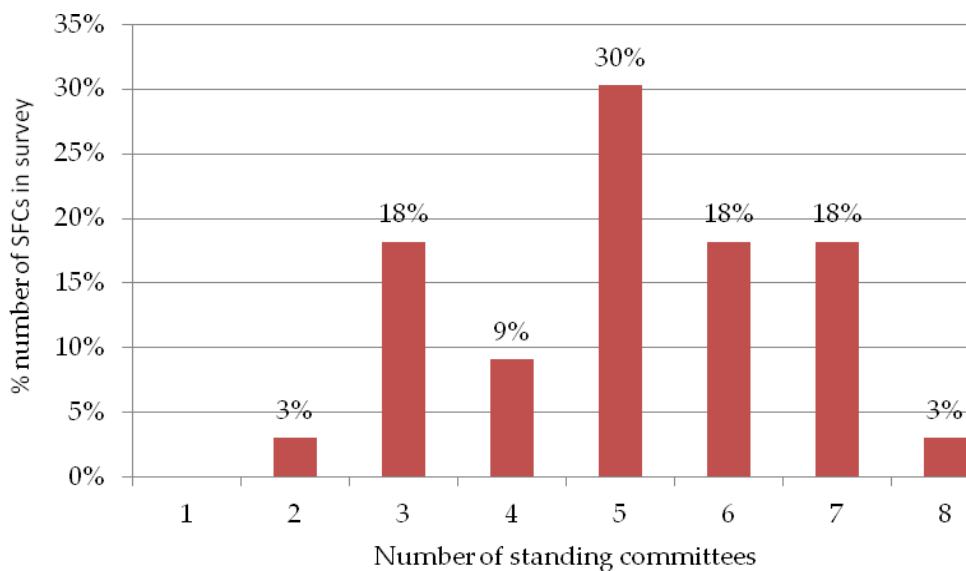


Figure 16: SFCs - the number of standing committees supporting corporations



57. The typical model for a corporation with five standing committees is for it to be supported by an Audit, Search, Remuneration, Quality and Standards, and Finance Committee. Ninety five percent of college have a Search Committee; 88% a Remuneration Committee, 73% a Quality, Standards and Achievement Committee,

and 68% a Finance Committee (though this is frequently defined with a wider brief such as a Resources Committee or a Finance and General Purposes Committee, etc). These were by far the most popular standing committees reported to the survey.

Terms of office for governors

58. As figure 17 shows, 76% of colleges said that they set a four year term for governors. Ten percent of colleges said the term varied by type of governor. ACER’s 2012 survey of colleges in the Eastern Region asked specifically the term set for independent/external governors and found that 93% set four years. It is likely therefore that on the basis of this survey’s results and those of ACER, that a substantial number of those who said their college’s terms varied according to the type of governor would set four years for independent/external governors.

Figure 17: Term of office for governors

Term of office	No. of colleges	%
2 years	4	2%
3 years	22	12%
4 years	139	76%
Varies	18	10%
Responses	183	100%

59. Over half of colleges (55%) set a maximum length of service for governors as shown in figure 18 (57% of GFECs, 47% of SFCs and 64% of A&HCs).

Figure 18: Does your college set a maximum length of service for governors?

Does your College have overall term limits for Governors?		
Reponses	No. of colleges	%
Yes	99	55%
No	81	45%
Reponses	180	100%

60. The ACER 2012 survey of colleges in the Eastern Region found that the maximum period set by colleges ranged from 8 to 12 years, with the majority of those having a

maximum applying 8 years. A number of those setting a maximum did however indicate that in special circumstances this could be extended.

Appointment of chair and current term of office

61. Figure 19 shows how often corporations elect their chair. Fifty-six percent of colleges elect their chair at least every two years (28% elect the chair annually and 28% every two years). The more complex policies reported by respondents include linking the appointment of the chair to their remaining term as a governor and one college that appointed the chair for an initial one year followed by a longer term. A number of respondents drew attention to the fact that although their chair's term of office was longer than one year, this was subject to an annual performance review. A very small number of colleges (7 colleges - representing 4% of respondents) said they had no fixed term for their chair.

Figure 19: What is the term of office for your chair

What is the term for your chair?		
Years	Colleges	%
1 year	51	28%
2 years	51	28%
3 years	27	15%
4 years	37	21%
5 years	1	1%
6 years	1	1%
9 years	1	1%
Other more complex policy	4	2%
No policy	7	4%
No. of colleges	180	

62. Figure 20 shows long chairs have been in post. It shows that 17% of chairs have been in post for less than one year and 44% have been in post for two years or less. One chair's position was vacant at the time of the survey. Twelve percent of chairs have been in post for eight or more years.

Figure 20: How long has your current chair been in place

Period chair has been in post	No of colleges	%	Cumulative %
Less than 1 year	31	17%	17%
1 to less than 2 years	49	27%	44%
2 to less than 3 years	25	14%	57%
3 to less than 4 years	15	8%	66%
4 to less than 5 years	9	5%	70%
5 to less than 6 years	18	10%	83%
6 to less than 7 years	4	2%	87%
7 to less than 8 years	9	5%	87%
8 to less than 9 years	4	2%	90%
9 to less than 10 years	3	2%	91%
10 or more years	15	8%	99%
Vacancy	1	1%	100%
Total colleges	183	100%	

Amending the Instrument and Articles of Government

63. As figure 21 shows, just over half of colleges (51%) told us they have decided to use the new freedoms in the 2011 Education Act to amend their Instrument and Articles of Government. A further 29% of respondents who have not decided on any changes so far, said they may make changes during the academic year 2013/14.

Figure 21: Making changes to the Instrument and Articles of Government

Making changes to the Instrument and Articles of Government				
Region	No. of colleges responding	Have decided to change I&As %	May make changes in 2013/14 %	Both decided to and those that may make changes in 2013/14 %
		A	B	A+B
Eastern	16	81%	19%	100%
East Midlands	16	50%	25%	75%
London	21	29%	48%	76%
North East	10	30%	30%	60%
North West	29	38%	45%	83%
South East	31	61%	23%	84%
South West	18	50%	22%	72%
West Midlands	20	55%	5%	60%
Y&H	21	62%	38%	100%
Responses	182	51%	29%	80%

64. Earlier in this report we identified that three GFECs in the survey have amended their Instrument and Articles of Government to allow two executive governors to be appointed to their corporations. That is the principal and one other member of the senior management team.

More complex business models

65. Twenty colleges (11%) in the survey (18 GFECs and 2 SFCs) classify themselves as operating within a group structure. That is 13% of GFECs and 6% of SFCs. One of the GFECs classifying themselves as within a group also said they were part of a legal federation with another college.

66. Forty-two colleges (23% of all survey responses) sponsor at least one academy, free school, UTC or studio school. That is 33 GFECs, 8 SFCs and one A&HC which represent 24% of GFECs; 24% of SFCs; and 9% of A&HCs in the survey. Sixteen



colleges (9% of all survey responses) classified themselves as operating in a group structure but did not sponsor an academy, free school, UTC or studio school.



Part 3: The methodology

66. The Association of Colleges’ survey sought to build on the work of the Governors’ Council Database Development Task Group, set up after the 2013 National Governance Conference, and the work of ACER and the FE Women’s Leadership Network, in collecting and publishing data on the composition of English FE corporations. The survey was completed by clerks on behalf of their corporations in October 2013 prior to the AoC Conference. Godbold Consultancy was commissioned to analyse the data more fully and produce a report on the survey findings.
67. The survey was completed by 188 institutions but the results in this report focus on the 183 respondent colleges that use the standard Instrument and Articles of Government to underpin their governance frameworks. The 183 colleges represent 56% of English FE colleges and cover some 3258 governors’ positions. Figure 22 shows the response rate across the college sector by region and figure 23 by type of college.

Figure 22: Response rate to survey by region

Region	Total number of colleges in regions ¹¹	Number of Responses from regions	% Response rate
Eastern	31	16	52%
East Midlands	22	16	73%
London	43	23	53%
North East	20	9	45%
North West	56	30	54%
South East	58	32	55%
South West	28	17	61%
West Midlands	39	20	51%
Yorkshire & Humberside	32	20	63%
National	329	183	56%

¹¹ Excludes The 10 Special Designated Colleges - seven in the London Region and one in each of the South East, West Midlands and Yorkshire and Humberside regions

Figure 23: Response rate to survey by type of college

Response rate for survey across College Sector			
Type of college	Number of responses	No. of English Colleges ¹²	% Response rate
GFECs	136	218	62%
SFCs	33	93	35%
A&HCs	11	15	73%
AD&PAs	3	3	100%
Total	183	329	56%

68. The results of the survey represent a sample of colleges and as such the college sector will look to use the data to benchmark their own college’s position and project the position that applies across the sector.
69. The data relates to those colleges that have chosen to respond and as such this may contribute to a bias in the sample that could impact on the reliability of the extrapolations for the sector as a whole. The analysis has not sought to measure the likely impact. An alternative, more robust, approach might have been to issue the questionnaire to a randomly selected sample. Further, while the results provide a timely snapshot of practices in colleges, they should not be taken as providing best practice benchmarks.
70. While data was captured by type of college and their region, for the most part the questions about the composition and experience of corporations and the governance framework were drawn from free-standing individual questions (e.g. what is the number of male and female governors; what is the sector background of governors; and, what are governors ages?). This approach makes the questionnaire simpler to complete and may result in a higher unprompted response rate but it does limit the extent to which responses to one question can be tabulated to the responses of another. A more detailed approach can be adopted in other relatively smaller surveys, - where data can be gathered in anonymised form on each governor - allowing for the cross-tabulation of responses to questions.

¹² Excludes The 10 Special Designated Colleges - seven in the London Region and one in each of the South East, West Midlands and Yorkshire and Humberside regions



71. While the overall response rate is fairly robust, the response rate from sixth form colleges (35%) is disappointingly low and may further limit the reliability of forecasts for this subset of results.
72. The analysis looked at forms of measuring and showing averages. Unless otherwise stated in the report, average refers to the mean average. While this can have limitations it is the most frequently used form across the college sector and as such the most readily understood.
73. While some terms for types of governors are defined within the FE Instrument and Articles of Government and supporting documents, others are not. For convenience, this report has adopted the terms and descriptors most commonly used across the college sector.
74. For the most part, data presented as a percentage is shown to the nearest whole number.
75. The report is supported by a full set of source data tables in Appendix 3. This is published separately.

Appendix 1: Terminology

While some terms for types of governors are defined within the FE Instrument and Articles of Government and supporting documents, others are not. For convenience, this report has adopted the terms and descriptors most commonly used across the college sector.

- AD&PAs

There are a very small number of specialist art and design and performing arts colleges. They are regulated by the Department for Business Innovation and Skills.

- A&HCs

A&HCs are specialist agricultural and horticultural colleges. They are sometimes referred to as land-based or rural colleges. A&HCs are regulated by the Department for Business Innovation and Skills.

- Business-employer governor

The term business or employer governor is sometimes used to define a college governor who is not a student governor, staff governor, parent governor or executive governor.. Though they constitute the largest type of governor on a corporation, they have never been given a distinctive label in the FE Instrument and Articles of Government for FE colleges. Independent or external governors are the two most common terms used in the college sector to label these governors and this has been adopted in this report.

- Co-opted governor

Co-opted governor is the term used to describe governors who have been specifically recruited, usually for their specialist skills and experience, to support a corporation. Normally co-opted governors support committees of the corporation and are not members of the corporation. While this is generally the case, some co-opted governors are also members of the corporation.

- Executive governor

This is the term to used distinguish governors who are the Chief Executive, Principal or a member of the college's Senior Management Team. They are a member of the corporation by virtue of the executive position they hold within the college. The term ex-officio is also sometimes used. The unmodified FE Instrument and Articles of Government allow the Principal alone to be the only executive governor on the corporation. Some colleges are now using the new freedoms to amend their Instrument and Articles of Government to appoint more than the Principal to this position.



- College Sector

The college sector is defined as those colleges established as independent colleges under the 1992 Education Act. There are currently 339 such colleges. For the purpose of this report the term excludes the 10 special designated colleges which are not required to apply the FE Instrument and Articles of Government.

- GFECs

The term GFECs (General Further Education Colleges) is used in this report to also include colleges which classify themselves as tertiary colleges.

- Independent/external governor

This report has adopted the term independent or external governor to define a college governor who is not a student governor, staff governor, parent governor or executive governor. Though they constitute the largest type of governor on a corporation, they have never been given a distinctive label in the FE Instrument and Articles of Government for FE colleges. Independent or external governors are the two most common terms used in the college sector to label these governors. The term business or employer governors is also sometimes used.

- Non-executive governor

This is the generic term used to label those governors who are not executive governors. Traditionally, under the unmodified FE Instrument and Articles of Government, this covered all the governors other than the principal. It includes student, staff, parent and independent/external governors.

- Non-SFCs

This is the descriptor used in this report to distinguish those colleges which are regulated by the Department for Business Innovation and Skills. It is effectively the college sector less SFCs which are regulated by the Department for Education.

- SFCs

Sixth Form Colleges regulated by the Department for Education



- Standing committees

The term standing committee is deliberately used to indicate those which have been formed with a view to having a continued existence to do assigned work on an ongoing basis. As such, they would exclude committees set up for a specific purpose with a limited life.



Appendix 2: The AoC survey questions and format

Preliminary questions

College type:

- General Further Education / Tertiary College
- Sixth Form College
- Specialist College
- Other

The data within this Appendix captures colleges according to: GFEC/Tertiary, SFC, Agricultural and Horticultural College (A&HC) and Art & Design and Performing Arts College (AD & PA). The A&HC and AD&PA colleges were originally included under the specialist/other categories.

College regions:

Eastern region
East Midlands
London
North East
North West
South East
South West
West Midlands
Yorkshire and Humberside

The survey: Governance

The 2011 Education Act allows Further Education Colleges and Sixth Form Colleges to revise their Instrument and Articles so long as they maintain some core features. These changes took effect in April 2012 and were explained in the paper *New Challenges, New Chances* as offering freedom and flexibilities for Colleges.

1. Has your College Governing Body decided to revise its Instrument and Articles using these new freedoms? Yes/No



- If no, do you anticipate that your governing body may decide to revise its Instrument & Articles during 2013/14? Yes/No
2. Has your College developed any of the following business models? (tick all that apply)
- Creation of a group structure
 - Legal federation with another College
 - Sponsorship of an Academy
 - Sponsorship of a Free School
 - Sponsorship of a University Technical College
 - Sponsorship of a Studio School
 - Other model (please specify)
3. What is the standard term of appointment for your Governors?
- 1 year
 - 2 years
 - 3 years
 - 4 years
 - Varies according to role
4. Does your College have overall term limits for Governors? Yes/No
5. What is the term for your Chair?
6. How long has your current Chair been in place?
-

The survey: Governing body composition

There is some external interest in the composition of Governing bodies and a concern within Colleges themselves about how to ensure Boards are effective, attuned to issues within their various communities and on top of their legal responsibilities to promote equality and diversity. The purpose of these questions is to collect data which Colleges can use to learn from each other and to provide summary national estimates on key indicators. Information provided will be kept confidential by AoC and statistics published will not be used to name individual Colleges.

7. Which committees does your College have?
- Search
 - Audit
 - Remuneration
 - Quality/Standard/Achievement
 - Finance
 - Building Project/Estates

- Other (please specify)

8. How many Governors does the College have by the following categories?

- Student Governor (s)
- Staff Governor (s)
- Parent Governor (s)
- Principal/Chief Executive
- Business/Employer Governor (s)
- Other Governor (s)
- Co-opted Governor (s)
- Total number of Governors

9. Number of vacancies on Governing body by category?

- Student Governor (s)
- Staff Governor (s)
- Parent Governor (s)
- Principal/Chief Executive
- Business/Employer Governor (s)
- Other Governor (s)
- Co-opted Governor (s)
- Total number of Governors

10. What is the total size of Governing Body?

11. Excluding student governors or governors who are employed by the College, how many Governors does the College have in the following employment sectors or with the following skills (choose the one that is most appropriate)

- Education (Schools)
- Education (Further)
- Education (Higher)
- Education (Other)
- Health and Social Care
- Finance (including banking and insurance)
- Law
- HR/Personnel
- Marketing/Communications
- Engineering
- Construction/Property (including surveyors, architects)
- Hospitality/Leisure/Tourism (including restaurateurs etc)
- Agriculture/Food (including food production, processing and manufacture)
- Retail
- Other



- Total number of governors

12. What is the gender balance of the Governing body?

- Female
- Male
- Total number of governors

13. What is the age balance of your Governing body? Please give numbers in each age group. Include estimates if you do not have exact ages of individuals

- 24 or under
- 25 - 34
- 35 – 44
- 45 - 54
- 55 – 64
- 65 - 74
- 75 or over
- Total number of Governors

14. Do any of the Governors hold the following public positions?

- MP
- Councillor
- Member of Local Enterprise Partnership Board
- Member of Local Enterprise Partnership Skills/Employment Committee

15. Please record the numbers of Governors who self assess themselves as having disabilities (if known)

16. What is the ethnic composition of your Governing body? Please include numbers in each group if known or not provided if not. This data is being collected to aid benchmarking between Colleges

- White British/ English/ Scottish/ Northern Irish
- White Irish
- White Gypsy or Irish Traveller
- White Other
- White and Black Caribbean
- White and Black African
- Indian
- Pakistani
- Bangladeshi
- Chinese
- Any other Asian/Asian British



- Black African
- Black Caribbean
- Any other Black / African / Caribbean
- Arab
- Any other ethnic group
- Not provided

17. If you have any comments on the questions in this survey or the issues it raises or any other issue, please record them.
