

Further Education Corporation
Meeting of the Board of Governors

APPROVED MINUTES

Date and timings:	Monday 7 th December 2020
Time	17.40 to 20.30
Location	By teleconference
Present (Governors):	Elizabeth Sipiery (Chair) Angela O'Donoghue CBE (Principal and CE) Roland Anderson Gerry Bender Lee Freeman Dr Rod Gray Nikki Hill (Staff Governor) Rani Koya Richard Launder (Co-Vice Chair) Jo McGee (Staff Governor) Rick Olver Adesola Orimalade (Co-opted member) Louise Parr-Morley Robert Patterson Andy Ray Sue Saxton Sarah Stone Gwynn Williams (Co- Vice Chair) Fern Worsley (HE Student Governor)
In attendance	Sarah Lane (Deputy Principal Curriculum and Quality) Anthony McGarel (Deputy Principal and CE) Steve Smith (Vice Principal, Corporate Services) Matt Twitchett (Vice Principal, Curriculum & Quality) Jane Belcher (Head of Safeguarding – briefing only) Debbie Garroway (Assistant Principal Student Experience) Lois Vassell (Assistant Principal Teaching and Learning) Colin Bladen-Kopacz (Dean of HE, Participation and Skills) Melissa Drayson (Clerk to the Corporation).
Apologies for absence	Maya West Mackenzie O'Connor (FE Student Governor)
Quorum (8)	The meeting was quorate throughout

Item		Action lead
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Pre-Board briefing: Safeguarding
Presentation by the Head of Safeguarding and the Assistant Principal Student Experience. Slides circulated with minutes.

The presentation provided governors with an update on the SEC safeguarding team structure, the responsibilities of governors, the statutory framework, the latest changes to the Keeping Children Safe in Education (KCSIE) guidance, and specific high priority areas within the college.

Governors questioned whether resourcing was sufficient to deal with increased casework, especially in the context of Covid-19. It was explained that additional coaching had been bought in, and more resourcing had been put into preventative work. The need for the frontline Safeguarding staff to be able to access professional supervision was supported by Governors

In response to further questions, it was confirmed that contextual safeguarding was ensured through research, CPD and utilizing professional networks.

It was agreed that the Safeguarding Policy should also include a section on reporting to the Board (see item 4)

The Board thanked the presenters and the wider safeguarding team for their crucial work within the college.

0 Appointment of Student Governors

Supporting paper by the Clerk

The Board noted the recommendation to appoint the new FE and HE Student Governors following an open selection process.

Fern Worsley was welcomed to the meeting and was invited to say a few words about herself. Mackenzie O'Connor was welcomed in his absence. As Mackenzie was in his first year of a two-year course, it was hoped that he would be able to remain as student governor for the duration of his studies.

RESOLVED;

- i) That Fern Worsley be appointed HE Student Governor**
- ii) That Mackenzie O'Connor be appointed FE Student Governor**

1. Preliminary items

1.1 Apologies for absence

Apologies were received from Maya West and Mackenzie O'Connor

1.2 Declarations of interest

Previously declared interests were carried forward. There were no new declarations of interests.

1.3 Urgent other business notified in advance

There were no requests for urgent other business

2. Minutes

2.1 Board of Governors on 12 October 2020

The Minutes were **APPROVED** as an accurate record.

3. Matters arising from previous meetings

Supporting paper by the Clerk

Progress on actions from previous meetings was noted.

An update was requested on the position with the use of student accommodation. Current Waking Watch measures were in place and believed to be sufficient, although confirmation of this was still awaited from Essex Fire Services. A reminder was made about the importance of appropriate communication with students. It was agreed that the timing of this should be decided by management, with further updates to the Board as appropriate.

4. Safeguarding – Annual Review of Safeguarding Policy 2020-21
Supporting paper by the Assistant Principal Student Experience.

The Board noted that the Policy was a very detailed and comprehensive document. In response to questions, it was confirmed that there were areas of overlap with other policies which related to student safety and welfare and these were cross referenced where appropriate.

It was confirmed that an additional section would be included on reporting to the Board of Governors. Subject to this, it was

RESOLVED: That the Safeguarding Policy 2020-21 be APPROVED.

5. Strategic Matters

5.1 FE Commissioner Visit Feedback
Oral report by the Principal and Chief Executive

The Board noted the positive feedback provided from the visit, the endorsement of the plans for financial recovery and confidence that these would result in improvement. The skills mix and expertise of the Board and the strength of governance had also been recognised. Governors and staff who had met the FE Commissioner team or been involved in preparing for the visit were thanked.

5.2 Ofsted Interim Visit Feedback Report
Supporting paper – Final Report of Interim Visit

The Board noted the positive validation of the measures taken by the College to mitigate the impact of Covid-19 on learners (16-19 and adults), the support given in relation to access to learning, provision of IT equipment, wellbeing and other support, and the differentiated approach taken to online learning. The approach to Mental Health had come out very strongly. It was hoped that there would be opportunity to share good practice with other colleges.

Governors expressed how impressed they were that the college had achieved two positive external validations at such a challenging time.

It was noted that there had been no focus on governance during this visit, but this should be expected as part of a full inspection.

6. Curriculum, Quality and the Learner Experience

6.1 Report and recommendations of the Curriculum and Quality Committee on 9 November 2020
Minutes and supporting papers as appendices

a. Minutes of CQC Meeting on 9 November

In the absence of the CQC Chair, the Board noted the minutes and approved the recommendations.

b. Learner outcomes

Final learner outcomes 2019-20 were discussed further, including the judgement that, given the challenges of Covid, these presented a positive picture. In response to governor questions, it was confirmed that results would be analysed by different groups of students, including by protected characteristic, and reported in the annual Equality and Diversity Report.

Governors challenged that outcomes remained below national average in some areas. It was recognised that it was difficult to draw meaningful comparisons this year. However, A Level outcome had had a significant impact on the overall picture and, if removed, 16-19 level 3 outcomes would be around national average.

The link governor for learning and progression reported that these issues had been discussed at a recent meeting and would form the focus for the year.

c. Quality improvement plan 2020-21

It was noted that the Self-Assessment Report 2019-20 would be considered in detail and approved at the Board Development Day on 18 January. Governors considered that there was further work to do to ensure consistency and clarity of language and were invited to share feedback with management outside of the meeting.

The need was asserted for a transparent link between the QIP, KPIs and quality improvement. There should be firm dates for completing each action. It was, however, stated that impact was the critical factor, and this should be reflected in the report and RAG rated.

Management was asked to incorporate these changes into the 2020-21 QIP and bring this to the Board Development Day in January for approval.

d. Academic Targets 2020-21

The Board accepted that the 2019-20 targets had been rolled forward unchanged due to Covid. This had been raised by the FE Commissioner but had been supported as a realistic approach. The concern was expressed that it might also be difficult to hit the targets in 2021. The need to ensure that targets were sufficiently challenging in the longer term was recognised.

Governors supported the need to link the targets into the QIP within one document which shows the current position, the goal and the milestones and actions to get there.

RESOLVED:

- i) **That Maya West be appointed Chair of the Curriculum and Quality Committee for 2020-21**
- ii) **That the academic targets 2020-21 be APPROVED**
- iii) **That the Office for Students Annual Assurance Statement be APPROVED**
- iv) **That the updated Curriculum and Quality Committee Terms of Reference be APPROVED**

AGREED: That the final Quality Improvement Plan 2020-21, incorporating the feedback from governors, be brought to the January Board Development Day for approval.

6.2 FE Student Survey results

Supporting paper presented by the VP Curriculum and Quality

The report updated governors on the provisional outcomes of the 'Welcome to College' survey which were reported to the CQC.

The lower response rate was discussed, given the current situation. The low response rate in Engineering and Construction was, however, flagged as a concern as this was also the lowest performing area

It was noted, however, that there was no significant difference in satisfaction rates between students receiving largely online learning, and those who were attending college.

In response to governors' questions, it was confirmed that the survey outcomes were fed back into departmental and course level action plans. Feedback was provided back to students as part of a 'you said, we did' approach. Governors commended this but stressed again the need to link actions to impact, and to reflect this in the QIP.

The next student survey would be undertaken in April

AGREED: Detailed report on Engineering and Construction to come to the March Board meeting

6.3 Higher Education Fees Policy 2020-21 and 2021-22

Supporting paper presented by the Principal and Chief Executive

Governors noted that the Policy was reviewed and approved each year. This year's changes included an additional section on Covid and International students. There was discussion of the provision of compensation and the availability of arbitration in cases of dispute. A cross reference to the Complaints Procedure was suggested.

RESOLVED: That the HE Fees Policy 2020-21 and 2021-22 be APPROVED.

7. Finance, Policy and Resources

7.1 Report and recommendations from the Policy and Resources Committee on 16 November

Presented by the Chair of the Policy and Resources Committee

The report included the period 3 Management Accounts as an appendix. Key headlines were:

- The meeting focused on the improving financial position in the context of the forthcoming FE Commissioner visit. There had been detailed discussion about the budget assumptions and projections.
- As part of the scrutiny of the management accounts, cashflow had been discussed in detail as a key risk. A number of recommendations had been made to improve and clarify presentation, including a commentary on debtors and creditors.
- The FE Commissioner had recommended that the management accounts should be more forward looking, and that income

forecasts should reflect a phased profile rather than be split equally over the 12 months on a month by month basis.

7.2 Bank loan update

Presentation by the Deputy Principal and Chief Executive

Following the independent business review, and the improvement in the 2020-21 financial position, there was confidence that a new loan would be offered, although precise terms were not yet known. Agreement to these would allow going concern to be confirmed and the financial statements to be signed off in January.

In response to governor questions, it was considered that the debt might be repaid in nine years. Care had been taken in modelling to ensure that financial health scores and cash levels were safeguarded.

7.4 Capital Projects Update

Supporting paper presented by the VP Corporate Services

The Board noted the detail of the report, in particular the proposed change in strategy relating to the aborted Southend Forum II and Luker Road programme and use of the Nethermayne receipt. Scope to raised match capital funding was being explored.

Progress was also noted on other elements of the Property in Thurrock and Basildon. It was reported that there were several capital bids in the pipeline

RESOLVED: That the proposed restructuring of the Capital Strategy in respect of Forum II, and the reviewed distribution of spend from the Nethermayne receipt be APPROVED.

8. Audit and Risk

8.i Report and recommendations of the Audit and Risk Committee on 23 November

Supporting paper: Minutes and risk register presented by the Chair of the Audit Committee

The main discussion points detailed in the minutes, and accompanying papers were noted, and the committee's recommendations considered in respect of the risk register and approval of the risk management policy..

The Board noted that the risk register now showed nine red risks, with the majority in the finance segment. There had been discussion of the next steps in terms of assurance mapping and linking with the strategic KPIs as potential topics for the Board Development Day.

It was reported that the draft external and regularity audit management letter had been discussed but would not be finalised until the terms of the new bank loan had been agreed and going concern confirmed. The process of acquisition accounting, following the merger with NCCI, had gone more smoothly than the previous year. Some outstanding issues had been identified, mainly caused by changes in finance team management.

Based on the audit opinion, and the internal audit work undertaken during the year, the draft Annual Report of the Audit Committee would propose a positive assurance opinion on corporate governance, risk management and internal control.

The final documents would be brought back for approval with the financial statements on 18th January.

9. Governance Matters

9.1 Governance Self-Assessment 2020 – early results

Verbal report by the Clerk

Ten completed forms had been received from governors who had served for all or part of 2019-20. Each question had been scored in accordance to Ofsted gradings. Challenge of the Senior Management Team was graded 'Outstanding', as was the attention to providing a safe environment, promotion of equality and diversity and British Values. Other questions were all graded 'good'. The only area that achieved a mean score of less than 2, related to the Board's strategic understanding of local need that is informed by both internal and external stakeholders.

Key areas of focus for the Board for the forthcoming year included implementing the financial recovery plan; developing an integrated approach to monitoring the strategic plan and corporate KPIs, and improving the accuracy of forecast.

10. Remuneration Committee report

Confidential item. Staff in attendance, staff and student governors withdrew from the meeting and a separate confidential minute was taken.

11. Dates of future events and forthcoming meetings

Venues remained provisional and subject to Covid restrictions.

Mon 18th Jan 2021 at 1pm - Board Development Day
Monday 22 March 2021 at 6pm – Thurrock Campus
Monday 5 July 2021 at 6pm – Southend Campus

12. Other business

The Chair wished all present a peaceful and enjoyable festive break, and thanked fellow governors for their commitment and support during the year. The Board reiterated its heartfelt thanks to staff for their work during an extremely challenging year and the Principal agreed to communicate this in her next staff briefing.

There being no further business, the Meeting finished at 20.15

Signed.....Dated.....