

FE Corporation Minutes

Meeting held on Thursday 17 October 2019 at 5.30pm at SRC2, The Eye

Governors: Subhash Chaudhary, Phil Cook (Chief Executive and Group Principal), Michael Duffey (Staff Governor and HoD Construction and Professional Services), Ethan Harper, Rob Mitchell, Richard Poundford, Dot Smith, Aman Toor, Mark White (Chair), Norma Wilburn and Gary Wright.

Officials: Phil Blewitt (Managing Director, NETA), Liz Boynton (Group Director of Quality), Jason Faulkner (Campus Principal, RCC), Lesley Graham (Campus Principal, SRC), Phil Hastie (Group Executive Director Planning and Infrastructure), Mick Hickey (Group Executive Director Quality and Standards), Erika Marshall (Group Director of Marketing), Mark Moore (Group Head of Student Services), Gary Potts (Group Director of Business Engagement), Ben Robinson (Campus Principal, Bede), Fiona Sharp (Group Executive Director Finance), Kimberly Stevenson (Group Head of Estates), Kay Taylor (Group Director of HR), Sarah Thompson (Clerk to the Corporation) and Sam Young (Governance Support Officer).

Apologies: Sam Beel, Stuart Blackett, Louise Davies, Russ McCallion, Kirk Siderman-Wolter

The Chair welcomed governors and officials to the first ever Board meeting of the Education Training Collective. He highlighted the positive impact of the HE graduation ceremonies which had been held that week at both Stockton and Redcar and this was echoed by governors and officials who had also attended. It was agreed to send a letter of thanks to Hannah Rowley for the work she had put into organising the processions and ceremonies. The Chair noted that he and Norma Wilburn would be leaving the meeting early to attend a dinner hosted by the MP for Stockton North.

19/55 Agenda Item 2 – Governing Body Membership

The Clerk informed governors that there had been an electronic ballot for the position of student governor at a campus in the Stockton Borough Council area in which ten candidates had stood for election. She added that she had also met with an HE student who had expressed an interest in co-opting to Standards Improvement Committee. Governors **agreed** to:

- i) the reappointment of Norma Wilburn as governor with effect from March 2020 for a term of four years;
- ii) the appointment of Aman Toor as student governor;
- iii) the appointment of Phil Heathcock as co-opted member of Finance and Employment Committee with effect from 1 November 2019;
- iv) the appointment of Ken Bowes-Dalton as co-opted member of Standards

Improvement Committee.

Aman Toor joined the meeting and was welcomed by the Chair.

19/56 Agenda Item 1 – Environmental Strategy Development

The Group Head of Estates gave a presentation to governors and explained Etc.'s strategic intention of embedding environmental sustainability into the heart of the Group. In terms of external accreditation, Etc. intended to achieve Investors in the Environment (IIE) Bronze by September 2020, IIE Silver by 2021 and IIE Green by 2022/23. She explained the IIE process along with the possible benefits to Etc. - the accreditation itself, saving money and resources, corporate social responsibility and improving staff and student engagement. The Group Head of Estates shared some statistics on current plastics and water use and general waste production at Etc. During the past year, the College Group, through the Green Initiatives Group, had significantly reduced single use plastics, increased recycling and reduced printing. Further initiatives were outlined, including reusable bottles given to learners, inclusion of green initiatives and eco-awareness in the tutorial programme and the first cross-campus Green clean-up planned for the end of Spring term 2020. Buy-in from staff and governors would be sought through workshops and training and from students through induction, tutorials and projects.

A governor asked whether students would feel like the strategy was being delivered to them or whether they would have full involvement. The Group Head of Estates explained that there was student representation on the Green Initiatives Group. The Campus Principal Bede added that the strategy was already making an impact on prospective students with a change to reusable and eco-friendly promotional materials. The Chief Executive emphasised that student involvement was important but needed to be voluntary. A governor welcomed this as a valuable initiative and suggested that there should be regular updates to Corporation including how governors could get involved. The Group Head of Estates agreed to provide six monthly updates.

Governors **noted** the update.

Kimberly Stevenson left the meeting.

19/57 Budget-setting and Year-end processes

The Group Executive Director Finance explained to governors that, as requested by the Finance and Employment Committee, this presentation would act as a refresher on budget setting and on the Business Planning cycle. The Group Executive Director Planning and Infrastructure highlighted the Strategic Planning Cycle for the calendar years 2019 and 2020, giving the Performance Review (PR), Business Planning (BP) and Self Assessment Report (SAR) timings and the points at which governors interact with the process. The Group Executive Director Finance then outlined the departmental budget setting process and their aggregation into the 'Group' budget. The 'Governors' budget

was informed by but not directly linked to the 'Group' aggregated budget and was used by governors to monitor in year performance through Monthly Management Accounts (MMAs) presented to Finance and Employment Committee. These were reported to Corporation through Committee minutes and Key Themes. The Group Executive Director Finance explained the key dates for governors including the approval of final accounts by Corporation in January each year for publication on the Etc. website by 31st January and confirmed that the Chief Executive was the Accountable Officer.

The Group Executive Director Finance added that the Education and Skills Funding Agency (ESFA) were due to issue revised plans for Financial Health Reporting by the end of October. The Chair highlighted that, though detailed reporting was made to and monitored by Finance and Employment Committee, all governors needed to be aware of the cycle and process.

Governors **noted** the presentation.

19/58 Agenda Item 10 - Safeguarding

The Group Head of Student Services presented the previously circulated report and points to note were highlighted for governors. New guidance in Keeping Children Safe in Education (KCSiE) 2019, including on 'upskirting', County Lines and 'honour based' violence/abuse, had been reflected in changes made to the Safeguarding Policy. Since the report was circulated, staff completion rates for mandatory safeguarding training had risen [redacted]. The number of learners with completed Individual Learning Plans (ILPs) also continued to rise and had identified [redacted] learners with a mental health risk. These were being proactively seen by the Safeguarding or Welfare teams and [redacted] learners currently remained on caseload to monitor.

A governor expressed concern at the high rate of mental health declarations and the Group Head of Student Services agreed that the rate was high but that it was better that staff were aware and acting proactively; he also highlighted the rise in suicide rates in the UK and, in particular, Middlesbrough.

The Safeguarding Link Governor confirmed that this had been discussed at her recent visit and that she had been startled that one in five young people had informed the college that they had mental health issues and that [redacted] felt suicidal. She was confident that there was an excellent team in place and that ILP reviews were happening in a timely manner. However, it was important that governors were aware of these issues and the possible need for additional resourcing should numbers continue to increase.

A governor enquired about multi-agency work and the Group Head of Student Services noted that the College Group worked with two teams, one for the Stockton and Hartlepool areas (Hartlepool & Stockton-on-Tees Safeguarding Children Partnership or HSSCP) and one for Middlesbrough and Redcar (South Tees Safeguarding Children Partnership or STSCP). Asked by a governor if this worked, the Group Head of Student

Services added that the Redcar area was also part of the Tees-wide safeguarding network. The Campus Principal RCC confirmed that he had been at the launch of the Tees group and that it offered very extensive coverage of safeguarding issues and links for the whole Teesside area.

A governor commented on the relatively high number of staff reported to have completed statutory safeguarding training in the last week. The Group Head of Student Services explained that there had been a recent push to urge completion and the Group Director of HR added that, because of hourly paid staff contracts, it was standard to see such a rise in September; completion was monitored through the Safeguarding Group.

A governor asked about the possible risks of staff working whilst their DBS checks were still being processed and the Group Director of HR explained that risk assessments were completed for these staff on an exception basis, with strict controls on references and such staff supervised, if necessary. She also confirmed that online DBS checking was now in place.

A governor asked about the high numbers of learners with behaviour issues and low attendance at school, particularly at Redcar. He believed that these were issues already being tackled at Assistant Director level at Redcar and Cleveland Borough Council but wondered what connections RCC staff had with schools in the area. The Campus Principal RCC confirmed that, through the Education Improvement Partnership, work was being undertaken on transition arrangements.

A governor commented on the range and depth of information in the Safeguarding update but asked about the outstanding action on providing governors with local context on Prevent. The Group Head of Student Services confirmed that the Prevent lead at Stockton Borough Council had been contacted about presenting to governors and also with regard to checking tutorial materials on local Prevent issues but was also responsible for Brexit preparations so, as yet, no response had been received.

Governors **noted** the update.

Mark Moore left the meeting.

19/59 Agenda Item 3 – College Strategic Direction

The Chief Executive gave governors a verbal update on the strategic direction of Etc. The report on the FE Commissioner's team visit to Hartlepool College of Further Education (HCFE) in June had been published that week and drew out weaknesses in governance, leadership and management and finances, with quality of education good, but static. There would be a further visit to HCFE by the FE Commissioner's team by the end of October.

Governors **noted** the update.

19/60 Agenda Item 4 – Transaction Unit Key Performance Indicators

The Group Executive Director Finance referred to her previously circulated report on Transactions Unit (TU) Key Performance Indicators (KPIs) and highlighted that the fundamental monitoring point for all outcomes would be in July 2021. The majority of KPIs were showing as green or on track by the responsible senior manager. The Group Executive Director Finance reminded governors that the full report on TU KPIs used to be presented at Merger Implementation Group with only a summary to Corporation but the full report would now be presented at Corporation.

[Redacted] The Group Director of HR agreed to discuss the staff turnover calculation for this KPI with the governor in further depth.

Governors **noted** the update.

19/61 Agenda Item 5 – 2018-19 College Performance

5.1 Headline Performance

The Group Director of Quality reported on her previously circulated report which showed a strong performance and added that the College Group Self-Assessment Reports (SARs) for 2018-19 would be presented at the next Corporation meeting. Achievement rates at campus and departmental level were generally positive with significantly improved performance at RCC and Bede. Remaining pockets of underperformance would be fully explored at PR12.

Governors **noted** the update.

5.2 2018/19 College Group Performance Against Master Targets (Quality)

The Group Executive Director Quality and Standards noted from his previously circulated report that, of the quality targets set for 2018-19, several had not been met and this could indicate that a new approach to target setting should be implemented.

Governors **noted** the update.

19/62 Agenda Item 6 – College Improvement Plan – Progress Achieved 2018/19

The Group Executive Director Quality and Standards presented the previously circulated update on the five key areas in the College Improvement Plan.

A governor commented on achievement and attendance in English and maths and asked whether replicating the strategy used successfully in Health and Social Care had not translated as well as anticipated to other cohorts. The Group Executive Director Quality and Standards agreed that transferring strategies to other curriculum areas did not always produce the same results. The Managing Director NETA commented that the use of a different model at NETA - covering English and maths in two hour blocks in the middle of the day and having a designated member of staff to monitor attendance – was

currently proving successful. The Campus Principal SRC added that progress coaches in areas such as Construction were having a positive impact. A governor asked that staff and learners named in the final paragraph of the English and maths update should be congratulated on their many achievements and thanked for their work on behalf of the Board. The Group Executive Director Quality and Standards agreed that, even though outcomes may not yet be in line, the underpinning provision had improved with many innovative approaches being used.

Governors **noted** the update.

The Chair paused business to note that this was the Group Executive Director Quality and Standards' last Corporation meeting before retirement. On behalf of the Board, he thanked Mick Hickey for all his work for the College Group and for being a superb Officer of the Board. Governors wished him and his family well for the future. Mick thanked the Board and noted the value added when all are totally committed to moving a College forward.

19/63 Agenda Item 7 – Ofsted Inspection Framework Update

The Group Director of Quality gave a verbal update on the new Ofsted Education Inspection Framework (EIF). Key changes included the increased focus on destinations and whether learners had the skills required for progression to employment or further study. Data remained important but the greater emphasis was on the curriculum, through 'deep dives'. There would be no grading for the quality of teaching itself under the new framework and the inspection would focus on how the curriculum was developed and matched to sector needs, i.e. why colleges were teaching what they were teaching. Safeguarding would judge whether learners felt safe including in relation to local criminal activity and risks. The 'deep dive' approach resulted in fewer formal meetings during the inspection and an emphasis on inspectors observing typical practice in a college and thus systemic strengths and weaknesses.

A governor asked when Etc. could expect a full Ofsted inspection and the Group Director of Quality clarified that it should be up to three years post-merger, i.e. 2021, but that there were factors which could bring the timing forward. The Chief Executive added that detailed understanding of the EIF would come through reports to and discussion at Standards Improvement Committee with updates brought to Corporation. The Clerk added that a proposal would come to the Board on aligning data reporting to the requirements of the Ofsted EIF.

As reported at the start of the meeting, Mark White and Norma Wilburn left the meeting and Richard Poundford took the Chair.

19/64 Agenda Item 8 – Recruitment and Progression

The Group Director of Marketing reported that recruitment presented a largely positive picture with some slight increases since her report had been circulated. Learner

recruitment was on course to meet targets set. The Group Executive Director Planning and Infrastructure added that 16-18 recruitment demonstrated growth and put Etc. in a good position for the 2020-21 financial plan.

A governor commented that recruitment looked positive, particularly in Construction, and the HoD Construction and Professional Services added that, as a result of better achievement in 2018-19, internal progression was also very positive. [Redacted] A governor asked about the closure of FdSc Sport and Fitness and the Campus Principal SRC explained that some learners had reported being given unconditional offers by local universities and that this was currently being checked. The Campus Principal Bede added that provision of a foundation year at Teesside University had impacted on HE recruitment at Etc.

Governors **noted** the update.

19/65 Agenda Item 9 – Website Update

The Group Director of Marketing spoke to her previously circulated report and gave a presentation on progress on the new websites. She noted that, although the Etc. brand launch had been brought forward, it had proved impossible to bring the websites' launch forward in line with this revised date. The Group Director of Marketing had now taken on the role of designated project manager in order to improve communication with Coalface and maintain the pace of progress. She reported that links between ProSolution and the websites were now working and showed governors some sample pages which gave a different feel according to the target audience whilst maintaining the Group identity and branding. It was planned that the websites would go live during November, subject to successful IT testing.

A governor asked whether photos on the new websites would be representative with regard to equality and diversity. The Group Director of Marketing assured governors that photos would be fully representative. The Group Director of Marketing added that an Etc. website was under development which would include information on governance including a consistent suite of governor photos.

Governors **noted** the update.

19/66 Agenda Item 11 – Corporation minutes and actions

11.1 Previous minutes

Minutes of the Corporation meeting held on 4 July 2019 and of the Special Corporation meeting held on 12 September 2019 were formally **approved** as an accurate record of the meeting.

11.2 To consider progress against agreed actions and any matters arising

It was agreed to assign the outstanding action from Merger Implementation Group, also discussed under agenda item 10, regarding a presentation to governors on Prevent and

the local risks to the Group Vice Principal Curriculum and Development. All other actions were completed or not yet due. Progress against actions was **noted** by governors.

19/67 Agenda Item 12 – Subsidiary Company Boards / Committees and task and finish groups

Draft minutes of the following meetings had been circulated and were **noted** by governors:

12.1 NETA Board meeting held on 27 September 2019

12.2 TVC Board meeting held on 27 September 2019

12.3 Finance and Employment Committee held on 20 June 2019

12.4 Search and Governance Committee held on 19 September 2019

The presentation given at the following meeting had been circulated and draft minutes were to follow:

12.5 Audit Committee meeting held on 3 October 2019

12.6 Recommendations from Boards and Committees

Governors **agreed** the following recommendations:

From NETA Board: Etc. governors invited to attend NETA Board (meetings scheduled for 22 November 2019, 6 March and 12 June 2020).

From Finance and Employment Committee: process agreed for temporarily increasing intercompany loan balances above limits set to make essential payments.

From Search and Governance Committee: target / preferred Corporation composition of 18 established; references to be requested as part of the governor appointment process; three yearly DBS checks to be undertaken on governors, in line with the requirements for staff; governors requested to access the Education and Training Foundation (ETF) online Governance Development Programme.

From Audit Committee: External Audit Regularity Questionnaire approved for signature by the Corporation Chair and Chief Executive; the effectiveness of risk management noted for 2018-19.

19/68 Agenda Item 13 – The Colleges’ Senior Post Holder Remuneration Code

The Clerk explained that the Colleges’ Senior Post Holder Remuneration Code (the Remuneration Code) had been developed in response to remuneration issues in the Higher Education sector and a final version had been issued by the Association of Colleges (AoC) in December 2018. At its July 2019 meeting, the Remuneration Committee recommended that the Corporation adopt the Remuneration Code and the proposed amendment to the Code of Good Governance for English Colleges, adopted by the SRC FE Corporation in October 2015.

Governors **agreed** to adopt the Colleges’ Senior Post Holder Remuneration Code and the related amendment to the Code of Good Governance for English Colleges.

19/69 **Agenda Item 14 – Audit Matters**

14.1 Annual Audit Reports

The Chair confirmed that the Annual Report of the Audit Committee 2018-19 and the appended Annual Internal Audit Report 2018-19 prepared by ICCA-ets had been considered at the last Audit Committee meeting and that members had recommended that both reports be submitted to the Education and Skills Funding Agency, in line with funding requirements.

Governors **agreed** that the Annual Report of the Audit Committee 2018-19 and the appended report from the Internal Auditors be submitted to the Education and Skills Funding Agency.

14.2 Internal Audit Strategy 2019-20

The Chair commented on the positive relationships established between the new Internal Audit providers, AuditOne, and senior staff and governors as part of the process of developing the internal audit plan for 2019-20.

Governors **approved** the internal audit plan for 2019-20 as recommended by the Audit Committee.

19/70 **Agenda Item 15 – Committee membership and terms of reference / Link Governor roles**

The Clerk presented her previously circulated report and governors:

- i) **approved** committee membership for 2019-20 including the appointment of Phil Heathcock to Finance and Employment Committee as a co-opted member;
- ii) **approved** the proposed changes to committee terms of reference;
- iii) **reconfirmed** Norma Wilburn as Safeguarding and Equality and Diversity governor;
- iv) **approved** the role description for Careers/Employer Engagement Link Governor and **confirmed** Gary Wright as link governor.

19/71 Agenda Item 16 – Health and Safety

The Group Executive Director Planning and Infrastructure presented the previously circulated report and Annual Health and Safety Report for 2018-19. He highlighted that the report showed that the Group had maintained its good track record and highlighted that, as previously requested, external benchmarking against Health and Safety Executive frequency rates for Education and All Industry had been included. No trends had been identified from the small number of accidents over the year.

Governors **noted** the report.

19/72 Agenda Item 17 – Governance Update

The Clerk asked governors to note the previously circulated governance update, which included governor attendance at Corporation and committee meetings for 2018-19. She confirmed that there had been no concerns in relation to governors' interaction with the media but a suggestion from the internal auditors regarding the need for a media handling policy had been discussed at the last Audit Committee meeting. It was considered timely to remind governors of the provisions already made in the Governors' Code of Conduct. The Clerk thanked governors for all their involvement with Etc. and governance activities.

Governors **noted** the update.

19/73 Agenda Item 18 – Strategic Updates

The Group Executive Director Planning and Infrastructure explained that the strategic update summarised the implications for further education of the comprehensive spending review recently presented by the Chancellor of the Exchequer and formalised the information which had previously been circulated to governors electronically.

Governors **noted** the update.

19/74 Agenda Item 19 – Any Other Business

The Chief Executive highlighted some key dates for governors. The annual Staff Seminar would be held on the morning of Friday 20 December and governors would receive an invitation to attend this inspirational event. The Strategic Conference to be held on Friday 31 January and Saturday 1 February would also allow opportunities for socialising on the Friday evening as well as setting the strategic priorities for 2020-21. He extended an invitation to governors to attend BP/PR sessions, held in two week blocks every two to three months, and asked that governors contact him should they wish to attend as an observer.

19/75 Agenda Item 20 - Approval of Documents for Public Inspection

It was **agreed** that the agenda and supporting documents of the current meeting be made available for public inspection with the exception of the reports for Agenda Items 4, 5, 6, 8, 9, 10, 14 and 16 which were considered commercial in confidence. Minutes would be made available following approval and consideration at the next meeting.

19/76 Agenda Item 21 – Date, time and venue of next meeting

21 November 2019, 5.30 pm, Room 129, Bede, Marsh House Avenue, Billingham

19/77 Agenda Item 22 - Key Themes

- The first Board meeting of the Education Training Collective
- Inspirational HE graduation ceremonies held in Redcar and Stockton
- Appointment of Aman Toor as a student governor following electronic ballot with ten candidates; co-option of Ken Bowes-Dalton (HE student) to Standards Improvement and Phil Heathcock (NETA Board member) to Finance and Employment Committees
- Presentations on Environmental Strategy development and budget setting and year end processes (available in the Knowledge section of BoardPacks)
- Pro-active follow-up by the Student Services and Welfare teams of safeguarding concerns identified in students' Individual Learning Plans
- Approval of annual audit reports for submission to the Education and Skills Funding Agency and of the internal audit plan for 2019-20
- Reappointment of Norma Wilburn as Safeguarding and Equality and Diversity link and appointment of Gary Wright as Careers/Employer Engagement link governors

(The meeting ended at 7.30 pm)