

## FE Corporation Minutes

Meeting held on Thursday 4<sup>th</sup> March 2021 at 5.30pm via Zoom

**Governors:** Sam Beel, Stuart Blackett, Subhash Chaudhary, Phil Cook (Chief Executive and Group Principal), Martin Gray, Ethan Harper, Katy Ludgate, Richard Poundford (Vice Chair), Dot Smith, Aman Toor, Anne Vickers, Mark White (Chair), Norma Wilburn (Safeguarding Link Governor) and Gary Wright.

**Officials:** Phil Blewitt (MD NETA), Abigail Clay (Interim Group Head of Student Services, for Agenda Item 1 only), Jason Faulkner (College Principal, RCC), Lesley Graham (College Principal, SRC), Phil Hastie (Group Executive Director Planning and Infrastructure), Erika Marshall (Group Director of Marketing), Gary Potts (Group Vice Principal Business, Innovation and Partnerships), Ben Robinson (College Principal, Bede), Fiona Sharp (Group Executive Director Finance), Kay Taylor (Group Director of HR), Sarah Thompson (Clerk to the Corporation), Peter Wood (Interim Group Director of Quality) and Sam Young (Governance Support Officer).

**Apologies:** Louise Davies, Russ McCallion and Rob Mitchell.

*Mark White declared an interest in Agenda Item 2 as independent Chair of the Thornaby Town Deal Board.*

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### 21/10 **Agenda Item 1 – Safeguarding Update**

The Chair reminded governors of their statutory, non-delegable duty for Safeguarding.

The Interim Group Head of Student Services, also Designated Safeguarding Lead (DSL), presented the previously circulated paper. She highlighted the seamless transition to remote working in response to the January lockdown and the re-establishment of twice-weekly meetings of the Vulnerable Learner sub-group. In addition to those learners with Government-recognised vulnerabilities, learners identified as having significant challenges related to both lockdown and the return to college were monitored by this group. Practitioners had now been included in the weekly meetings with the local authorities and this had had a positive impact on the effective response to concerns; the Group had also contributed information in relation to the recent Ofsted inspection at Redcar and Cleveland Borough Council (RCBC). Equipment and financial support for students during lockdown had been a priority and learner engagement had been improved by a change of focus in asking learners if they had the 'relevant resources to access remote learning'. Enrichment resources were focussed on well-being, through both self-help and engagement activities, with a resource bank on the Virtual Learning Environment (VLE) being well-accessed; newsletters were also being sent to parents and carers. A report on the trial of esafe would be included in the report to the next meeting. With reference to the Group's Prevent duty, the strategic risk register would be updated to reflect that the UK threat level had been lowered to substantial and a Channel referral had been made and was being followed up by Cleveland Police. Compliance with statutory staff training had been included in the recent audit of the Single Central Record, with the auditors commenting that completion rates demonstrated good levels of staff engagement; there were currently no staff working on a Risk Assessment, awaiting DBS.

In response to a governor's question, the Clerk confirmed that all governors were up to date with either initial or update safeguarding training. A governor asked what support had been given during the recent RCBC Ofsted visit and the College Principal Redcar & Cleveland College (RCC) confirmed that a letter had been provided outlining partnership work between RCC and RCBC; initial feedback indicated that the council felt that the visit had gone well.

The Safeguarding Link governor confirmed that the report reflected the positive work at the Group supporting Safeguarding. The Interim Group Head of Student Services added that, following a second recruitment round, the post of Student Services Manager (Safeguarding and Welfare) had been offered to a strong candidate with considerable previous experience in education and child welfare.

Governors **noted** the Safeguarding Update.

*Abigail Clay left the meeting.*

## **21/11 Agenda Item 2 – Group Property Strategy**

The Group Executive Director Planning and Infrastructure gave a presentation outlining the rationale for updating the Group's Property Strategy and explained that the terms Property and Estates were used interchangeably by the ESFA in describing the strategy. The current Property Strategy, dated February 2019, included some of the major capital projects currently under consideration but several major potential projects, required for delivery of strategic goals, were not reflected in the strategy. The Group Executive Director Planning and Infrastructure outlined restrictions set out in the Further Education Capital Transformation Fund (FECTF) and potential bids for T Level Capital funding. Following a tender process, AA Projects had been contracted to develop the new Property Strategy and support the Group's applications [redacted]. The potential for Town Deal funding for projects at [redacted] Redcar & Cleveland College (RCC) was also outlined. The Group Executive Director Planning and Infrastructure explained that, due to the tight deadlines, governors would be asked for in principle approval of the strategic direction and projects outlined at this meeting and that the four-page High Level Property Strategy to be included with the funding applications would be circulated for comment in advance of the first deadline, 22<sup>nd</sup> March. As AA Projects would normally allow up to six months for a detailed strategy, the full Property Strategy would be further developed over the coming months.

In response to a governor's question, the Group Executive Director Planning and Infrastructure confirmed that AA Projects were providing invaluable support in evaluating the Group's competing demands and shaping a strategy to position the Group to meet its strategic goals and take advantage of funding opportunities.

*Martin Gray joined the meeting.*

A governor with capital projects experience confirmed that he had spoken with the Group Executive Director Planning and Infrastructure earlier that day and that he was in full agreement with the four key projects outlined. He added that short timescales and unclear success criteria for the applications presented additional complications and had been pleased that the T Level funding application had been given equal emphasis. The Group Executive Director Planning and Infrastructure confirmed that working with AA Projects would help with identifying application

criteria. A governor also asked if any consideration would be given to a quantitative analysis of the benefits of each project and the Group Executive Director Planning and Infrastructure confirmed that this would be part of the next development stage. In response to a governor's question on the perceived success of each of the intended bids, the Group Executive Director Planning and Infrastructure confirmed that it was difficult to assess at this early stage. The College Principal RCC confirmed that work had started on the Astro Pitch at RCC, with completion due in June 2021; it was hoped that press coverage would have a direct positive impact on lettings and indirectly on student recruitment.

Following the Group Executive Director Planning and Infrastructure's presentation and discussion, governors supported the focus of the strategy and **agreed**, in principle, the Property Strategy as set out in the previously circulated report, specifically the submission of applications to the Further Education Capital Transformation Fund and T Level Capital Fund for the identified projects. It was **noted** that the High Level Strategy document would be circulated for comment prior to submission of the FECTF application by 22 March.

### **21/12 Agenda Item 3 – Restructuring Facility**

The Group Executive Director Finance explained that the previously circulated report included the Restructuring Facility (RF) monitoring submitted to the Education and Skills Funding Agency on 29 January 2021, including an updated Integrated Financial Model for Colleges (IFMC) to July 2023, a clear rationale for the business case to support the build-up of cash resources in the medium term and Key Performance Indicators (KPIs). These documents had been circulated to governors by email in advance of submission and, following positive feedback from governors, had been submitted by the deadline. Since submission, the Group had responded to the Provider Market Oversight (PMO) Team's request (minor) for clarification regarding the variances report and was now awaiting further feedback and a full response.

Governors **noted** the submission of the business case to the ESFA in support of the updated IFMC and the proposal and rationale in relation to the cash balances and capital expenditure to July 2023 intended to enable the Group to progress with its plans and ensure the local and national economic and workforce skills needs can be met into the future.

### **Other business and procedural items**

#### **21/13 Agenda Item 4 – Corporation minutes and actions**

##### **4.1 – To agree minutes of Corporation meetings held on 10 December 2020 and 14 January 2021 and receive notes of presentations**

Minutes of the meetings held on 10 December 2020 and 14 January 2021 were formally **approved** as accurate records of the meetings and notes of the NETA Team Presentation on 14 January 2021 **received**.

##### **4.2 – To consider any matters arising and outstanding actions**

The Clerk confirmed that the action to develop governors' use of and access to technology was in progress but that IT staff time was currently limited by higher priority demands. The Group Executive Director Planning and Infrastructure confirmed that he was in regular contact with Stockton Borough Council regarding town plans and that he would update governors as required. All actions due had been completed and progress against actions was **noted**.

#### **4.3 – Governors’ Strategic Conference held on 5 February 2021**

The Chair thanked governors and senior managers for all their positive evaluations of the Governors’ Strategic Conference and commented on how pleased he was to be working with the Group Director of HR on plans for the 2022 conference. The Group Vice Principal Business, Innovation and Partnerships added that the day had worked well and the Vice Chair felt that the day had included both excellent presentations and discussion time. Governors **noted** the feedback and actions arising from the Strategic Conference held on 5 February 2021.

#### **21/14 Agenda Item 5 – Committee / subsidiary board minutes and recommendations**

##### **5.1 – Search and Governance Committee held on 14 January 2021**

The Chair of the Search and Governance Committee highlighted that the committee had made two recommendations following consideration of the Association of Colleges’ Virtual Governance report; firstly, to incorporate a short, planned break into meetings after one hour and, secondly, that questions and comments raised in ‘Meeting Chat’ to all attendees could be used to support the production of comprehensive and useful minutes. Both recommendations would be incorporated into the online meeting protocol.

##### **5.2 – Standards Improvement Committee held on 25 February 2021**

The Chair of the Standards Improvement Committee commented on a busy and productive meeting. There had been full consideration of the Higher Education Self Evaluation Document (HE SED) including projected HE recruitment with reference to Property Strategy priorities. The five Group Improvement Plans (GIPs) had also been considered in detail, [REDACTED]. There had also been presentations on the Trailblazer programme and from members of the Quality Team.

##### **5.3 – Tees Valley Catering Board held on 12 February 2021**

The Group Executive Director Finance highlighted that, given the challenges of COVID-19, Tees Valley Catering (TVC) performance had been positive, remaining within intercompany loan limits.

##### **5.4 – NETA Board held on 12 February 2021**

The MD NETA also highlighted positive performance at NETA and added that, with the recommencement of commercial activities this week, telephone enquiry levels had been high.

Governors **agreed** the recommendations from the Search and Governance Committee and **noted** that recommendations from the Standards Improvement Committee were covered under Agenda Items 6 and 7.

#### **21/15 Agenda Item 6 – Higher Education Self Evaluation Document**

The College Principal Stockton Riverside College (SRC), also Strategic Lead for Higher Education, presented the previously circulated report, which included the HE SED and development plan as an appendix. She explained that the documents had been considered in detail at the last Standards Improvement Committee meeting and that the committee had recommended approval of the HE SED to the Corporation. Of particular note, there had already been marked improvements in several courses identified as causing concern. The Chair asked the College Principal SRC to pass on thanks to the Programme Area Lead HE for his presentation to the Standards Improvement Committee.

Governors **approved** the 2019-20 Higher Education Self Evaluation Document 2019-20.

## 21/16 **Agenda Item 7 – Group Improvement Plans**

The Group Executive Director Planning and Infrastructure presented the covering report and five GIPs [REDACTED] These had been included in the Governors' Strategic Conference papers and considered in detail by the Standards Improvement Committee at their meeting held on 25 February 2021; the committee had recommended the five GIPs and action plans for approval by the Corporation.

Governors **approved** the Group Improvement Plans 2020-21.

*Mark White left the meeting for Agenda Item 8.1.*

## **Agenda Item 8 – Governing Body Membership and Leadership**

### 21/17 **8.1 – Governing Body Membership**

The Clerk presented the previously circulated paper on Governing Body membership. The Search and Governance Committee recommended the reappointment of Mark White as a governor for a term of office up to 31 July 2022, a term of nine months, to support successful transition to a new Corporation Chair given the impact of COVID-19 on succession planning timescales. She asked governors to note that, due to pressures of work and study, Stacey Durham had resigned from her position as a co-opted member of the Standards Improvement Committee; arrangements would be put in place to seek a further co-opted member for the committee. The Vice Chair commented on the need for continuity and a successful transition given the high profile of the Further Education (FE) sector as a result of the recent White Paper.

Governors **noted** the resignation of Stacey Durham and **agreed** the reappointment of Mark White as a governor for a term of office up to 31 July 2022 in order to support the smooth succession to a new Corporation Chair.

*Mark White re-joined the meeting.*

The Clerk informed the Chair that his reappointment had been agreed and the Chair thanked governors for their trust in him, adding that the extension to his term of office would allow for successful planning and transition for the new Chair.

### 21/18 **8.2 – Corporation Chair role description and appointment process**

The Chair explained that the Corporation Leadership Succession Task and Finish Group continued to take forward the process for appointment of a Corporation Chair and confirmed that he was not a member of the group. On behalf of the task and finish group, Dot Smith explained that the paper and accompanying documents clearly outlined the process and timetable; an internal candidate would be sought in the first instance and candidates were asked to apply using the application form, including a 1000 word personal statement. The expectation would be that a Chair Designate would serve as Vice Chair of the Corporation from 5 September 2021. The timescale also allowed for an external recruitment process if needed.

Governors **agreed** the proposed Corporation Chair role description, **agreed** the recommendations in relation to the timescales and process for appointment of a Corporation Chair 2022-26 and **invited** internal applicants to apply for Corporation Chairship and return applications to the Clerk by 12 April 2021.

**21/19 8.3 – Corporation Chair Appraisal Process 2020-21**

The Clerk outlined the proposed process for the Corporation Chair’s appraisal 2020-21 using the new pilot Chairs’ appraisal tool available through Governance4FE. She added that members of the Search and Governance Committee had trialled the tool and had recommended its adoption for this year.

Governors **agreed** the appraisal process for the Corporation Chair and to complete and return the online questionnaire by the deadline of 6 May 2021.

**21/20 Agenda Item 9 – Calendar of meetings 2021-22**

The Clerk explained that there were no significant changes from the 2020-21 calendar in terms of timing and order of meetings; the cycle of business to support the 2021-22 calendar would be drawn up for consideration at a future Corporation meeting. Consideration would also be given to the location of meetings, including any use of remote meetings.

Governors **agreed** the schedule of Corporation and committee meetings for 2021-22.

**21/21 Agenda Item 10 – Governance Update**

The Clerk highlighted the summary of governor attendance at meetings, which continued to be high, and participation in a wide range of training and development activity and college events. There continued to be a significant national focus on FE at present, as highlighted in Governors’ Digests. A Department for Education slide indicating some key areas for governance, as highlighted in Chapter 4 of the recent White Paper, had been appended and a summary of key areas outlined in the previously circulated paper. The Chair hoped that governors found the Digests useful and added that it was also circulated to co-opted governors, the NETA Board and colleagues at the Association of Colleges.

Governors:

- i) **noted** statistics for attendance at meetings of the Corporation and its committees and other governance events and the continued need to ensure high levels of attendance;
- ii) **noted** governors’ involvement in a range of training and development opportunities, and in college events, and would notify the Clerk of any specific training needs;
- iii) **noted** the update in respect of national governance matters.

**21/22 Agenda Item 11 – Any Other Business**

There were no items of additional business.

**21/23 Agenda Item 12 – 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 1, 2, 3, 6 and 7 which were considered commercial in confidence. Minutes would be made available following approval and consideration at the next meeting.

**21/24 Agenda Item 13 – Date and time of next meetings**

Governor Workshop: Thursday 22 April 2021, 5.30 pm to be held via Zoom

**21/25 Agenda Item 14 - Key Themes**

- Safeguarding update from Interim Group Head of Student Services
- Agreement in principle of the Group Property Strategy and, specifically, the submission of applications to the Further Education Capital Transformation Fund and T Level Capital Fund for the identified projects
- Recommendations from the Search and Governance Committee approved for inclusion in the online meeting protocol
- Approval of the Higher Education Self Evaluation Document 2019-20
- Approval of the Group Improvement Plans 2020-21 (Apprenticeships, English and maths, Student Support, Teaching and Training, and Value Added)
- Reappointment of Mark White as a governor for a term of office up to 31 July 2022 to support the smooth succession to a new Corporation Chair
- Corporation Chair appointment process and appraisal 2020-21 agreed

*(The meeting ended at 6.25 pm)*

**Approved at a remote meeting held on 6<sup>th</sup> May 2021**