

FE Corporation Minutes

Meeting held on Thursday 6th May 2021 at 5.30pm via Zoom

Governors: Stuart Blackett, Subhash Chaudhary, Phil Cook (Chief Executive and Group Principal), Louise Davies (Acting Chair of Finance and Employment Committee; Chair of Corporation Leadership Succession Group), Martin Gray, Katy Ludgate, Rob Mitchell, Richard Poundford (Corporation Vice Chair; Chair of Audit Committee), Dot Smith, Aman Toor, Anne Vickers, Mark White (Corporation Chair) and Gary Wright.

Officials: Phil Blewitt (MD NETA), 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: Sam Beel and Norma Wilburn

Mark White declared an interest in Agenda Item 8 as a member of Unison.

21/26 **Agenda Item 1 – Strategic Update**

The Chief Executive gave a verbal strategic update to governors which focussed on national, regional and local issues; student recruitment; and quality.

Nationally, there had been indications that the government intent was to increase funding for further education (FE) though the bidding process for different funds felt disjointed, with short time frames for applications. He outlined his work as a National Leader for Further Education (NLFE) and recent discussions with Karen Sherry, Regional Director for the Education and Skills Funding Agency (ESFA), on progress since merger with Redcar and Cleveland College (RCC). Regionally, relationships with the Tees Valley Combined Authority (TVCA), particularly in relation to the devolved Adult Education Budget (AEB), remained positive. As part of the Skills Accelerator programme, the North East England Chamber of Commerce was putting together a bid for a Local Skills Improvement Plan (LSIP) Trailblazer and a Strategic Development Fund (SDF) pilot was under development centred around Teesworks. This was in addition to Redcar and Thornaby Town Deals proposals and a further bid to the College Collaboration Fund (CCF) led by the Interim Director of Quality. At a local level, interviews with prospective governors would be held over the coming weeks and the proposal for a Property Strategy / Capital steering group would be taken forward given the importance of developing a flexible, responsive and sustainable estate. He also commented on the support provided by the Chair of the Standards Improvement Committee to the Group Learning Resource Centre (LRC) Manager in developing a Digital Skills strategy.

Student recruitment looked positive, with offers over 30% higher than the previous year; apprenticeships and employer engagement for AEB provision also looked positive. Quality

remained a focus and the Interim Director of Quality was currently confirming the timeline for the self-assessment process for 2020-21. The Chief Executive also commented on the focus on outstanding student experience which had been clearly demonstrated at that morning's Group Management Team (GMT) meeting; the Corporation Vice Chair had attended as an observer. The Corporation Vice Chair agreed that it had been the most rewarding and interesting GMT he had attended and that the sessions on retention of information by learners and the overview of student enrichment pages had been particularly interesting.

A governor asked whether the increase in offers had been as a result of marketing activity and, if so, whether impact could be tracked. The Group Director of Marketing explained that the success of converting applications to offers and subsequent engagement activities had been a result of a more collaborative approach between curriculum and marketing teams, which focused on the student experience; this had been clearly evidenced in Business Planning (BP) meetings. In response to a governor's question about any impact from changing demographics, the Group Director of Marketing explained that demographics had not been analysed in detail, however, the Group had increased overall market share. A governor asked whether this represented a two-year trend in recruitment or whether there had been a dip the previous year due to the uncertainties of COVID-19. The Group Director of Marketing confirmed that recruitment was showing an upward trend over two years and that the energy around recruitment started the previous year had been maintained; a detailed student recruitment update would be considered at the next Finance and Employment Committee meeting.

A governor asked if letters of congratulations would be sent to the successful candidates of that day's elections for Tees Valley Mayor and Cleveland Police and Crime Commissioner (PCC) and the Group Director of Marketing confirmed that letters had been prepared and, in addition, letters of thanks would be sent to the two PCC candidates who had been in to talk with students. The College Principal Stockton Riverside College (SRC) added that one of the Tees Valley mayoral candidates had met with film and TV and ESOL (English for Speakers of Other Languages) students at SRC and, if elected as mayor, had agreed to be filmed by students.

Governors **noted** the Strategic Update.

21/27 Agenda Item 2 – Strategic Statements and Goals 2021-22

The Chief Executive outlined the proposed addition of 'Develop and deliver a capital investment programme to ensure a 'fit for purpose' estate for the future' to the Group's Strategic Goals, which tied into the importance of development of the Group's Property Strategy. He also highlighted the amendments to the Group's Tone of Voice detailed in the previously circulated report; these changes had been initiated by discussions at the Governors' Strategic Conferences in 2020 and 2021 and had stimulated much discussion at the recent Senior Management Team (SMT) Awayday. The Chief Executive emphasised the importance of the Group's Tone of Voice in reflecting what the Group represented to current, and potential, staff and to governors.

A governor commented on the value of defining an organisation's culture and agreed with the addition of celebrating the successes of students, staff and our communities; he added that he would like to introduce something similar in his own organisation. The Corporation Vice Chair confirmed that he and the Corporation Chair had attended the SMT Awayday and agreed that capturing the right nuance regarding celebrating success was vital; he added that the revised wording made explicit what he felt the Group was already doing. He also observed that the

amendments to the Group's Tone of Voice and additional Strategic Goal would help to take Etc. forward.

Governors supported the proposed amendments and **agreed**

- to keep the same Strategic Goals, with one amendment, the inclusion of 'Develop and deliver a capital investment programme to ensure a 'fit for purpose' estate for the future';
- to amend the Tone of Voice as detailed in the circulated paper.

21/28 Agenda Item 3 – Equality and Diversity Annual Report

The College Principal Bede introduced the Equality, Diversity and Inclusion (EDI) Annual Report for 2019/20 and noted that its publication had been delayed this year but would be brought forward in the following year's business cycle. He thanked colleagues for their help in providing content and to the Marketing team for production of the final report. He highlighted the objectives for 2020-21 which would be delivered via an Action Plan. A governor commented that the Group's Tone of Voice could be seen reflected in the EDI report.

Governors **approved** the Equality, Diversity and Inclusion Annual Report 2019-20 for publication on the Etc. website.

21/29 Agenda Item 4 – Safeguarding and Prevent Update

The College Principal Bede, also Strategic Lead for Student Services, highlighted the development of a student-facing hub approach at Stockton Riverside College (SRC) and Redcar and Cleveland College (RCC), giving students welfare and bursary support in a single place; there had already been positive feedback from both staff and students. In terms of identifying risk and caseload reporting, the use of the continuum of need as a framework had been adopted, in line with the approach of statutory partners, and aimed to give a clearer picture of the risk levels of harm to students and to provide interventions complementary to any external support in place. Significant work had been undertaken on the enrichment programme led by the Student Services Manager: Curriculum and Student Support, with the May 2021 programme focusing on mental health. The e-safe trial had been successful and this network monitoring software was now fully operational and provided continuous monitoring of networked and provided devices; examples of reportable incidents had been outlined in the report. Information on the Vulnerable Learners sub-group, Prevent referrals and staffing matters, including statutory training compliance, the Single Central Record and new criminal record filtering rules, had also been included in the previously circulated report.

The Chair reminded governors of their statutory duty for safeguarding and Prevent. A governor reflected on the excellent outcomes for learners identified as at risk through e-safe monitoring; it was important to emphasise the impact of network monitoring and rapid intervention which had prevented these learners becoming statistics. The College Principal Bede added that e-safe could also detect images and key words in different languages. A governor was pleased to note the progress made in real-time information supply with local authorities and offered his personal support should any issues need to be progressed with Redcar and Cleveland Borough Council (RCBC).

Governors **noted** the Safeguarding and Prevent Update.

21/30 Agenda Item 5 – Subcontracting Consultation Update and Governor Guidance

The Group Vice Principal Business, Innovation and Partnerships explained that the ESFA had undertaken a consultation on subcontracting reform in February 2020 in response to some national issues including fraud, malpractice and the use of brokers and subcontracting provision without clear educational rationale. The ESFA had published a response to this consultation in June 2020, with further clarity in their response to the consultation following in March 2021. The initial recommendations and new guidance, including detailed guidance to governors to aid their questioning and understanding and gain assurance that risks arising from subcontracted provision were mitigated and managed, had been reviewed internally and included in appendices to the report. The Group Vice Principal Business, Innovation and Partnerships confirmed that Etc. already had strong processes in place; the new guidance had been reviewed internally against current practice and any actions required had been identified and assigned. An action plan based on the first consultation feedback had been reported to the Finance and Employment Committee and the second action plan, based on the annex giving governor guidance, would be considered at their next meeting. Standards Improvement Committee also now received quality assurance updates in response to recommendations in the first response.

In response to a governor's question, the Group Vice Principal Business, Innovation and Partnerships confirmed that he had no concerns arising from the subcontracting consultation and procedures at Etc.

Governors **noted** the Subcontracting Consultation Update, including points of clarification, and **noted** the new guidance for governors pertaining to subcontracted provision.

21/31 Agenda Item 6 – Estates and Property Update

The Group Executive Director Planning and Infrastructure confirmed that development of the Property Strategy and capital funding bids was progressing as outlined at the previous Corporation meeting. The executive summary, as circulated to governors in advance of funding applications, had been included as a supporting document for the bid submissions to the Further Education Capital Transformation Fund (FECTF) and T Level Capital Fund. He confirmed that the Regional Director for the ESFA had recently visited NETA, where the property issues, alongside the wider work of NETA, had been discussed. All bid submission deadlines had been met and the Group should shortly be informed if second stage plans would need to be submitted to the FECTF by 30 July. An announcement on T Level funding applications would be made at the end of July and, in the meantime, AA Projects continued to work on a full Group Property Strategy, with the aim of creating a better, more sustainable and suitable learning environment capable of delivering high quality education and training.

A governor with project development experience explained that he had discussed progress with the Group Executive Director Planning and Infrastructure in advance of this meeting and was pleased with progress made, including the rationale behind the longer-term strategy for NETA. In response to a governor's question on progress towards establishing a task and finish group, the Chief Executive agreed that this group would be needed to provide detailed consideration and scrutiny of capital developments and agreed to liaise with the Clerk to the Corporation on terms of reference and membership of a Capital Group.

Governors **noted** progress being made in the development of the Group Property Strategy and related capital projects.

21/32 Agenda Item 7 – Quality Update

The Interim Group Director of Quality highlighted key areas from the previously circulated update. The Curriculum Leadership Sharing Best Practice programme had commenced, giving this middle leadership team opportunities to concentrate on curriculum management, sharing best practice and improving poor performance. As part of the programme, the Group Director of HR had delivered a session on difficult conversations and performance management. In preparation for inspection, members of SMT had been undertaking walkthroughs and would be using meet and greet activities to gather student feedback, both to celebrate success and hear about issues before they might escalate. These activities would also prepare students for an Ofsted inspection. The response rates to the parent / carer survey had indicated some issues with parental engagement, partly due to COVID-19, and this would be an area of focus for a working group tasked with developing a parental engagement strategy that was currently being established .

A governor commented on the Business Planning (BP) sessions she had attended last week, one for a curriculum and one for a support services department; she had been impressed by the discussions on intent, implementation and impact, mirroring Ofsted discussions and felt that the BP process reinforced those conversations. It was noted that several governors had recently undertaken learning walkthroughs - Vanessa Housley, Rob Mitchell at RCC and Gary Wright at NETA. The Chief Executive described the process pioneered by Vanessa, a co-opted member of the Standards Improvement Committee, through which follow up visits allowed governors to see progress made following identification of poor practice and identified the value of governors being shown a range of practice in the classroom; he added that governors were fully supported and guided by members of the Quality Team during learning walkthroughs. Rob Mitchell added that his recent visit had allowed him to evidence the improvement journey made at RCC and encouraged all governors to take part in at least one learning walkthrough a year. Gary Wright outlined the opportunity he had had to see the work going on at NETA and to talk to a full range of students, during a recent walkthrough with the Interim Group Director of Quality; he highlighted the example of a former business student redirected to an engineering course who was now thriving. He had been pleased to see the impressive provision at NETA despite the challenges of the building. The Group Director of Marketing commented on recent discussions at a Group Management Team (GMT) session at which staff acknowledged the value of governance providing support and challenge and driving improvement.

Governors **noted** the update on the Group's quality position and feedback from the parent/carers survey.

21/33 Agenda Item 8 – Great Place to Work Strategy Update

The Group Director of HR outlined progress on the Great Place to Work Strategy, a summary of which had been included in the meeting papers; she added that additional regular reports were considered through the Finance and Employment Committee. Highlights of the staff survey 2020 had been included and departments would be reporting on the impact of staff survey feedback at Performance Review (PR) 9. As reported by the Interim Group Director of Quality, the HR service had worked with the Quality Team to deliver staff training on performance management and difficult conversations in order to drive performance improvements. Health and well-being had become increasingly important over lockdown periods and resources on the Gateway had been further developed, with the 24/7 Employee Assistance Programme receiving positive feedback. A staff welfare group shared best practice and the HR team had been delighted to achieve the Better

Health at Work Gold Award; an action plan, including further development of health advocates, was in place to achieve the next level, Continuing Excellence. Staff attendance levels continued to be monitored daily and, following discussion at the recent SMT Awayday, a Homeworking pilot would be trialled during May / June to highlight any unintended consequences. Employee relations and engagement with the Group's recognised trade unions on policies and procedures and through the Joint Consultation and Negotiation Committee (JCNC) remained positive. Data on staff turnover had been provided at governors' request and the Group Director of HR confirmed that it was in line with forecasted levels. The deadline for Gender Pay Gap reporting had been extended to 5 October 2021 by the Equalities and Human Rights Commission (EHRC) and would be considered at the next Finance and Employment Committee meeting.

Governors asked the Group Director of HR to pass on the Board's congratulations to the HR Team on their success on achieving the Better Health at Work Gold Award.

A governor commented on the opportunity for flexible working arrangements to allow staff to work differently but asked if some staff at Etc. would have less opportunity to work from home. The Group Director of HR agreed that the effective delivery of the organisation's core business did have an impact on the ability of some staff to work flexibly and that the pilot, taking place in a department with a mixture of academic and support staff, aimed to identify the benefits, for example being able to tap into a wider recruitment pool, and any unintentional consequences such as staff division. It was **agreed** that the Finance and Employment Committee should receive updates on the homeworking pilot.

A governor commented that staff turnover was higher when benchmarked against his own organisation and asked if 'regretted' leavers were tracked. The Group Director of HR explained that leavers were encouraged to complete a set of exit interview questions in which they could highlight any contentious issues which would then be discussed with college principals; she added that such incidents were rare.

Governors **noted** the Great Place to Work update.

21/34 Agenda Item 9 – Finance Update including progress against Restructuring Fund Key Performance Indicators

The Group Executive Director Finance confirmed that the next submission for Restructuring Fund (RF) monitoring would be made to the ESFA by the end of May and was currently in the process of being updated and finalised; a response from the ESFA on the business case submitted in January 2021 was awaited. She added that the Integrated Financial Model for Colleges (IFMC) was due to be replaced by the College Financial Forecasting Return (CFFR) for submission by 31 July, with the model due to be released shortly.

In response to a governor's question, the Group Executive Director Finance confirmed that there were no areas of concern. The Acting Chair of the Finance and Employment Committee also confirmed that the committee had been kept updated, including the business case rationale for building cash reserves, and that the committee had been assured by the thoroughness of the submissions by the Group Executive Director Finance.

Governors **noted** the update.

21/35 Agenda Item 10 – Corporation minutes and actions

10.1 – To agree minutes of a Corporation meeting held on 4 March 2021 and receive notes of presentations

Minutes of a meeting held on 4 March 2021 were formally **approved** as an accurate record of the meeting.

10.2 – To receive notes of a Governors' Workshop held on 22 April 2021

Governors **received** notes of a Governors' Workshop held on 22 April 2021.

10.3 – To consider any matters arising and outstanding actions

The Clerk confirmed that all actions due had been completed and, in particular, thanked governors, all of whom had now completed the Chair's appraisal. Progress against actions was **noted**.

10.4 – Chair's Action

The Clerk outlined the use of Chair's action to approve an amendment to the Learner Support Fund Policy as permitted in the Corporation's Standing Orders; she added that the Corporation Chair had consulted the Acting Chair of the Finance and Employment Committee who had confirmed her approval and that a delay could have disadvantaged learners.

Governors formally **noted** the use of Chair's action to agree an amendment to the Learner Support Fund Policy on 23 March 2021.

21/36 Agenda Item 11 – Committee / subsidiary board minutes and recommendations

11.1 – Audit Committee held on 11 March 2021

The Chair of the Audit Committee reported on the key themes of the meeting, commenting on the particularly interesting and useful discussion on risk appetite and culture, at the suggestion of a committee member.

11.2 – Finance and Employment Committee held on 18 March 2021

The Acting Chair of the Finance and Employment Committee reported on key themes and noted that subcontracting and HR issues had also been discussed during this Corporation meeting.

11.3 – NETA Strategy morning held on 19 March 2021

The MD NETA reported on a positive strategy session that had reflected on NETA's journey so far and plans for the future. He added that Sian Cameron, the NETA Centre Support Manager, had recently been made a Freewoman of Hartlepool in recognition of her work for the Poppy Appeal; it was **agreed** that the Chair write to congratulate her on behalf of the Board.

Governors **noted** feedback from committee and subsidiary board meetings and **agreed** the recommendations from the Finance and Employment Committee on revised subcontracting levels and a new contract with NC Group Ltd for delivery of ESFA and Adult Education Budget (AEB) funded programmes in Health and Safety and Business Improvement Techniques.

Agenda Item 12 – Governance Issues

21/37 12.1 – Governance Documentation

The Clerk confirmed that governors were asked to reaffirm their commitment to the Code of Conduct for Governors annually; no updates had been made to the Code since governors last reviewed it in July 2019 and it was issued to all governors on appointment and available in the 'Knowledge' section of BoardPacks. Updates to the Standing Orders included some changes to terminology in section 15, amendments to sections 20 and 21 and the inclusion of Appendix C, Remote meeting protocol. Two minor amendments to the calendar of meetings for 2021-22 had been proposed and diary invites would be issued in due course. A role description for Link Governor for T Levels had been circulated and governors were asked to agree to appoint Anne Vickers and Mark Wilson, a NETA Board member, as link governors.

Governors:

- i) **reaffirmed** their acceptance of the Code of Conduct for governors;
- ii) **agreed** the proposed changes to the Standing Orders;
- iii) **agreed** the updated calendar of meetings for 2021-22;
- iv) **agreed** to appoint Anne Vickers and Mark Wilson as link governors for T Levels and **agreed** the proposed role description.

21/38 12.2 – Governance Update

The Clerk thanked governors for their attendance at meetings and involvement with other engagement and training opportunities, many of which had been discussed during the meeting. National governance issues had been shared with governors via the regular Governors' Digest; the implications for governance in response to the White Paper Skills for Jobs: Lifelong Learning for Opportunity and Growth had been included in the previously circulated report and the revised Post 16 Audit Code of Practice would be discussed in detail at the next Audit Committee meeting.

Governors **noted** attendance at meetings of the Corporation and its committees and other governance events; involvement in a range of training and development opportunities and college events; and the update in respect of national governance matters.

21/39 Agenda Item 13 – Any Other Business

The Clerk informed governors that Ethan Harper, the student governor studying at RCC, had taken up a temporary post with Student Services and asked governors to **agree** a leave of absence for his period of employment, up to a maximum of six months. She added that he would be continuing his studies at RCC in 2021-22.

21/40 Agenda Item 14 – 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, 7, 8, 9 and 14 which were considered commercial in confidence. Minutes would be made available following approval and consideration at the next meeting.

21/41 Agenda Item 15 – Date and time of next meeting

FE Corporation meeting: Thursday 1 July 2021, 5.30 pm – potentially in person (Redcar and Cleveland College Board Room); alternatively Zoom link would be issued subject to government

guidance. The Chair noted that the 1st July meeting would be the Corporation Vice Chair's last prior to his retirement as a governor on 4th September.

21/42 Agenda Item 16 - Key Themes

- Agreed additional Strategic Goal on capital investment and amendments to the Group's Tone of Voice;
- Approved the Equality, Diversity and Inclusion Annual Report 2019-20 for publication;
- Considered an update on the ESFA's subcontracting consultation and new guidance for governors on subcontracted provision;
- Received quality update, including verbal feedback from governors on recent learning walkthrough activity;
- Agreed recommendations from the Finance and Employment Committee on revised subcontracting levels and a new contract with NC Group Ltd;
- Reaffirmed acceptance of the Code of Conduct for governors, agreed proposed changes to the Standing Orders, agreed calendar of meetings for 2021-22 and appointed Anne Vickers and Mark Wilson as link governors for T Levels;
- Noted Russ McCallion's resignation as a Corporation member and a leave of absence request from Ethan Harper, student governor for Redcar and Cleveland College.

Phil Blewitt, Jason Faulkner, Lesley Graham, Phil Hastie, Erika Marshall, Gary Potts, Ben Robinson, Fiona Sharp, Kay Taylor and Peter Wood left the meeting.

21/43 Agenda Item 17 – Corporation Leadership Succession (discussion confidential to governors)

Stuart Blackett left the meeting.

The Corporation Chair noted that he had not been involved in the process of Corporation Leadership Succession. The Chair of the Corporation Leadership Succession Group confirmed that one internal application had been received for the post of Corporation Chair, from Stuart Blackett; the application had been comprehensive and the interview process rigorous. She added that Stuart Blackett had presented a clear vision of his approach to chairship and that his ideas and tone reflected the Group's Tone of Voice. She confirmed that the Corporation Leadership Succession Group had been unanimous in recommending Stuart Blackett's appointment as Corporation Vice Chair and Chair Designate from 5 September 2021, with a view to appointment as Corporation Chair 2022-26. A member of the Corporation Leadership Succession Group confirmed that the appointment process had been rigorous and that written references, included in the meeting papers, had also been considered.

A governor, who had not been a member of the task and finish group, expressed his pleasure that Stuart had applied and felt that his commitment to Etc. was very clear. The Chief Executive added that he had acted as an adviser throughout the process and that, as a current and practising business leader, Stuart would bring these key attributes to the role; he confirmed that Stuart had carefully considered the time commitment required. The Chief Executive also proposed a communications strategy for the Vice Chair appointment; the outgoing and incoming Vice Chairs would be consulted on final arrangements. An announcement about Corporation Chairship would follow, probably in Spring 2022.

Governors unanimously **agreed** the recommendation of the Corporation Leadership Succession Group that Stuart Blackett be appointed as Corporation Vice Chair and Chair Designate with effect from 5 September 2021, with a view to appointment as Corporation Chair 2022-26.

Stuart Blackett re-joined the meeting.

The Corporation Chair congratulated Stuart on his appointment and added that governors had had a very positive discussion about his appointment. Stuart thanked governors and felt immensely proud to be given this opportunity. He confirmed that he would be giving up his other current non-executive role and that his organisation and the Chair of his organisation's board had both supported his application.

(The meeting ended at 7.10 pm)

Approved at a remote meeting held on 1 July 2021