



## FURTHER EDUCATION CORPORATION MEETINGS 2018/19

### MINUTES OF THE FURTHER EDUCATION CORPORATION MEETING

Held at 5pm on Monday 15<sup>th</sup> July 2019

Nelson and Colne College, Boardroom

**Members present:** Stephen Barnes (Chair), Rob Pheasey, Amanda Melton (Principal), Mike Phelan, Nadeem Rashid, Phil Wilkinson, Jane Cleaver, Stephanie Bridgeman, Brian Fisher, Emma Schofield, Tim Webber MBE, Hayley Duckworth, Tom Gee, Lee Burton, Steve Hughes

**In attendance:** David Rothwell (Deputy Principal – Finance and Resources)  
Tracey Baron (Deputy Principal – Curriculum and Quality)  
Alison Rushton (Vice Principal – HE, Adult Learning and Apprenticeships)  
Sam Mercer (Assistant Principal – Planning and Performance)  
  
Debbie Corcoran (Clerk to the Corporation)

<b>Item 1.</b>	<b><u>Welcome and Apologies for Absence</u></b>
	Attendees were welcomed and introductions made. Apologies for absence were received and accepted from David Whatley and Helen Khan. It was noted that Rob Pheasey would be in attendance later.
<b>Item 2.</b>	<b><u>Declarations of Interest</u></b>
	Members and officers present declared they had no interests, personal, fiduciary, or otherwise in any item on the open agenda for the meeting, with the exception of item 6.2 an update on Pendle Education Trust (PET) with the following attendees noted as being a Trustee (David Whatley) of the PET, a Member and Trustee (Amanda Melton and Rob Pheasey), or Members (Mike Phelan, Debbie Corcoran and David Rothwell).
<b>Item 3.</b>	<b><u>Minutes of the Previous Meeting (15<sup>th</sup> May 2019)</u></b>
	<i>Submitted: 'Minutes of the Board of Corporation Meeting held on 15<sup>th</sup> May 2019' (circulated in Board papers)</i>  The Minutes of the Board of Corporation Meeting held on the 15 <sup>th</sup> May 2019 were reviewed and agreed as an accurate record, for the signature of the Chair.
<b>Item 4.</b>	<b><u>Matters Arising</u></b>

- The Clerk tabled a mapping of the College's approach against the FE Commissioner's 10 characteristics of effective Colleges, produced with the Principal, as requested at the last Board meeting. Members considered the mapping and evidence, and welcomed the assurance given on the College's current approach
- The Clerk shared the resignation of Helen Khan, due to work commitments, and shared her message of support and thanks to the Corporation. The Chair and members recognised her commitment and valued input to the Board and Committees while a Governor. The Clerk was asked to review Helen's role on Committees and lead areas, to support continuity.
- The Chair thanked Hayley Duckworth (Staff Governor – Nelson) for her input and support to the Board, and wished her well in her next steps after leaving the College for a new role in the next week. Members agreed that as the Staff Governor elections had been recent, to appoint the candidate with the highest number of votes after Hayley, to the resulting vacancy for 'Staff Governor – Nelson'.

**Resolved: To appoint as 'Staff Governor – Nelson', the applicant in the recent elections with the highest number of votes, following Hayley Duckworth's resignation**

**Item 5.**

**Governor insight – Careers Strategy**

*Presentation in the meeting*

Leyanne Fitzmaurice (Director Learner Services) presented slides in the meeting introducing the Government Careers Strategy, setting out the expectations placed on Colleges and the framework in place in the College to respond. Key points covered and discussed included:

- The national policy framework for careers education, including the Gatsby benchmarks, the expectation the benchmarks will be met by the end of 2020 and the College's strategy and current position, supported by self-assessment
- Role and responsibilities of the Careers Enterprise Company, Careers Enterprise Co-ordinator, Careers Leader (Wendy Higgin) and the newly appointed Careers Advisor for the College – Stephanie Bridgeman (Governor) who will be using her knowledge of the local business landscape to support the Principal, Careers Leader or Careers Team to develop an effective careers plan and to create opportunities with business contacts in the area for our College's students
- Confirmation in Ofsted's new Education Inspection Framework (EIF) that inspection will take into account how well Colleges provide an effective careers programme that offers advice, experience and contact with employers to encourage learners to aspire, make good choices and understand what they need to do in order to reach and succeed in their chosen career
- The importance of the Matrix standard for quality careers advice and guidance, and the Group's commitment to achieve Matrix standard by October 2019

Governors discussed the 'success criteria' for the Group's approach, and how it contributes to learners achieving positive destinations. Their questions were

	<p>answered and clarification given. Members thanked Leyanne Fitzmaurice for the informative update.</p> <p>Rob Pheasey entered the meeting.</p> <p><b><u>Resolved:</u> To receive and note the overview and update on the Group’s approach to implementing the Government’s Careers Strategy</b></p>
<p><b>Item 6.</b></p>	<p><b><u>Annual Updates</u></b></p> <p><b>6.1 Annual Safeguarding and Prevent Report</b>  <i>Submitted: Report (circulated in meeting papers)</i></p> <p>Leyanne Fitzmaurice (Director Learner Services) presented summary slides to draw out key points and information from the Annual Safeguarding and Prevent Report included in papers. The aim of this update and annual report is to refresh knowledge and understanding of safeguarding within an FE context, including the roles and responsibilities that Governors should undertake to ensure effective practice and outcomes. It also provides an opportunity to share progress and impact data related to safeguarding and identify areas for development.</p> <p>Governors were updated in the following areas:</p> <ul style="list-style-type: none"> <li>• The legal framework for safeguarding and Prevent, including discussion of the Group’s updated ‘Child Protection and Vulnerable Adults Policy’ and complementarity with the Lancashire framework of the Lancashire Safeguarding Children Board</li> <li>• Key guidance documents and their contents and implications for Colleges and Governor’s roles and responsibilities – through documents and policy such as ‘Working Together to Safeguard Children’ 2018 and ‘Keeping Children Safe in Education (2018)</li> <li>• The Prevent Duty set out in the Counter Terrorism Act 2015, the required approach to support British Values and responsibilities under the Equality Act 2010 covering student welfare, equality and diversity and the safety of students and staff</li> <li>• Progress to date in safeguarding and Prevent was shared with Governors, and discussed to ensure full compliance and good practice – including sharing of learner voice</li> <li>• Mandatory learning and development for Governors in safeguarding and Prevent was explained and would continue to be accessed and completed by Governors to support deeper learning in this area</li> </ul> <p>Governors noted that in 2018/19 to-date, there has been 2,568 recorded safeguarding interventions across the merged College and new Group, provided to 740 unique students - an increase when compared to the total number of interventions (2,478) reported at the end of the previous academic year (2017-18). Governors sought assurance of support for looked after children, with it being confirmed that of the 740 unique students supported, 60 are categorised as Looked After Children or Care Leavers - the most vulnerable to risk associated to both safeguarding and achievement. Governor’s welcomed that retention for Looked After and Children in Care is currently 95.4% at the Nelson campus and 97% at Accrington</p>

	<p>campus, a significant improvement of 13.8% and 7.9% as reported at the end of 2017-18 and bringing them in line with peers (96.5%).</p> <p>Following an active discussion, Leyanne Fitzmaurice was thanked for her update and input, and left the meeting.</p> <p><b>Resolved CG 17/18 91: That the Corporation receive the annual report and update on safeguarding and Prevent, continuing to access mandatory learning and development to support their understanding</b></p> <p><b><u>6.2 Pendle Education Trust (PET)</u></b>  <i>Submitted: Report (circulated in meeting papers)</i></p> <p>Amanda Melton (Principal) presented the paper, produced by Anita Ghidotti (Executive Director (HR) and Chief Executive – Pendle Education Trust.)</p> <p>The report updated the Corporation on the development and latest position of Pendle Education Trust (PET) which is sponsored by the Group. Updates included: the Trust Board structure and staffing; branding; the Group’s role as sponsor; the story so far; national policy context and the Trust’s growth strategy. An update was given in relation to in-year Ofsted inspections of schools within the Trust.</p> <p>The Corporation discussed the report, asked questions and their queries were answered. An annual update for the Corporation on the Trust was agreed, given the Group’s role as sponsor. The Board welcomed the report, thanked the Trust for the update and acknowledged their continued success and development.</p> <p><b>Resolved: That the Board receive the report on the Pendle Education Trust (PET) and request an annual update</b></p>
<p><b>Item 7.</b></p>	<p><b><u>Corporate and governance items</u></b></p> <p><b><u>7.1 Principals Report</u></b>  <i>Submitted: Report (circulated in meeting papers)</i></p> <p>The Principal presented the report, welcoming questions and comments. Key updates and discussion included: applications for full-time programmes in 2019/20 to-date, the outcomes from Curriculum Performance Reviews (CPRs) and areas of risk, brand development of the new Nelson and Colne College Group, organisational development and re-structure, the alignment of HR terms and conditions, review of staffing structures, progress with the Independent Commission and Four Nations Colleges Alliance, T levels, plus national consultations.</p> <p>In relation to 2019/20 full-time applications, the Board were concerned to note that applications are -6.1% at Nelson and Colne College and -24.9% in Accrington and Rossendale College compared to this point in 2017/18. There has been 70 fewer 16-18 full-time applications from Pendle Schools. Members asked for assurance of actions being taken to understand and address this this year where possible, to convert applications to starts and to understand any financial implications and action needed to finesse marketing and messages. <a href="#">It was agreed</a> that the next Board meeting will receive a report with detailed analysis of 16-18 market opportunities and recruitment, and an action plan for improvements, including consideration of branding and marketing.</p>

Governors were assured of the effective implementation of the Group's new vision and values at each campus post-merger. The updated SLT structures and roles were noted, with the Principal thanking the HR team for their work with staff to align terms and conditions.

The Board asked the Principal to share their congratulations with Level 3 BTEC Sport and Exercise Sciences student Dominika Bzdon recently named as the national BTEC Sport Student of the Year – also recognising Dominika's achieving Triple Distinction\* in her studies and being crowned the College's Extracurricular Champion having taken part in dozens of sessions across approximately 20 different activities.

The Principal was thanked for the informative update.

**Action:** That the first Corporation meeting of 2019/20 receive a report on the strategy for 16-18 recruitment including an updated position and any necessary actions for improvement, considering branding and marketing post-merger

**Resolved:** To receive and note the Principal's report

**Resolved:** For the Corporation to receive a report on the strategy and position on 16-18 recruitment, and update on the Group's broader marketing and branding approach

## **7.2 Key Performance Indicators (KPIs)**

*Submitted: Report (tabled in the meeting)*

Sam Mercer (Assistant Principal) presented the report which offered an in-year update on the Group's performance against the KPIs set for 2018/19 with the Board, focusing at this point on student numbers, attendance, retention, finance and workforce.

Discussions focused on:

- **KPI 1.2 No of Apprentices in learning** – Accrington: update to be provided in future Board KPI updates, and following analysis of starts and impact of transfer of Accrington Apprentices to Nelson ILR in-year
- **KPI 1.3 and KPI 1.4 16-18 Student Numbers** – analysis and action plan required, agreed above under item 7.1
- **KPI 1.5 and 1.6 HE student numbers** – noted that ambition unlikely to be realised, but 2018/19 recruitment is growth on previous year (+18 learners at Nelson and +60% Accrington compared to 2017/18)
- **KPI 2.1 and 2.2 attendance** at both campuses – action agreed under item 9.1 below for additional Board assurance
- **KPI 7.1 staff utilisation** – Board noted and assured that 2 areas of low utilisation have been dis-continued in 2019/20 and actions are in place for 2019/20 to improve utilisation in 1 area at Nelson and 4 in Accrington

	<ul style="list-style-type: none"> <li>• <b>KPI 6.7 – financial covenants compliance</b> – Board briefed and to be updated as appropriate</li> </ul> <p>Board discussed that in-year performance data had been shared and reviewed with Quality and Curriculum Committee in relation to GCSE English and maths (KPI 4.1-4.4), achievement (KPI 5.1-5.6) and retention (KPI 3.1-3.4), with Committee minutes systematically shared to update Board, as well an annual Board KPI agreed. <u>It was agreed</u> for the Assistant Principal and Clerk to review the 2019/20 KPI framework and process so there is easier visibility at Board level and reporting in-year of provisional and forecast performance position to support direct Board assurance.</p> <p><u>It was agreed</u> that the workforce section of the current KPI framework will be reviewed and strengthened for 2019/20 to be broader than staff utilisation and staff satisfaction, and also consider key indicators at Board level of turnover, sickness, vacancies etc.</p> <p>The Corporation Chair and Committee Chairs will meet together ahead of the first Board meeting of 2019/20 to consider priorities at Corporation and Committee level, reporting and oversight.</p> <p><b><u>Resolved:</u> To receive and note the Key Performance Indicator (KPI) position</b></p> <p><b><u>Resolved:</u> 2019/20 KPI framework to ensure timeliness and visibility of key curriculum performance indicators such as English and maths, achievement and retention in-year at Board level, and also consider additional workforce indicators</b></p> <p><b><u>Resolved:</u> 2019/20 planning meeting between Corporation and Committee Chairs ahead of September 2019 Corporation meeting</b></p> <p><b><u>7.3 Governance Report</u></b></p> <p><i>Submitted: Report (circulated in meeting papers)</i></p> <p>The Clerk to the Corporation presented her report which confirmed the resignation of Mr McKnight as a co-opted member of the Audit Committee, with a message shared from Mr McKnight to the Board by the Clerk. The Board asked that their thanks and best wishes be passed to Mr McKnight. <u>It was agreed</u> for the Clerk and Chair of Audit Committee to progress recruitment of a new co-opted member of Audit Committee, with the Clerk sharing 2 expressions of interest received.</p> <p>The Board noted the report’s confirmation of the application of the College Seal since the last Corporation meeting to a contract between the College and Pearson Fraser for construction and refurbishment works at Accrington and Rossendale College totalling £456,766.22</p> <p><b><u>Resolved:</u> To receive the Governance Report and note the application of the College Seal</b></p>
Item 8.	<p><b><u>Finance and Audit</u></b></p> <p><b><u>8.1 Finance and Audit Summary Report</u></b>  <i>Submitted: Report (circulated in meeting papers)</i></p>

David Rothwell (Deputy Principal) presented the summary report, which included minutes from the 25<sup>th</sup> June 2019 Finance and Resources Committee meeting and related recommendations from the Committee to the Board.

**The Board reviewed recommendations from Finance and Resources Committee and resolved to:**

- **Receive and note the minutes from the 25<sup>th</sup> June 2019 Finance and Resources Committee meeting**
- **Note the current position in relation to Restructuring Facility (RF) as set out under agenda item 6 of the Finance and Resource Committee's minutes, and Committee scrutiny of this**
- **Approve revised authorisation levels and thresholds following merger, for the start of the new academic year**
- **Approve the Value for Money Policy**

Finance and Resource Committee's recommendations to the Board in relation to approving the draft revenue budget for 2019/20, and proposed finance objectives (to July 2021) were considered under agenda item 8.3 today, and agreed.

**8.2 Finance Report**

*Submitted: Report (circulated in meeting papers)*

David Rothwell (Deputy Principal) presented the Finance Report, which included management accounts for the 10 months to the end of May 2019. The Board noted that financial performance in 2018/19 to-date is better than the projected position in pre-merger planning. The risk of potential clawback to ESFA at the end of 2018/19 if delivery is outside of the acceptable tolerance was reviewed, and it was confirmed that potential clawback had been budgeted for. The Deputy Principal recognised the Finance Team for their hard work to ensure effective budgetary management.

Summary position was confirmed as:

- Reported underlying performance in the period is a surplus of £885k (reported before Restructuring Fund related income and expenditure and staff restructuring costs)
- Year to date (ytd) reported underlying operating position is deficit of £547k, which compares favourably to the expected £44k deficit profiled in the November outturn forecast
- EBITDA surplus ytd is £1,746k surplus compared to the profile position of £339k surplus
- Solvency and working capital position: current ratio is 3.1, up from 2.9 last month, with cash and investment balances standing at £11,114k (130 days)
- The staffing establishment remains similar to last month – 567 fte. This is reduced from 593 in July 2018 and less than the 593 average forecast in November
- Overall in year computed financial health grade is 'good'

- Covenant compliance – technical review of covenants to be conducted due to in year exceptional items but full compliance is expected
- Capital expenditure ytd is £950k

The Deputy Principal was thanked for the report, and the Board asked for their thanks and recognition to be shared with the Finance Team.

### **8.3 Annual Budget and 2 year financial forecast**

*Submitted: Report (circulated in meeting papers) and summary slides presented in the meeting*

David Rothwell (Deputy Principal) presented the report and summary slides on the Annual Budget for 2019/20 and 2 year financial forecast. The Deputy Principal thanked the leadership team for their input in their development, particularly Sam Mercer (Assistant Principal – Planning and Performance) and Claire Jarvis (Assistant Principal – Finance and HR).

The Board reviewed and approved the commentary supporting the College’s 2018/19 annual budget and two year financial forecast 2019/21. Discussion and scrutiny included consideration of context, planning assumptions, margin analysis and financial KPIs. The Board then **resolved to:**

- **Note the College’s projected outturn financial performance for 2018/19 and financial position as at 31 July 2019**
- **Approve the proposed annual budget for 2019/20 and year 2 financial forecast for 2019/20 - 2020/21 and the material assumptions used in their preparation, agreeing for the Principal’s statement to be signed and plans returned to ESFA for the 31 July 2019 deadline**
- **Approve medium term strategic financial objectives (to July 2021) for the College**
- **Approve the key risk areas and sensitivity analysis considering the potential effect on the financial forecast of variations from the central assumptions**
- **Approve the financial health self-assessment of the College.**

The Board noted the risks in covenant compliance and need for close management. It was recognised that the draft required some further work and strengthening prior to submission (deadline date 31 July 2019) and approval at this stage was contingent on that finessing.

The Board thanked the Deputy Principal and leadership team for their sound management and hard work throughout the year and in the development of the plan and forecast.

**Item 9.**

### **Quality and Curriculum**

#### **9.1 Quality and Curriculum Report**

*Submitted: Report (circulated in meeting papers)*



Tracey Baron (Deputy Principal) presented the report, which included the minutes from the Quality and Curriculum Committee meeting of 19<sup>th</sup> June 2019. Key areas of progress or concern were highlighted and reviewed by the Board, and actions given to secure improvement, including:

- Quality of teaching and learning (Accrington) – including challenges identified through learning walks and lesson observations, and moderation of the quality of teaching, learning and assessment; support from an external consultant supporting development of a quality improvement plan for counselling and the need to ensure consistent follow-up of learners at risk of not achieving
- Quality of teaching and learning (Nelson) – focused attention for improvement in Public Services provision the course through revised course content providing clearer links to intended destinations, changes in leadership to support a more academic focus - plus actions to further improve A level progress, retention and value added
- Apprenticeships
- English and mathematics – focused work to improve learner voice and learner progress at Accrington, with the predicted out-turn currently being below the Group's target for the campus
- Retention – with a positive position against the KPI noted
- Attendance
- An update on leadership development and the professional development of teachers and trainers
- The new Education Inspection Framework (EIF)

The Board asked for additional assurance on the strategy to address attendance being below target (as set out in the KPI report, agenda item 7.2 above). Members welcomed that attendance will continue to be a strategic area for improvement in 2019/20, with additional measures put in place. The Deputy Principal explained that a revised and more wide ranging attendance policy and procedures is ready for communication and introduction at the start of the academic year, with new MIS reports not only disaggregated by division but by level so the leadership team has a more informed view on the attendance of learners across the levels in the Foundation Division, with attendance below level 3 a particular area of challenge for attendance.

It was agreed that the next Board meeting will include an update on progress made against the key areas where there are concerns and assurance given of progress and impact, or revised plans and strategies to secure improvement where needed. The Board recognised and valued the scrutiny of the Quality and Curriculum Committee at finer grain level, and their introduction of increased scrutiny through 'deep-dives' at the Committee. There must be 'no surprises' on performance, and clear tracking of actions agreed at Board to secure improvement where needed.

The Associate Principal was thanked for the frank and comprehensive update.

Minutes were received from the ACL Advisory Board meetings of the 29 March 2019 and 5 July 2019, for Board assurance (agenda item 9.2), with the Committee Chair (Phil Wilkinson) highlighting any key areas of risk or issues for Governor awareness.

**Resolved: To receive and note the Associate Principal's update on Quality and Curriculum**

	<p><b><u>Resolved:</u> To receive and note the minutes from the Quality and Curriculum Committee meeting of 19<sup>th</sup> June 2019</b></p> <p><b><u>Resolved:</u> To receive and note the minutes from the ACL Advisory Board meetings of the 29 March 2019 and 5 July 2019</b></p> <p><b><u>Resolved:</u> For the Board to receive an update at the next Corporation meeting on key areas of concern related to the quality of teaching, learning and assessment in campus-based subjects; English and mathematics and the value added score for A levels</b></p> <p><b><u>9.3 Higher Education (HE) Access and Participation Plan 2020-21 to 2024-25</u></b>  <i>Submitted: Report (circulated in meeting papers)</i></p> <p>Alison Rushton (Vice Principal) presented the report and draft Higher Education (HE) Access and Participation Plan 2020-21 to 2024-25. The Board noted that the draft plan sets out how the Group will improve equality of opportunity for underrepresented groups to access, succeed in and progress from higher education – including our ambition for change, plans to achieve that change, targets set accordingly and necessary investment. The Board noted a draft had been discussed by the Group’s Academic Board, which is a sub-Committee of and reports into, the Corporation’s Quality and Curriculum Committee, with a final draft version approved by a sub-group of Academic Board members.</p> <p>Following review, the Board approved the draft Plan and its submission to the Office for Students (OfS). <a href="#">It was agreed</a> that the Plan will be monitored by the Academic Board, with overview and scrutiny of this by the Corporation’s Quality and Curriculum Committee through reports and updates at Committee meetings.</p> <p><b><u>Resolved:</u> To receive and approve the Higher Education (HE) Access and Participation Plan 2020-21 to 2024-25</b></p> <p><b><u>Resolved:</u> Delivery of the Higher Education (HE) Access and Participation Plan 2020-21 to 2024-25 to be monitored by the Academic Board, with overview and scrutiny of this by the Corporation’s Quality and Curriculum Committee through reports and updates at Committee meetings</b></p>
Item 10.	<p><b><u>AOB</u></b></p> <p>There were no items of AOB.</p>
Item 11.	<p><b><u>Reflections of the meeting and fit with values</u></b></p> <p>Members considered today’s meeting, decisions and ways of working against the Group’s values. It was agreed that the meeting had been open and transparent, with key issues and concerns brought to members attention. The Board had been clear on additional assurance and updates needed at both Board and Committee level.</p> <p>With this the Chair brought the meeting to a close, thanking all attendees for their contributions this evening and their support throughout the 2018/19 academic year.</p>

**Debbie Corcoran  
Clerk to the Corporation**

**Signed as an accurate record:.....(Chair of Corporation)**

**Name:.....Date:.....**