

**FURTHER EDUCATION CORPORATION MEETINGS 2019/20**

**MINUTES OF THE FURTHER EDUCATION CORPORATION MEETING**

**Held at 5pm on Monday 3rd February 2020**

**Nelson and Colne College, Boardroom**

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| **Members present:** | Stephen Barnes (Chair), Phil Wilkinson (Vice Chair), Amanda Melton (Principal), Mike Phelan, Nadeem Rashid, Jane Cleaver, Stephanie Bridgeman, Emma Schofield, Tom Gee, David Whatley, Rob Pheasey, Will Cook, Waheeda Khatun, Abby Shand, Lee Burton |
| **In attendance:** | David Rothwell (Deputy Principal – Finance and Resources)  Alison Rushton (Vice Principal – HE, Adult Learning and Apprenticeships)  Sam Mercer (Assistant Principal – Planning and Performance)  Claire Jarvis (Assistant Principal – Finance and HR)  Fionnuala Swann (Assistant Principal – Academic Curriculum)  Debbie Corcoran (Clerk to the Corporation) |

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| **Item 1.** | **Welcome and Apologies for Absence** |
|  | Stephen Barnes (Chair) welcomed everyone to the meeting, and introductions were made. Abby Shand was warmly welcomed to her first meeting as a new Student Governor. Apologies for absence were received and accepted from Steve Hughes and Tim Webber MBE.  It was noted that the agenda had been updated to increase time available for the items on Apprenticeships and finance, given their importance. |

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| **Item 2.** | **Declarations of Interest** |
|  | Members and officers present declared they had no interests, personal, fiduciary, or otherwise in any item on the open agenda for the meeting. |
| **Item 3.** | **Minutes of the Previous Meeting (9th December 2019)** |
|  | *Submitted: ‘Minutes of the Board of Corporation Meeting held on 9th December 2019’ (circulated in Board papers)*  The Minutes of the Board of Corporation Meeting held on the 9th December 2019 were reviewed and agreed as an accurate record, for the signature of the Chair. |
| **Item 4.** | **Matters Arising** |
|  | There were no matters arising. |
| **Item 5.** | **Insight session – intent and impact**  Tracey Baron (Deputy Principal – Quality and Curriculum) presented the item, designed to maximise the Board’s ongoing input and contribution to the strategic intent of the Group’s curriculum offer.  The last Board meeting had received an update from the Principal on strategic intent, which had been developed with Board contributions and feedback. It was recognised that the Board is engaging on the development of intent throughout the year, with excellent examples being the contribution of Tim Webber MBE in construction, Nadeem Rashid in the development of new provision around law, protective services and justice and Jane Cleaver in creative and media. To support further links, Governor’s completed pledge cards setting out how they can further contribute to curriculum intent and share their expertise and insight. It was agreed that these will be followed up by the Clerk and leadership team, and further links made. Governors were also reminded of the opportunity to join next week’s support and challenge activities for A levels, to see and experience the process and provision. |
| **Item 6.** | **Principal’s Report – including key strategic risks and key performance indicators (KPIs)** |
| *Submitted: Report (circulated in meeting papers)*  The Principal presented the report, welcoming questions and discussion. Key information included within the report and reviewed in discussions included:   * Leadership – an updated senior leadership team structure was shared, including the creation of a new senior role of Chief Information Office (CIO) to support performance improvement in this area and increase the Group’s expertise and support innovation. An interim CIO has been appointed ahead of external recruitment. Staff frustration at ongoing challenges in relation to IT were shared, and assurance given on how these will be addressed moving forward * The Board warmly welcomed the Group’s shortlisting in the TES awards for our English and maths provision * Closure of Thomas Whittam sixth form was confirmed, and the Group’s work to support and transfer learners explained * The Principal’s new role as a National Leader of FE was confirmed, and the insight and value this will add to the Group – and an update on Colleges of the Future, the LEP and devolution provided * Confirmation of West Craven academy’s inadequate Ofsted inspection grade, and given this is one of the schools in the Pendle Education Trust (PET) sponsored by the Group, assurance was given on steps in place for improvement * The key performance indicator (KPI) position and updated key strategic risks was confirmed and reviewed   The Principal’s report updated on Apprenticeships, following on from members being made aware at the December Board meeting of a significant issue in relation to Apprenticeships data. The Principal confirmed that there is a decline in Apprenticeship performance in 2019/20, explained the reasons for this and shared that the impact is that the Group is likely to receive a formal notice from ESFA of our failure to meet Minimum Levels of Performance (MLP) for Apprenticeships. It was explained that while each College had met the MLP criteria, the merged position does not.  The Group is submitting a business case for the performance data to be redacted from the nationally published performance tables due to its inaccuracy - however despite this, the Principal was very clear that there needed to be improvements made and that this is of the highest priorities for the Group moving forward. Immediate action had been taken, with an Apprenticeship task and finish group established to take forward improvements and steps already underway such as the recruitment of a new Head of Apprenticeship Delivery. The Group’s Self-Assessment Report (SAR) had been reviewed and updated, with Apprenticeships now assessed as a grade 2, and actions were set out for improvement in the revised Quality Improvement Plan (QIP) which is closely monitored by the Corporation’s Quality and Curriculum Committee.  The Board expressed their concern at the position and its implications. They were of the view that there must be ‘no surprises’ and concerned that data issues, largely due to in-year merging of data and systems, had led to there not being a completely transparent view of performance in-year. To give assurance of the Group’s review and action to address issues and improve performance, as well as updates and monitoring in both Board and Quality and Curriculum Committee meetings, it was agreed that the Corporation’s Chair, Vice Chair and the Chair of Quality and Curriculum will join the Apprenticeships task and finish group to offer support and challenge.  On the broader KPI position, Board noted that appraisal completion was below target. The Principal explained there is a lag in recording and updating on current position, and that plans for progress and moderation to support consistency is also impacting on speed of completion. Board challenged and sought assurance on the curriculum gross margin being 10% down on the target. David Rothwell (Deputy Principal) explained that the in-year position has since improved as part of budget re-forecasting – some areas remain significantly below target however, and are being followed up so the Group understand the drivers and leadership team can consider for next year to drive improvements.  David Rothwell (Deputy Principal) presented the supplementary update on IT, which covered key risks in this area in relation to strategy, service user feedback, communications, assessment and benchmarking. The priorities for action were confirmed. It was reported that there had been a marked strengthening in communication and additional capacity for the team, with additional activity delivered such as stress testing the system and firewalls. Domain migration is being prioritised and leadership team are increasingly confident that it will be achieved by end February.  **Resolved: To receive and note the Principal’s report, including key strategic risks and key performance indicators (KPIs)**  **Resolved: For the Corporation’s Chair, Vice Chair and the Chair of Quality and Curriculum to join the Apprenticeships task and finish group to offer support and challenge** |
| **Item 7.** | **Quality and Curriculum** |
| **7a. Termly Curriculum Performance Report**  *Submitted: Report (circulated in meeting papers)*  Tracey Baron (Deputy Principal – Quality and Curriculum) presented the paper, inviting discussion and questions. Key aspects covered and reviewed are as follows:   * The Group’s annual self-assessment report (SAR) has been uploaded following Board approval in December. Feedback from external validation was shared and had been considered, with the Board noting all grades remained as agreed by them, with the exception of Apprenticeships which had changed to a 2. The Board discussed the impact of the changed grade for Apprenticeships on ‘overall effectiveness’, and were assured the overall grade should remain as a 1 * An update was provided and reviewed in relation to the Quality Improvement Plan (QIP), subjects requiring improvement (SRIs) and the quality of teaching and learning - including consideration of English and maths, revised curriculum plans for radicalisation and also improvements planned in 19+ retention * Learner voice – results from the mid-year survey were shared for assurance, with analysis by campus and an update given on planned actions for improvements * The support and challenge approach for A levels was explained in detail and reviewed, with Board assured it will contribute to quality improvement, for example addressing challenges in inconsistency of teaching cross subjects and the introduction of a better system for leaders to see under-achievement of students, supported by RAG rating at subject/programme level. The Board asked and were assured of linkages and learning across different support and challenge weeks in the Group * The strong position in retention was shared, and also for destinations – with actions to secure improved destinations shared and reviewed * The Deputy Principal updated on the improved extra-curricular offer available to students, and Waheeda Khatun (Student Governor) shared her perspective on the offer, explaining the value of the pre-professional programme introduced and of the 121 support being made available and customised for University applications   It was noted that the ongoing position and progress in all these areas will continue to be closely monitored through Quality and Curriculum Committee.  **Resolved: To receive and note the Termly Curriculum Performance Report**  **7b. Apprenticeship delivery and performance**  *Submitted: Report (circulated in meeting papers)*  Alison Rushton (Vice Principal HE, Adult Learning and Apprenticeships) presented the report, which gave supplementary information, evidence and assurance related to Apprenticeships and the earlier discussion under the Principal’s Report. The report confirmed timely achievement in 2018/19 for all age all levels of 66.3%, with analysis by age, level and campus (with trends pre-merger). The key challenges in Apprenticeship delivery were set out and largely related to tracking, monitoring and reporting. Board challenged and were assured of the teams capacity for improvement, and knowledge of the areas and issues needing action. Areas for improvement (AfI) in Apprenticeships were set out from the QIP and an update given on progress in areas such as recruitment of a new Head, employer engagement and improved reporting tools being introduced with support from external experts.  Following an active discussion and scrutiny the Vice Principal was thanked for her transparent report and continued focus on the key issues and areas for improvement.  **Resolved: To receive and note the report on Apprenticeship delivery and performance** |
| **Item 8.** | **Finance and Resources**  *Submitted: Reports (circulated in meeting papers)*  **8.1 Termly Finance Report**  David Rothwell (Deputy Principal – Finance and Resources) presented the termly finance report which provided members with a revised out-turn position for 2019/20 and update on the financial position as at 31 December 2019, summarised as:    Key risks were noted as:   * ESFA 16-18 recruitment and numbers which determine allocated numbers for 2020/21 contract and will heavily influence actual funding per learner in the 2021/22 contract * ESFA Adult Education Budget (AEB) including ACL earnings – with a provision made for 4% underachievement in year; Board noted that if this position is realised then it may affect the allocation level for future years * Apprenticeship income – the in-year value is positively affected by reconciliation income relating to 2018/19 (c£310k), however underlying forecast earnings for 2019/20 are less than expected and will be below target * HE income – recruitment is less than forecast   **Resolved: To receive and note the Termly Finance Report**  **8.2 Integrated Financial Planning Model (IFMC) and Restructuring Facility (RF) final draw down**  The Deputy Principal delivered a supplementary presentation updating on the developing of the 4 year (2018-22) financial planning model/return – or Integrated Financial Model for Colleges (IFMC) - to be submitted to the ESFA by the end of February 2020. Modelling shared updated on the shape of the Group’s 16-18 FE allocation for 2020/21, which had recently been received from ESFA, and also the impact of reduced recruitment this year.  A reforecast for 2019/20 was shared, with Board pleased that the re-forecast position was slightly better than the original budget. On Restructuring Facility (RF) it was confirmed that the Group will achieve the £14.2m allocated spend (LEP adjusted) by March 2020, with planned activity to year-end including costs for the design team, client estates, IT and sundries plus additional restructuring required. An update on the capital programme 2018-22 was shared, showing an allocated spend of £4.246m in 2019/20, unallocated spend of £439k (total £4.685m) against the original Financial Plan target.  The process and assumptions for the IFMC modelling were set-out and reviewed by Board. 2020/21 early forecast estimates were shared against key income and expenditure lines, with key modelling assumptions highlighted and tested by the Board in relation to areas such as staff costs, pay awards, incremental drift, national living wage and local government pension scheme. It was noted that there was no AoC guidance on the modelling of future pay awards, and the Deputy Principal was asked to ensure sensitivity analysis of different awards.  The Board were assured of the financial modelling and approved the IFMC return in line with this position. As further work was needed to translate the high level picture into the detailed return, and the final version of the spreadsheet had not received from ESFA, it was agreed for delegated authority to be given to the Corporation Chair and Vice Chair to complete a final review of the IFMC return and supporting checklist to assure it is in line with today’s Board approval.  **Resolved: To approve the Group’s Integrated Financial Model for Colleges (IFMC) return for submission to ESFA**  **Resolved: To agree delegated authority to the Chair and Vice Chair to review the detailed IFMC return when produced, to ensure it reflects the Board’s position agreed today**  **Resolved: To receive and approve the revised out-turn position for 2019/20 financial year**  **Resolved: To receive and note the position in relation to Restructuring facility (RF) drawdown for 2019/20 and updated capital programme position for 2018-22** |
| **Item 9.** | **Termly Applications Report**  *Submitted: Report (circulated in meeting papers)*  Alison Rushton (Vice Principal – HE, Adult Learning and Apprenticeships) presented the paper which offered an update on 16-18 and HE enrolments for 2019/20, applications for full time FE study and HE programmes in 2020/21 and marketing/recruitment activity to support 16-18 FE and HE recruitment.  It was noted that 16-18 enrolments for 2019/20 are 4% less than last year’s position, with a reduction of -1.5% in the number of full-time students. 16-18 applications for FE in 2020/21 overall and at Nelson are expected to be achieved at year-end - however Accrington applications have declined (-14%). Enrolments continue at both sites. Subject application trends were shared, an update on applications by school provided and key 16-18 marketing and school liaison activity set out. On HE, it was noted that HE enrolments are below 2019/20 target, but above 2018/19 levels – detail of planned recruitment for 2020/21 were shared with the Board, and application trends.  Members explored differences in the rate of 16-18 applications by site and across different subject areas and reviewed approaches in place using new technologies and social media for example to support recruitment and reach. Board asked and were assured that the teams have the capacity and resources needed to continue to improve the position.  The Vice Principal was thanked for the helpful update and continued work to drive up recruitment.  **Resolved: To receive and note the termly application report** |
| **Item 10.** | **Governance Report**  *Submitted: Report (circulated in meeting papers)*  The Clerk to the Corporation presented the report. A revised Student Disciplinary Policy and procedure was presented, and following review, approved by the Board.  The report updated on progress establishing the Barbara Anne Memorial Prize. As corporate trustee of the fund, the Board agreed to delegate the exercise of the power, duty and direction of the Trust to the Corporation Chair, Corporation Vice Chair, Principal and Deputy Principal – Finance and Resources, who will act in line with the requirements set out in the approved Deed of Trust for the Charity, and in line with the Corporations governance framework  **Resolved: To approve the Student Disciplinary Policy and Procedure**  **Resolved: As corporate trustee, to delegate the exercise of the power, duty and direction of the Barbara Anne Memorial Prize Trust from the Corporation to the Corporation Chair, Corporation Vice Chair, Principal and Deputy Principal – Finance and Resources, who will act in line with the requirements set out in the approved Deed of Trust for the Charity, and in line with the Corporations governance framework** |
| **Item 11.** | **Committee minutes and associated Board approvals**  *Submitted: Report (circulated in meeting papers)*  The Clerk presented the report and supporting information. The Corporation reviewed the minutes from the ACL Advisory Board meeting of 18 October 2019, with the Committee Chair Phil Wilkinson drawing out key areas of interest, issues or sources of assurance.  Stephen Barnes, Chair of Search Committee, confirmed the recommendations from today’s Search Committee meeting. The Board noted the update on the recruitment of new Governors to the Board and approved Search Committee’s recommendation to short-list and interview prospective candidates.  **Resolved: To receive and note the unapproved minutes from the ACL Advisory Board of 18 October 2019**  **Resolved: To note the update on Board recruitment and approve Search Committee’s recommendation to short-list and interview prospective applicants for the Board** |
| **Item 12.** | **Any Other Business (AOB)** |
| There were no items of AOB. |
| **Item 13.** | **Reflections of the meeting and fit with values** |
| Members considered today’s meeting, decisions and ways of working against the Group’s values. It was agreed to review the end time of future Board meetings as 2 hours may not always be sufficient to cover key business and allow necessary debate.  With this the Chair brought the meeting to a close, thanking all attendees for their contributions this evening. |

**Debbie Corcoran**

**Clerk to the Corporation**

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

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