

**FURTHER EDUCATION CORPORATION MEETINGS 2019/20**

**MINUTES OF THE FURTHER EDUCATION CORPORATION MEETING**

**Held at 9.30am on Tuesday 5th May 2020**

**Via MS Teams**

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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, 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 (Director of Governance) |

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| **Item 1.** | **1a) Welcome and apologies for absence**  Stephen Barnes (Chair) welcomed everyone to the meeting, and introductions were made. Apologies for absence were received and accepted from Tim Webber MBE and Rob Pheasey.  The Director of Governance asked for permission from attendees to record the meeting on Teams for the purpose of taking minutes, and this was agreed. The recording will only be viewed by the Director of Governance and be destroyed when unapproved minutes are approved by the Board at its next meeting.  **1b)** **Declarations of Interest**  The Director of Governance noted that Phil Wilkinson would leave the Teams call for item 1e) on membership. Other than this, members and officers present declared they had no interests, personal, fiduciary, or otherwise in any item on the open agenda for the meeting.  **1c)** **Minutes of the Previous Meeting (3 February 2020)**  *Submitted: ‘Minutes of the Board of Corporation Meeting held on 3 February 2020’ (circulated in Board papers)*  The Minutes of the Board of Corporation Meeting held on the 3rd February 2020 were reviewed and agreed as an accurate record, for the signature of the Chair.  **1d) Matters Arising**  There were no matters arising.  **1e) Membership**  *Submitted: Report circulated with meeting papers*  Phil Wilkinson left the Teams call.  The Director of Governance summarised the report submitted which updated that Phil Wilkinson’s existing term of office was due to end before the next Board meeting. To support the Board considering re-appointment details had been provided relating to attendance and membership of supporting Committees. Following consideration, the Board approved the re-appointment of Phil Wilkinson for a second term of office of 4 years ending 31 May 2024.  Phil Wilkinson then re-joined the Teams call, was updated on the decision and thanked by the Chair for his ongoing support and contribution.  **Resolved: To approve an additional term of office for Phil Wilkinson of 4 years, ending 31 May 2024** |
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| **Item 2.** | **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 the meeting included:   * An update on the Group’s approach and delivery during lockdown, offering additional information to that already shared with the Board in between formal meetings, and updating on plans to return to on-site delivery * The Strategic Plan and key risks – a light touch refresh of the Plan will be completed and reviewed with Board at the July meeting with a revised Risk Register * The Principal apologised for Key Performance Indicators (KPIs) not being available, due to needing to refocus capacity to respond to Covid-19, however it was noted that the curriculum and finance reports circulated today included KPI updates for these key areas. Revised KPIs will be developed for the next academic year and consideration given to new approaches needed for the measurement of impact and progress in light of Covid-19 and the move to online learning etc * The Principal confirmed that ESFA will not be applying any intervention or conditions of funding related to Minimum Levels of Performance (MLP) not being met in 2018/19. 2018/19 performance data had been published nationally and it was noted that it had been incorrect for the Group * Staffing – an update on the approach to supporting staff was shared, and the Board supported the approach being taken to furloughing. The Board recognised the increased pressure and demands on the leadership team and staff due to Covid-19 and welcomed new approaches to support communications with staff during lockdown, and progress made in responding to the Staff Survey   Risks were considered and discussed relating to IT, finance and also the curriculum. The Board noted the use of external consultancies to increase capacity of the leadership team in key areas such as apprenticeships and Ofsted/quality. The Principal assured on the affordability and added value of this approach, with apprenticeship support being short-term and Ofsted/quality support costs met through an existing and adequate budget.  An update was given on the recruitment to the new Chief Information Officer (CIO) role, including initial priorities for the new post and the added value recruitment brings against the key challenges and risks in this area. Whilst the CIO role is not a senior postholder, Board input to the selection process was invited and welcomed. It was recognised that the role has a key contribution to support the Group to offer the best quality, engaging and effective learning and development on-line to students and consider innovation in this respect. The Principal confirmed that the Group has been asked by ETF to lead T level practice around digital, and is considering our capacity and fit with priorities.  The Board discussed the Group’s having made available the Sports Hall at Accrington and Rossendale College to the Hyndburn Local Resilience Hub as the centre of its operations and to run a food bank. This approach supports the local response to Covid-19 and reflects a local partnership approach and civic responsibility. David Rothwell (Deputy Principal) explained that this was a temporary change of use during a time when the Sports Hall could not be used for learners, and therefore the decision had been taken by the Principal and leadership team. A comprehensive risk assessment had been completed before the Sports Hall had been utilised by the Hub and remains in place and is actively monitored. Assurance was given that there will be a comprehensive clean down of the premises before they are in use by learners again. There is agreement for the Hub to re-locate should the College need to access the site for learners. Hub staff have been trained on fire and health and safety procedures and requirements. Access to the site is being managed effectively. The Group is working with and supporting all the local authorities and related local partnerships responding to Covid-19 in the Group’s local communities.    The Board noted there are key decisions and areas for Board input and steer for the 2020/21 year. An important way to gain this input is through the Board’s usual annual strategic planning awayday, however given the awayday had needed to be cancelled this year in May due to Covid-19 there must be other mechanisms to gain this strategic insight. It was recognised that the Group’s direction of travel is also reflected and set in the Restructuring Facility (RF) grant agreement with the ESFA, and IMFC submission of financial plans.  **Resolved: To receive and note the Principal’s report, including key strategic risks** |
| **Item 3.** | **Quality and Curriculum** |
| **3.1 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 included:   * The approach to supporting students to achieve/complete/make up for missed work and supporting progression in light of the impact of Covid-19 * Arrangements planned for resits, tests, assessments, extra provision, to make up for lost learning and skills acquisition when College re-opens * The approach to information advice and guidance (IAG) – including arrangements for students applying for 2020/21, and to support their readiness for year start * Process for A level and GCSE results, with the Group awaiting DfE’s view on technical and vocational qualifications   An update on activities to improve the quality of Apprenticeship provision since the last meeting was also shared. Improvements to systems, processes and the reporting of learner progress were outlined. Additional capacity was confirmed to be in place to support in this key area and is adding value. Staffing and structure changes were explained. The Board welcomed the update provided and progress confirmed, however were concerned that the planned Apprenticeships Task and Finish Group (including the Chair, Vice Chair and Chair of Quality and Curriculum) has not met yet to support oversight, and it was agreed that this will be urgently progressed.  Board members reviewed the effectiveness of measures and plans in place around online learning. The process for monitoring and reviewing attendance, related support for learners and the timeliness of addressing concerns was discussed. Assurance was given that additional measures are in place to support learners accessing provision and making progress. As well as online checks there are door-step drops of materials where needed and 121 tutorials by phone. Students access to laptops and the internet for College work had been speedily assessed and new laptops purchased and distributed over Easter. This week some learners who had previously confirmed they had a laptop and internet access were now coming forward and saying it was not in place, and this is being picked up, with dongles being provided. The Board were very conscious and concerned that the Group ensures there is not an attainment or access gap for learners - a digital entitlement is key, and achieving this may require joint work with partners such as the LEP.  It was agreed for Quality and Curriculum Committee to receive additional assurance in these respects at its next meeting, on behalf of the Board. It was agreed that the Director of Governance will make available to Board members links to key digital marketing and learning assets shared with learners, as developed.  **Resolved: To receive and note the Termly Curriculum Performance Report**  **3.2 Safeguarding Report – Covid-19**  *Submitted: Report (circulated in meeting papers)*  Tracey Baron (Deputy Principal – Quality and Curriculum) presented the paper, inviting discussion and questions. The Board noted that the Group’s Safeguarding Children and Vulnerable Adults Policy and Procedure was updated with an additional annex on 1st April 2020 in response and relation to Covid-19. The new annex ensures clarity of expectations of Colleges during the Covid-19 pandemic particularly in relation to the safeguarding and welfare of learners, and was approved by the Board.  The Board reviewed and discussed the detailed arrangements in place and shared to support vulnerable learners, on-line safety and learner health and wellbeing. Further information will be provided at the next Quality and Curriculum Committee and at the July Board meeting where there will be the annual Prevent and Safeguarding review and report.  **Resolved: To receive and note the Safeguarding Report – Covid-19 and approve the annex to the existing Safeguarding Children and Vulnerable Adults Policy and Procedure** |
| **Item 4.** | **Finance and Resources**  *Submitted: Reports (circulated in meeting papers)*  **Termly Finance Report**  David Rothwell (Deputy Principal – Finance and Resources) presented the termly finance report which offered management accounts up to 31 March 2020, and provided members with an update in 3 key areas:   1. COVID-19 key financial risks 2. Capital investment programme 3. Management accounts year to date and updated projections for 2019/20   The summary financial performance as at 31 March 2020 was as follows:   |  |  |  |  | | --- | --- | --- | --- | | **Summary financial performance at 31 March 2020** | | | | | **Financial performance measure** | **Current position** | **Projected Outturn** | **Original Budget** | | Sector EBITDA as % of income | 3.2% | 3.4% | 2.2% | | Borrowing as a % of income | 7.6% | 7.3% | 7.1% | | Cash days in hand | 98 | 115 | 81 | | Adjusted current ratio | 3.3 | 2.4 | 2.1 | | Staff cost / income ratio | 68.2% | 69.8% | 70.2% | | Financial covenants overall compliance | Yes | Yes | Yes | | ESFA Financial Health category | Good | Good | Good |   Board reviewed the current position, recognising the impact of lockdown on income and in particular apprenticeship starts. It was noted that income is secure for the 16-18 budget line and also for Adult Education Budget (AEB), reflecting ESFA policy announcements that AEB will be paid on profile and the tolerance removed. Board reviewed the furloughing of staff and approach being taken to the payment of part-time teaching staff. It was confirmed that the Group had considered an application for financial support from ESFA’s national scheme in light of Covid-19, but the ESFA’s assistance is focused on short-term financial support more likely to be needed by private training providers to support solvency and cash flow. Risks increase to the Group in 2019/20 around apprenticeship starts and income, and in 2020/21 in relation to 16-18 starts due to the lagged funding methodology.  It was confirmed that the Group has received an allocation of £80k as a T Level “Early Adopter” financial allocation, and the confidence of delivery checked given Covid-19.  In the Income and Expenditure report, Board welcomed that the projected out-turn position is a surplus of £264k, an improvement on the mid-year forecast position. The ‘exceptional expenditure’ line was queried (mid-year reforecast YTD of -£255k and projected out-turn of -£445k). The Deputy Principal explained that this relates to merger-related expenditure, and it was agreed that a note will be shared with the Board detailing this further, and circulated with the unapproved meeting minutes.  The estates update explained the impact of Covid-19 and related supply-chain issues on the programme of works, with the completion of external works at Accrington being delayed and now at the end of July rather than the end of May as planned. This will require careful management of the estate if learners return before September. Board noted that the capital investment programme provides headroom for up to £2.7mn of estates investment between now and July 2022 and asked that spend proposals be shared and proposed to Board at the earliest opportunity to ensure thorough discussion and input in this key area. It was agreed for a one hour discussion to be programmed between the Board and leadership team to develop the estate investment programme and 2020/21 financial programme further ahead of the next Board meeting in July, if possible.  **Resolved: To receive and note the Termly Finance Report** |
| **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 applications for 2020/21, covering: applications for full-time study (16-18 year olds), Apprenticeships and HE – and an update on related marketing/recruitment activity.  It was noted that 16-18 applications to Nelson have recovered, plus there is growth in Hyndburn applicants however the volume of applications to Accrington remains a concern. Additional expenditure has been invested and was detailed. The Board discussed the Group’s competitive position, and member’s views on the brand value of each of the campuses. It was agreed that future metrics should be considered moving forward in 2020/21 application reports to reflect progress and perceptions of the campus changing if this is key, and to use opportunities for applicants to Accrington this year as champions in marketing.  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 6.** | **Governance Report**  *Submitted: Report (circulated in meeting papers)*  The Director of Governance presented the report, which included recommendations on Board structure, membership and ways of working from the Search Committee meeting of 2nd March 2020. Decisions are as set out below. It was agreed that Board meetings will move to 3 hours and also that the Director of Governance will complete a consultation with individual Board members on changes to Committee structure, for agreement at the July Board meeting.  **Resolved:**   * **To approve Amer Ansar as a co-opted member of Audit Committee, with an initial term of office ending 31 May 2021** * **To note the written resolution and related delegations approved by Board since the last Board of Corporation meeting** * **To approve updated Terms of Reference for the Search Committee** * **To note the update on Board member recruitment** |
| **Item 7.** | **Committee minutes and associated Board approvals**  *Submitted: Report (circulated in meeting papers)*  The Director of Governance presented the report and supporting information which offered unapproved minutes from Committee meetings for Board assurance. The Committee Chairs drew attention to key areas of update or risk. Decisions are as below:  **Resolved: To receive and note the unapproved minutes from the Quality and Curriculum meeting of 2 April 2020**  **Resolved: To receive and note the unapproved minutes from the Finance and Resources meeting of 30 March 2020**  **Resolved: To receive and note the unapproved minutes from the Audit Committee of 3 April 2020**  **Resolved: To receive and note the unapproved minutes from the Search Committee meetings of 3 February 2020 and 2 March 2020**  **Resolved: To approve the Annual Information Security and general Data Protection Report (GDPR), as recommended by Finance and Resources Committee**  **Resolved: To approve the appointment of RSM as financial statements auditors for 2019/20, as recommended by Audit Committee** |
| **Item 8.** | **Any Other Business (AOB)** |
| The Director of Governance asked Board members to share any feedback with her after the meeting on the usefulness of the weekly governance email summary begun since lockdown. Copies of agendas and papers are now being stored on the Teams site for the Board and Committees. |
| **Item 9.** | **Reflections of the meeting and fit with values** |
| Members considered today’s meeting, decisions and ways of working against the Group’s values. Board members welcomed the style and approach of the meeting, reflecting that the agenda and discussions today had allowed for a greater strategic focus and forward look. There had been a high degree of challenge – and support – for the leadership team, and they were thanked for their positive approach and response to this as always, and excellent work to move the Group on-line and ensure learners and staff are all supported.  With this the Chair brought the meeting to a close, thanking all attendees for their contributions this evening. |

**Debbie Corcoran**

**Director of Governance**

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

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