

**FURTHER EDUCATION CORPORATION MEETINGS 2021/22**

**MINUTES OF THE FURTHER EDUCATION CORPORATION MEETING**

**Held at 4pm on Monday 18th October 2021**

**Room AC114 at Accrington and Rossendale College, and via Zoom**

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| **Members present:** | Stephen Barnes (Chair), Phil Wilkinson (Vice Chair), Amanda Melton CBE, Mike Phelan, Tom Gee, Liz Sedgley, Zulfi Khan, David Whatley, Emma Schofield and Nadeem Rashid |
| **In attendance:** | David Rothwell (Deputy Principal – Finance and Resources)  Andrew Dewhurst (Chief Information Officer)  Sam Mercer (Assistant Principal – Planning and Performance)  Claire Jarvis (Assistant Principal – Finance and HR)  Andy Parkin (Assistant Principal – LAL)  Fionnuala Swann (Assistant Principal – Academic)  Jayne Wynne (Director of Marketing)  Debbie Corcoran (Director of Governance) |

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| **Item 1.** | **1.1 Welcome and apologies for absence**  Stephen Barnes (Chair) welcomed everyone to the meeting, including those joining via Zoom (Mike Phelan and Liz Sedgley from the Board; and Fionnuala Swann and Sam Mercer from the senior leadership team).  Apologies for absence were received and accepted from Julie Turner (Board member) and Morag Davies (Assistant Principal). It was noted that Liz Sedgley (Board member) and Fionnuala Swann (Assistant Principal) would be late joining the meeting via Zoom.  Stephen Barnes (Chair) explained that a statement has been shared by East Lancashire Hospital Trust (ELHT) with ELHT Board members, of which he is one, to cascade to their employers or related organisations. The statement explained current industrial action being taken by ELHT employees, apologising for any resulting disruption on their sites, and it was agreed that it will be shared with the Board for their information, as the College had been affected.   * 1. **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 – with the exception of those Board members who had shared expressions of interest to serve as a future Chair or Vice Chair of the Corporation (agenda item 1.6) and those Board members whose  membership would be considered under item 1.5. In both cases, this would be managed by the Director of Governance asking the individuals to step/dial out of the meeting while matters were considered and decided.  **1.3** **Minutes of the Previous Meeting (20th September 2021)**  *Submitted: ‘Minutes of the Board of Corporation Meeting held on 20th September 2021’’ – circulated in Board papers*  The minutes of the Board of Corporation Meeting held on the 20th September 2021, were reviewed and agreed as an accurate record, for the signature of the Chair. Emma Schofield (Board member) reflected that there had been a helpful discussion in the meeting around the Board having a better understanding how employer needs and potential skill gaps will be considered in future marketing activity, which can support developments and Board contributions to employer partnerships. It was agreed that future updates to Board on marketing strategy will set this out further, with Tracey Baron (Deputy Principal – Quality and Curriculum) updating in the interim on the use of MSI software to identify employer needs and job opportunities which are then considered against current and future curriculum plans. The Deputy Principal also updated on plans to contract with a commercial research company to complete sustained destination research, and data will be shared with Emma Schofield on health and social care in this respect, with further intelligence provided through the joint post funded by the College Group and ELHT if helpful.  **1.4 Matters Arising**  *Submitted: Reports (circulated in meeting papers)*  The matters arising log was reviewed, and the current position noted by the Board. The following written updates were received and considered by the Board:  1.4a) *Update on staff completion rates of mandatory sexual violence and harassment training* from Claire Jarvis (Assistant Principal) including numbers outstanding and an update on further follow-ups to secure final completions  1.4b) *Complaints Analysis* provided by Claire Jarvis (Assistant Principal), including an enhanced analysis of any recurrent themes or patterns seen in 2020/21 and action taken to address concerns from complaints  1.4c) *Insurance Renewal* provided by David Rothwell (Deputy Principal), setting out renewal terms and costs  Board welcomed the follow-up and assurance within the reports.  **Resolved:** **to receive and note the updated Matters Arising log and 2 supplementary reports provided at the Board’s request at the previous Corporation meeting** |
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|  | **1.5 Membership**  *Submitted: Report (circulated in Board papers)*  Debbie Corcoran (Director of Governance) presented the report, and following due consideration, Board agreement was as follows:  **Resolved: To approve the re-appointment of Liz Sedgley to the Board with a term of office ending 31 October 2024**  **Resolved: Following a recommendation from Search Committee, to approve the appointment of Simone Hartley-Gott as a new Student Governor, with a term of office ending 31 October 2022** |
|  | **1.6 Appointment of future Chair and Vice Chair for the Corporation**  *Submitted: Report (circulated in Board papers)*  Liz Sedgley and Fionnuala Swann joined the meeting via Zoom.  The Director of Governance confirmed that following Board approval at its September meeting of a transparent process to appoint a new Chair for the Corporation during the 2021/22 academic year, due to the Chair’s confirmation of stepping down in 2021/22, an application had been received from Phil Wilkinson (current Corporation Vice Chair) to serve as Corporation Chair when the position becomes vacant. The process had also invited expressions of interest from Board members in serving as Corporation Vice Chair in the future. This was to support succession planning, and Emma Schofield sharing an expression of interest to be considered as a future Vice Chair of the Corporation, should a vacancy arise. The expressions of interest had been shared, for Board consideration.  Phil Wilkinson was invited to set out his expression of interest, skills and experience, then left the meeting. The Board considered the expression of interest, and all members unanimously resolved to support his appointment as future Corporation Chair, with an initial term of office of 3 years. Upon returning to the meeting, Phil Wilkinson was updated on the outcome of the deliberation and confirmed as Chair Designate, and thanked the Board for the opportunity to serve and support moving forward.  Following an invitation to set out her interest in the Vice Chair role in the future, Emma Schofield then left the meeting. Following consideration, the Board unanimously resolved to approve her appointment as Vice Chair designate, with her taking up the role when the incumbent Vice Chair Phil Wilkinson progresses to become Chair. An initial 3 year term of office in the role was agreed by the Board. Upon returning to the meeting, Emma Schofield was updated on the outcome, and thanked the Board for their consideration.  The Board congratulated them on their appointment, and looked forward to their support in the future.  **Resolved:** **To appoint Phil Wilkinson as Chair Designate, and Emma Schofield as Vice Chair Designate, with a three year term of office in these roles, and adjustment of their terms of office as Board members as needed**  **Resolved: For the Corporation’s standing orders to be revised so there is not an annual appointment of the Chair and Vice Chair, moving to 2 years as standard** |
| **Item 2.** | **STRATEGIC DISCUSSIONS** |
| **2.1** | **Strategic Discussion: Skills for Jobs White Paper** |
| *Submitted: Presentation (circulated in meeting papers) and additional presentation slides shared in the meeting*  Amanda Melton CBE (Principal) presented the item, which gave an overview of the Skills for Jobs White Paper, and also updated on related developments and areas for Board consideration. As well as the slides presented in the meeting, additional slides produced by DfE were also shared as broader context.  Key aspects considered and reviewed by the Board included:   * Employers being at the heart of the new system – including external relationships facing outwards, local skills improvement plans (LSIPs) and Employer Representative Bodies; the local/regional labour market; curriculum intent and impact for both teachers and trainers * Advanced and higher technical skills – touching on the Sainsbury review of qualifications; introduction of T levels and demise of BTEC; bootcamps; a higher education offer linked to employment and also Institute of Technology * Lifetime skills guarantee – with a focus on adults; level 3 entitlement; the impact for Lancashire Adult Learning (LAL); future funding and also brands * Responsive, accountable and funded providers – covering funding at a local level; multi-year and lagged funding for adult learning; significant investment in college estates to emulate university experience; and also strengthening College governance * Outstanding teaching – challenges to recruit; requirement to improve pay and conditions; removal of public sector pay freeze; curriculum intent and internal QA/Ofsted * Skills Development Fund (SDF) and Local Skills Implementation Plan (LSIP) engagement, including current project update plus leadership, monitoring and governance – and capital and revenue investment – the LSIP stakeholders were confirmed, and also key risks set out and considered by the Board * A high-level overview of the Low carbon demonstrator vision project being led by the Group and supported by LSIP was set out, with links to T levels and HE teaching spaces explained, as well as key employers * The Group’s collaboration in the SDF projects in Lancashire was explained, covering areas such as motor vehicle, energy production, SME training, digital skills, construction skills and the Institute of Technology (IoT)   The Director of Governance updated on governance implications of the White Paper. These included the introduction of new reporting requirements for Boards, a requirement for new 3 yearly external governance reviews, actions required to assure on the status and training of governance professionals, plus developments in relation to competency frameworks being introduced for the governance professional and Boards. The direction of travel to baseline and improve Board diversity were considered, along with likely changes to Principal/CEO recruitment in the sector, with the Bard also noting the availability of the new AoC Code of Good Governance which had been shared with them outside the meeting.  Discussions in the meeting reflected on accountability in new arrangements, and drivers for both collaboration and competition within the College Group’s approach and strategy. The Principal expected that the comprehensive spending review should confirm if there is continuation funding for SDF and LSIPs. The Board recognised and thanked the senior team for maximining opportunities when they fit within and compliment the strategic vision of the Group, working within a fragmented landscape to bring coherence for the benefit of students, businesses and the local economy.  **Resolved: To receive and note the strategic discussion item on the Skills for Jobs White Paper, Local Skills Implementation Plans and Skills Development Fund – and related governance implications for the Board** |
| **2.2** | **Strategic Discussion: Sustainability** |
| *Submitted: Report (circulated in meeting papers) and presentation in the meeting*  David Rothwell (Deputy Principal) presented this strategic discussion item, using slides shared in the meeting pack. Key aspects highlighted and considered by the Board included:   * A recap on the College Group’s approach to-date, and Board consideration of strategy and priorities in this important area – such as a focus in the recent Board awayday on sustainability, with external inputs, and the Board and leadership team’s participation in the AoC Climate Change Conference * The Board’s commitment to adopt the Climate change roadmap for FE Colleges as a key tool in supporting the net zero ambition, and making a public statement of intent through the College Group signing the ‘Race to Zero’ global climate letter * An update on the action areas identified, with work progressing through the Group’s Sustainability Committee, of which the Corporation Vice Chair is a member. There are 5 areas for action under development (leadership and governance; teaching and learning; estates and operations; partnerships and engagement, and also data collection) * Work to clarify and set a realistic but ambitious target for a net zero ambition in the Group, including data collection to establish a baseline position * The developing Energy Decarbonisation Plan being produced by the Group, with external consultants engaged to support a bid for Public Sector Decarbonisation Funding (PSDF), and the supporting timeline set out   Board discussion included clarification of the funding availability and any risks, plus a desire to tie in this agenda to any challenges around recruiting or retaining staff. The Deputy Principal was thanked for the engaging item, with the Board keen to remain close to this key area for strategic development.  **Resolved: To receive and note the strategic discussion item on sustainability** |
| **2.3** | **Strategic Discussion: Marketing and Recruitment** |
| *Submitted: Report and presentation (circulated in meeting papers)*  Jayne Wynne (Director of Marketing) presented the report, which also offered additional assurance and follow-up which had been requested at the previous Board meeting. Key aspects covered included:   * General activity, such as improved processes and upskilling within the marketing team, the media agency recruitment process underway, and photography and videography upgrade planned * 16-18 recruitment – successful open events held, progress with the Perceptions Research recently commissioned, work undertaken in relation to personality and tone of voice, and also an update on curriculum activity with Heads to support curriculum growth and also boost T level awareness and take-up * Apprenticeships – including developments in admissions and the conversion process, perceptions and updated identity activity and improving internal progression opportunities * Adults – a review of recruitment successes, work to shape audience profiles and course offers, content gathering and identity development, and also partnerships * University offer, including strategy developments, the January course offer and opportunity to recruit differently plus strengthening of internal progression * Future actions, with a proposed framework for setting targets to measure and assure on impact and improvement   The discussion and Board’s attention focused on areas for improvement, with clarity on different strategies needed for each of the campuses and different offers – supported by strong relationships with local schools for 16-18 learners. The Marketing Manager confirmed that the marketing budget is being reprofiled to ensure efficient investment, and there is the necessary capacity in place to successfully progress the Board and Group’s ambitions.  The Marketing Manager was thanked for the thorough update and clear reflection of the Board’s ambition and priorities following the previous Corporation meeting.  **Resolved: To receive and note the strategic discussion item on marketing and recruitment** |
| **3.** | **Principals Report - including Key Performance Indicators (KPIs)** |
|  | *Submitted: Report (circulated in meeting papers)*  Amanda Melton (Principal) shared the report and supporting key performance indicators (KPIs). Key headlines within the report, and considered, included the Group’s recruitment strategy, progress and plans for IT transformation, Ofsted preparations, recent work shadowing of the Principal by a DfE senior official – and also a look forward to key upcoming events such as the HE awards, LAL student recognition events and Colleges Week. An update was also shared on the Group’s continued response to Covid-19, and actions delivered following recent updated guidance.  The Board asked for assurance on capacity and skills to achieve ambitions related to IT transformation. Andrew Dewhurst (CIO) assured, and updated on continued challenges in relation to market-rates for pay impacting on recruitment to vacant roles, and the progress with the Group’s digital transformation strategy.  On KPIs, the Deputy Principal confirmed an action for the KPIs to be updated and re-issued given changes in out-turn figures, and that future editions of the KPIs will also be re-formatted under the Group’s revised 2021-24 strategic aims. The Board resolved to agree the proposed KPIs for 2021/22 subject to a review by the Quality and Standards Committee to assure that those related to their area of oversight are ambitious and realistic.  The Principal also took the opportunity during the item to update the Board on the recent invocation of the Group’s critical incident procedure, outlining the effective response and management, with consideration of any lessons learned  **Resolved: To receive and note the Principal’s Report**  **Resolved: To approve the KPI targets and framework for 2021/22, subject to a review by the Quality and Standards Committee to assure the Board that those related to the Committee’s area of oversight are ambitious and realistic** |
| **4.** | **Items to receive/note/approve:** |
|  | **4.1 Finance Report – Strategic Finance Update**  *Submitted: Presentation (shared in the meeting)*  David Rothwell (Deputy Principal) shared a presentation with a strategic finance update covering a recap of financial results and planning recap; capital strategy – investment and financing, ESFA policy and also wider Government developments. The presentation and supporting review confirmed that the outcome of the Group’s business case related to Adult Education Budget (AEB) income will be known mid-November and has a value circa £600k. Risks and headlines on in-year recruitment were set out and considered. An update was shared on risks related to staff costs - including vacancies and recruitment challenges, April 2022 seeing an employer’s national increase and national living wage, plus pay award expectations from a national perspective. On estates, the Deputy Principal summarised the current position and plans, with the Board acknowledging that should DfE not agree to FECTF phase 2 funding to support development of the Hameldon building, then other opportunities to secure funding contributions or fully fund the development will need to be considered. In relation to the Restructuring Facility (RF), the Deputy Principal updated and confirmed that discussions with ESFA continue on the performance related element of RF.  **Resolved: To receive and note the strategic finance update**  **4.2 Annual Health and Safety Report 2020/21**  *Submitted: Report (circulated in meeting papers)*  David Rothwell (Deputy Principal) presented the annual Health and Safety Report 2020/21, which provided the Board with assurance on the general approach to the management of Health and Safety during the period and that the College is meeting its legal responsibilities and ensuring a safe working environment for learners, employees and others at the College group.  The Deputy Principal recapped that during the 2020/21 academic year, the health and safety agenda had continued to be heavily focussed on the response to COVID-19. As we enter 2021/22 he hoped that COVID -19 will no longer be the dominating issue and backdrop to all matters health and safety and focus would shift back more to important day to day matters and considerations particularly in higher risk areas outlined such as construction and engineering curriculum operations which continue to require careful management attention and oversight.  It was confirmed that an additional specialist health and safety internal audit had been commissioned for the 2020/21 year, with the report due to be received at the next Audit Committee meeting.  The Deputy Principal was thanked for the annual report and update.  **Resolved: To receive and note the Annual Health and Safety Report 2020/21**  **4.3 Managing Health and Absence Policy**  *Submitted in Board papers*  Claire Jarvis (Assistant Principal – Finance and HR) presented the new policy, and invited Board review. In discussions, the Board asked for confirmation of the process and rigour of return to work interviews. The Assistant Principal explained that the completed return to work paperwork from line managers is reviewed by HR Advisers to understand any patterns and also support. Leadership continued professional development (CPD) is in place to support managers to implement the policy and practice. The Board and senor team were like minded that prevention of issues and early support if staff have health issues is key, with the Assistant Principal outlining the process and support in place, including the enhanced mental health offer introduced for staff given ongoing challenging times in the face of Covid-19.  **Resolved: To approve the Managing Health and Absence Policy**  Mike Phelan and Liz Sedgley left the meeting. |
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| **5.** | **Minutes and Recommendations from Committees** |
|  | *Verbal update*  Stephen Barnes (Chair) outlined the recommendations that Search Committee had made in their meeting today, for Board approval. Following due consideration, it was agreed to appoint Chris Smith as a new Board member with a term of office ending 18th October 2022; and to also appoint Aimee Jade Beck as a Student Governor, with a term of office ending 31 July 2022.  After receiving an update from the Committee on the Staff Governor election process, the Board approved the Committee’s recommendation to proceed to a staff election with 2 candidates agreed to stand for staff consideration.  David Whatley (Chair of Audit Committee) took the opportunity to confirm to the Board that following recent changes in national guidance on the timescales for retendering of audit services, the Group is proceeding to tender for financial statements auditors in the next month, with a tender for internal audit services to be developed in the new year.  **Resolved:**   * To appoint Chris Smith as a new Board member with a term of office ending 18th October 2022 * To appoint Aimee Jade Beck as Student Governor, with a term of office ending 31 July 2022. |
| **6.** | **Any Other Business** |
|  | The Director of Governance confirmed that an online questionnaire will be made available to Board members to gather key equality and diversity data, supporting completion of a voluntary return to the ESFA and baselining of the Corporations current position. |
| **7.** | **Review and reflections on the meeting against Group values** |
|  | The Chair invited reflections from Board Members and leadership team on today’s meeting, decisions and ways of working against the Group’s values. Board members reflected that the policy update had been very helpful to understand broader context, and valuable assurance received in many areas, particularly marketing and recruitment. The senior team were thanked for their inputs and ongoing drive to ‘never stop at good enough’.  With this, the meeting was closed. |
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**Debbie Corcoran**

**Director of Governance**

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

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