

**FURTHER EDUCATION CORPORATION MEETINGS 2022/23**

**MINUTES OF THE FURTHER EDUCATION CORPORATION MEETING**

**Held at 4pm on Monday 26th September 2022**

**Accrington and Rossendale College (Room AC115) and via MS Teams**

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| **Members present:** | Phil Wilkinson (Chair), David Rothwell (Interim Principal and CEO), Mike Phelan, Simone Hartley-Gott, Gillian Sharples, Nadeem Rashid, David Whatley, Chris Smith, Tom Gee, Liz Sedgley and Zulfi Khan |
| **In attendance:** | David Rothwell (Deputy Principal – Finance and Resources)  Tracey Baron (Deputy Principal – Curriculum and Quality)  Claire Jarvis (Assistant Principal – Finance and HR)  Morag Davis (Assistant Principal – Technical Curriculum)  Jayne Wynne (Director of Marketing)  Fionnuala Swann (Assistant Principal – Academic)  Andrew Dewhurst (Chief Information Officer)  Andy Parkin (Assistant Principal – LAL)  Debbie Corcoran (Director of Governance)  Tom Morrison and Jean Boyle (Stone King) for agenda item 2.1 |

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| **Item 1.** | **1.1 Welcome and apologies for absence**  Phil Wilkinson (Chair of the Corporation) welcomed everyone to the meeting. Lisa O’Loughlin was welcomed as an observer, in her role as Designate Principal and CEO of the College Group, with the Board expressing that they looked forward to her formally beginning her permanent post at the end of December. David Rothwell (Interim Principal and CEO) was welcomed to his first Board of Corporation meeting in his new capacity.  Apologies were received from Emma Schofield, Steve Campbell and Cathy Eulert.   * 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:   * Chris Smith and Simone Hartley-Gott, who would leave the meeting while their term of office was considered by the Board (item 4.6) * Gillian Sharples – who would leave the meeting for item 2.4 on pay award, given her representative Union role, as this was a matter under negotiation with Unions   **1.3 Minutes of the Previous Corporation Meeting (4th July 2022)**  *Submitted: Draft minutes (circulated in meeting papers)*  The minutes of the Board meeting of 4th July 2022 were reviewed, and approved as an accurate record, for the signature of the Chair.  **1.4 Matters Arising**  *Submitted: Reports (circulated in meeting papers)*  The matters arising log was reviewed and the current position was noted.  Claire Jarvis (Assistant Principal – Finance and HR) presented a verbal update against matters arising reference 21/22-21Mar-01 in relation to updating the Board on the framework for talent management and staff retention following Ofsted. The Assistant Principal confirmed that the annual refresh and development of the College Group’s People Strategy has considered the matter and will offer an overview of the approach in place when received by the Board. Headlines of recent activity to support talent management post-Ofsted shared in the meeting, included a review of key posts and salaries having been completed. Plus, there has been more systematic consideration of development opportunities for staff to give richer experience and exposure to support their retention.  **Resolved:** **to receive and note the Matters Arising log, and verbal update on talent management post-Ofsted inspection**  Chris Smith (Board member) joined the meeting.  Phil Wilkinson (Chair) took the opportunity to offer opening remarks at the beginning of the Board meeting. This included the Chair’s recognition and pride at the amazing Ofsted inspection result recently achieved by the College Group, and the exciting opportunities it gives to secure competitive advantage. The Chair welcomed the developing plan for a Strategic Review to be completed by the new Principal and CEO when in post – which will consider and support strategy development moving forward, and key challenges in areas such as enrolment and financial context. The Board would continue to offer a high support and challenge environment to the leadership team, to meet key challenges together and drive the College Group onto further success. David Rothwell (Interim Principal and CEO) and the leadership team were thanked for their continued strong and effective leadership and drive in the period ahead of the new Principal and CEO taking up post. |
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| **Item 2.** | **Strategic Discussions** |
| **2.1 Subsidiary Company Proposal**  *Submitted: Report (circulated in meeting papers)*  Discussions and decisions are recorded through a separate confidential minute, due to commercial sensitivity.  **2.2 Annual Outcomes and Curriculum Performance**  *Submitted: Report (circulated in meeting papers) and presentation in the meeting*  Tracey Baron (Deputy Principal – Quality and Curriculum) shared the presentation slides which summarised the College Group’s annual outcomes and curriculum performance as at 16th September 2022 in the following 3 areas: 16-18 English and Mathematics GCSE % pass rate for 2021-2, vocational results for 16-18 core study aim and also A levels. The Board noted that reporting on the complete set of qualification achievement for the College Group, by age, level and campus will be shared with the Quality and Standards Committee at their November meeting, and then with full Board as part of the annual Self-Assessment Report (SAR) discussion at December’s meeting.    The Board considered the results, and welcomed that 16-18 GCSE English and Mathematic % pass rates in the College Group remain substantially above the national average. The Board noted that while the overall achievement for English has improved from the 2018-19 results, which were the last time students sat formal exams, achievement in Mathematics has dipped when compared with the same year. The Deputy Principal explained the reasons for this, with data and detail given on how achievement in this area varies across the 2 campuses and by the type of learning provision studied as a main aim. The Board were reassured on the College’s ongoing focus to drive achievement and outcomes higher in both English and particularly Mathematics, and assured that the quality improvement cycle overseen by Quality and Standards Committee will share further detail and give oversight of improvement.    In relation to vocational results, Morag Davis (Assistant Principal – Technical Curriculum) shared T level results and updated on progress securing excellent destinations for these learners. In relation to A levels, Fionnuala Swann (Assistant Principal – Academic) summarised 2022 pass rates, which were all an improvement on 2019 position. Achievement of ALPS 2 for A level and ALPs 3 for vocational provision were confirmed.  The Board celebrated the excellent outcomes achieved by our students, and shared their recognition and thanks with the whole College team for enabling this.  **Resolved:** **To receive and note the 2021-2 results in relation to 16-18 GCSE pass rates for GCSE English and Mathematics, vocational areas and also A levels**  **2.3 16-18 Enrolment and Marketing Update**  *Submitted: Report and presentation (circulated in meeting papers)*  Jayne Wynne (Marketing Director) presented summary slides on 16-18 recruitment across the College Group for 2022-23 entry. The report and discussions in the meeting concentrated on consideration of the enrolment position, with detail provided against previous years, and by site, school and provision type/level. The conversion rates from applications to enrolment were set out, and broken down by level and site. The Board noted and considered the varied position and that the conversion rate was lowest in relation to level 3 (both vocational and A level), and received an overview of strategies in place to address this.  The Marketing Director provided a thorough update on school liaison, the increased capacity within both the marketing and school liaison team, and the engagement strategies being progressed at school level and to further increase conversion overall. Board members shared their perspectives, and Steve Campbell and Cathy Eulert, Governors on the Board, were thanked for sharing valuable written feedback on the report, given their not being able to be present in the meeting for the discussion. Board considered the steps in place to strengthen promotion of the College Group’s HE offer, the introduction and increase in year 7-9 liaison, development of an understood and enhanced applicant journey and also the Group’s testing of the strategy to secure increased internal progressions - where this progression was right for learners.  The Board shared their thanks with the Marketing Director and her team, for their continued focus and improvements secured – and reflected that enrolment and delivering ambitious plans for high quality growth remain a key priority of the Board.  **Resolved: That the Board receive and note the strategic discussion item on 16-18 enrolment and marketing** |
|  | **2.4 Pay Award 2022/23**  *Submitted: Report (circulated in meeting papers) and presentation in the meeting*  *Confidential item until negotiation concluded and any award approved.* |
| **Item 3.** | **Principals Report – including Key Performance Indicators** |
| *Submitted: Report (circulated in meeting papers)*  David Rothwell introduced his report as Interim Principal and CEO, highlighting key areas covered within it, relating to: results; ministerial visit from Angela Jenkyns Minister for Skills Further and Higher Education; enrolment position; estates/digital; bids and projects; finance, including energy costs; awards and national developments such as potential reclassification of Colleges into the public sector by ONS. The update on estates and capital included the Interim Principal sharing the excellent news that the College Group’s Levelling Up Funds (LUF) bid has now been approved. The Board noted that the College Group’s previously unsuccessful PSDS Phase 3 Decarbonisation bid had been kept as a reserve project by the funder, and can now be progressed for funding. The Interim Principal shared that the College Group has updated and technically refreshed our bid and we await further news/approval. It was noted that Board consideration will be needed before any binding contractual commitments can be made – with the scheme targeting £4.3m grant funding against a £8.8mn capital cost (net of VAT) and requiring a new subsidiary company special purpose vehicle (SPV) to be established to secure VAT recovery. Additional assurance in all areas related to capital will be provided to the Board in the newly formed Capital and Estates Committee, due to meet for the first time in a few weeks.  On Key Performance Indicators (KPIs), the Board noted that KPIs have been updated to include the year end position, as at August 2022. Proposed targets for 2022/3 have been updated where appropriate in light of outturn performance – with new in year performance starting to be reported monthly from end October onwards.  The Board thanked the Interim Principal for the informative report, and also congratulated Andrew Dewhurst (CIO) and the College’s IT team for achieving inclusion in the CIO Awards UK Top 100, reflecting the Group’s continued investment and transformative change in the IT/digital sphere.  **Resolved: To receive and note the Interim Principal’s Report, including updated Key Performance Indicators (KPIs)** |
| **Item 4.** | **Items to receive/note/approve** |
| **4.1 Finance Report**  *Submitted: Report (circulated in meeting papers)*  David Rothwell (Interim Principal and CEO) presented the report, which provided the Board with an update on the draft financial performance and position of the College Group as at 31st July 2022, including notification of items still to be finalised. The Board noted that figures provided are draft, as the process for preparation and audit of the financial statements for the year ending 31st July 2022 will continue throughout this term. It was confirmed that, as in previous years, the audited financial statements will need to be approved by the Board at its meeting on 12th December and the ESFA ‘Finance Record’ return deadline is 31st December.  The Board noted that the financial KPIs were as follows:    The Interim Principal confirmed that the draft outturn figures presented are closely aligned to the final outturn projection for the year which were shared at the July Corporation meeting – and that these were the basis for the annual ESFA financial planning return (the ‘CFFR’), along with the 2022/23 budget which was approved at the same meeting. The Board noted that the following items were still to be finalised – AEB final reconciliation, Skills Development Fund (SDF) income recognition and the final recognition and release of deferred capital grants. In relation to AEB clawback, the Interim Principal updated the Board that the value of this is now circa £400k, and shared his thanks with the cross-College team for their hard work to reduce this exposure.  **Resolved: That the Board receive and note the Finance Report**  **4.2 Annual Complaints Report 2021/2**  *Submitted: Report (circulated in meeting papers)*  Claire Jarvis (Assistant Principal – Finance and HR) presented the report, which offered an annual summary of complaints received for Board consideration and assurance. The Board welcomed that the overall volume of complaints continues to be low for an organisation of our size, as well as the reduction in the overall volume of complaints since the previous year. It was noted that trend analysis and information on the types of complaints correlated with student voice and did not indicate a significant issue in any area.  **Resolved: That the Board receive and note the Annual Complaints Report**  **4.3 Insurance Report**  *Submitted: Report (circulated in meeting papers)*  David Rothwell (Interim Principal and CEO) presented the report, which provided members with information and assurance regarding College insurance policy renewal for 2022/23, and confirmed that the College’s insurance policies have been successfully renewed for the 2022/23 year. It was noted that policies have been retained with the incumbent insurer – Zurich Municipal – under the previously agreed 3-year agreement with a further 1-year extension. The Interim Principal advised that the College will be conducting a full market tender in advance of the 2023/24 renewal to ensure value for money is obtained. Costs for the year were confirmed, and the Interim Principal will update on any changes in this respect.  The Board was provided with the schedule for the policy, and a breakdown of insurance premiums. The Interim Principal confirmed that the Fidelity Guarantee referred to in the report refers to fraud and not IT. The Board was assured that ‘market standard’ Governors liability cover remains in place unchanged from previous years. It was noted that there has been two new insurance claims arising during the last year, one relating to Motor Vehicle and another for Employers Liability, both of which are still outstanding with a combined claim value of £21k. The only other change of any note was that the College’s cyber-security cover has moved to a new third-party provider in 2022/23, following review and approval of the cover by the College Group’s CIO.  **Resolved: To receive and note the annual Insurance Report**  **4.4 Annual Health and Safety Report 2021/2**  *Submitted: Report (circulated in meeting papers)*  David Rothwell (Interim Principal and CEO) thanked the College Group’s Health and Safety Manager for the thorough Annual Health and Safety report provided to the Board for assurance in this key statutory area of responsibility. The report updated on the general approach to the management of Health and Safety during 2021/2 the period and also assured that the College is meeting its legal responsibilities and ensuring a safe working environment for learners, employees and others at the College group.  The Board noted that during the first term of the 2021/22 academic year, the health and safety agenda initially continued to be heavily focussed on the response to COVID-19, in particular the Omicron Variant which had significantly affected attendance early 2022. Post March 22 COVID -19 was no longer the dominating issue and all matters health and safety had shifted to important day to day matters and considerations particularly in higher risk areas such as construction and engineering curriculum operations which continue to require careful management attention and oversight.  **Resolved: That the Board receive and approve the Annual Health and Safety Report**  **4.5 Policies for Approval**  *Submitted: Report (circulated in meeting papers)*  Claire Jarvis (Assistant Principal – Finance and HR) presented the policies, which were considered and then approved by the Board.    **Resolved: That the Board approve:**   * **the Death of a Student Policy** * **Student Disciplinary Policy** * **Safeguarding Policy**   In discussions on the Safeguarding Policy, Steve Campbell was thanked for his pro-active approach as the recently appointed lead Governor for Prevent and Safeguarding, and the links made with the team.  **4.6 Governance Report**  *Submitted: Report (circulated in meeting papers)*  Debbie Corcoran (Director of Governance) presented the report, which updated the Board on application of the College Seal to a Deed of Indemnity provided to Nat West Bank as executors of a will which has bequest funding to the College Group. The report also shared the 2021/22 attendance report and an update on the position and approach in relation to Board and Committee membership and vacancies for Board consideration. During consideration of membership matters, Simone Hartley-Gott and Chris Smith left the meeting due to conflicts of interest. The Board also welcomed provision of a revised recommended Scheme of Delegation. Following consideration:  **Resolved: That the Board receive the Governance Report and:**  **Note:**   * **The application of the College Seal** * **2021/22 Attendance Report** * **Current membership and vacancies**   **Approve:**   * **An additional term of office for Chris Smith (Independent Governor), ending 30 September 2025 – and for Simone Hartley Gott (Staff Governor), ending 30 July 2023** – with both being updated and thanked by the Corporation for their ongoing support when returning to the meeting * **A revised Scheme of Delegation**   It was agreed that the Director of Governance will share the bio of the Board’s newest member (Gemma Marsh) again with Board members for information. |
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| **4.7 Committee Minutes for assurance**  *Submitted: Report (circulated in meeting papers)*  Following consideration, the Board received and noted the following minutes for assurance, with inputs from the Committee Chairs to draw out areas of interest, risk or concern:  **Resolved: To receive and note:**   * **Unapproved minutes from the Quality and Standards Committee meeting of 22nd June 2022** * **Unapproved minutes from the Audit Committee meeting of 17th June 2022**   The Board considered the recommendation from the Higher Education Academic Board (HEAB), supported by Quality and Standards Committee, in relation to revised terms of reference for the HEAB.  **Resolved: To approve revised terms of reference for the Higher Education Advisory Board (HEAB)** |
| **Item 5.** | **Any Other Business** |
| There were no items of any other business. |
| **Item 6.** | **Review and reflections on the meeting against Group values** |
| Phil Wilkinson (Chair) invited reflections from Board Members and leadership team on today’s meeting, decisions and ways of working against the Group’s values. Feedback included that the Board welcomed the honesty and clarity in reports and open approach to support and challenge in the meeting, which was felt to be key to culture and also success, and a real strength. Board members shared that the pace of discussions and use of online e-governance supported them feeling energised in conversations, with a lively approach to support and challenge demonstrated that shows the focus on key strategic priorities and areas of risk or opportunity.  Lisa O’Loughlin (Designate Principal and CEO) was thanked for joining the Corporation meeting as an observer, and the Board looked forward to her beginning her role at the College Group.  With this, the Chair thanked members for their attendance and inputs, and the formal meeting was closed. |

**Debbie Corcoran**

**Director of Governance**

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

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