

**FURTHER EDUCATION CORPORATION MEETINGS 2019/20**

**MINUTES OF THE FURTHER EDUCATION CORPORATION MEETING**

**Held at 5pm on Wednesday 25th September 2019**

**Nelson and Colne College, Boardroom**

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| **Members present:** | Stephen Barnes (Chair), Amanda Melton (Principal), Mike Phelan, Nadeem Rashid, Phil Wilkinson, Jane Cleaver, Stephanie Bridgeman, Emma Schofield, Tom Gee, Lee Burton, David Whatley |
| **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)  Claire Jarvis (Assistant Principal – Finance and HR)  Morag Davis (Assistant Principal – Technical Curriculum)  Fionnuala Swann (Assistant Principal – Academic Curriculum)  Karen Williams (Professional and Organisational Development Manager) – to item 8  Debbie Corcoran (Clerk to the Corporation) |

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| **Item 1.** | **Welcome and Apologies for Absence** |
|  | Attendees were welcomed and introductions made. Special welcome was given to Will Cook to his first Corporation meeting since being appointed as Staff Governor – Nelson.  Apologies for absence were received and accepted from Brian Fisher, Tim Webber MBE, Steve Hughes and Rob Pheasey. |
| **Item 2.** | **Declarations of Interest** |
|  | The Clerk confirmed that those Governors proposed and seconded for the positions of Chair and Vice Chair of the Corporation in agenda item 5 would leave the meeting during this item, for members to vote.  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.  Nadeem Rashid entered the meeting. |
| **Item 3.** | **Minutes of the Previous Meeting (15th July 2019)** |
|  | *Submitted: ‘Minutes of the Board of Corporation Meeting held on 15th July 2019’ (circulated in Board papers)*  The Minutes of the Board of Corporation Meeting held on the 15th July 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.** | **Membership - Appointment of Chair and Vice Chair, and renewal of terms of office** |
| *Submitted: Report (circulated in Board papers)*  The Clerk explained that in line with the Corporation’s Standing Orders, the Corporation should appoint from itself a Chair and Vice Chair for the 2019/20 academic year at its first meeting of the year.  Proposals were invited for Chair, with Stephen Barnes proposed by David Whatley and seconded by Phil Wilkinson. Stephen Barnes left the meeting for Governors to vote, and he was appointed as Chair.  Stephen Barnes entered the meeting, and was updated on the outcome. As Chair, he invited proposals for the position of Vice Chair, after explaining that the current Vice Chair Rob Pheasey would not be standing due to work commitments. The Chair and Board expressed their thanks for Rob Pheasey’s involvement, support and commitment in the Vice Chair role.  Phil Wilkinson was proposed for Vice Chair by Stephen Barnes, and seconded by Mike Phelan, and then left the meeting for the vote. On returning to the meeting, it was confirmed that Phil Wilkinson was appointed to the Vice Chair role.  Stephen Barnes and Phil Wilkinson thanked the Board for their support. The Chair welcomed the new Vice Chair, thanked him for his valuable support and input through the merger process in particular, and looked forward to continuing to work with the Board in the next year. The Board agreed that the Clerk should share their thanks with Rob Pheasey on their behalf, for his service and support in the Vice Chair role.  To support smooth running of the meeting, agenda item 8.4 was brought forward at this point, inviting the Board to consider renewing the terms of office of 4 Governors whose terms of office were due to end before the next Board meeting: Jane Cleaver, Nadeem Rashid, Stephen Barnes and Mike Phelan.  The 4 Governors under consideration left the meeting. Following consideration of the member’s attendance and contribution to the Corporation, the Board agreed for their reappointment for an additional 4 year term of office ending 25 September 2023.  **Resolved: To appoint Stephen Barnes as the Corporation’s Chair, and Phil Wilkinson as Vice Chair, for the 2019/20 academic year**  **Resolved: To approve an additional 4 year term of office for Nadeem Rashid, Jane Cleaver, Mike Phelan and Stephen Barnes - ending 25 September 2023** |
| **Item 6.** | **Governor insight – Strategic Curriculum Developments** |
| *Presentation in the meeting*  Amanda Melton (Principal) and Morag Davis (Assistant Principal Technical Curriculum) presented the insight session, offering the Board an overview of the 16-18 study programmes, the offer in place at the College and key developments planned. The presentation covered:   * The study programme – with an explanation of the 3 main offers - A levels, level 3 pre-vocational and pre-advanced * Mix of provision at the 2 Group campuses delivering provision to 16-18 year olds (Nelson and Colne College and Accrington and Rossendale College), with differences drawn out * Analysis of students by site, by study programme and level * Key curriculum developments planned, and their intent, implementation and impact * Explanation that the new regulated qualifications framework (RQF) has begun to be delivered in College. In addition the new curriculum design for Public Services to reflect changing destinations was outlined, and new proposals for Law, Justice and Protective Services shared * Development of T levels, with the College launching in 2 areas - digital production, design and development, and education in 2020 * Level 2 transition was explained and an update given – including the College’s role as part of the DfE pilot for level 2 transition * Approaches to develop and progress more students on level 3 programmes at Accrington were outlined - and from levels 3 and 5 through to 5 and 6 at every campus   Emma Schofield entered the meeting.  Governors considered the approach, and their questions were answered. It was confirmed that there are no plans to develop an A level offer at Accrington, with continued investment focused on the development of the highest quality level 3 vocational and technical offer. Plans for progression pathways into and from T levels were outlined and considered.  Governor’s tested alignment of the Group’s 16-18 offer with LEP and local priorities, and labour market needs. Employer and industry needs were discussed as a key driver, with Emma Schofield updating on the work between the Group and East Lancashire Trust to develop and adapt the curriculum to meet their needs as an employer. The importance of personally designed study programmes/learning experiences at all levels built around progress towards an end result and skill development was agreed – with maths and English at the heart when needed.  Members thanked the Principal and Assistant Principal for their informative update.  **Resolved:** **To receive and note the overview and update on the Group’s current offer and approach to curriculum development for 16-18 year olds** |
| **Item 7.** | **Workforce and Organisational Development Report** |
| *Submitted: Report (circulated in meeting papers) and an additional report on Staff Survey tabled in the meeting*  Claire Jarvis (Assistant Principal – Finance and HR) presented the report, which offered both the usual annual report required for Board assurance, plus additional updates around organisational development which would be covered by Karen Williams (Professional and Organisational Development Manager), in attendance.  It was noted that this is the first Workforce and Organisational Development Report post-merger, with complexity added by the need to report on activity in the past 12 months with merger having occurred in-year. Data was therefore presented at both the ‘Group’ level (which is Nelson and Colne College, Accrington and Rossendale College and Lancashire Adult Learning) post-merger, or at the Nelson and Colne College pre-merger position (including LAL). It was noted that key equality and diversity information relating to staffing will follow at the next Board meeting.  KPIs for staff and workforce were proposed in the report in 4 areas (staff survey satisfaction score, staff absence rate, staff turnover and appraisal completion) and a proposed target for 2019/20 set out. The Board considered the report, particularly focusing on areas if there was a declining position/trend. The College’s staff absence rate of 3.67% in 2018/19 was noted to be above the AoC average (2.4%), explanation was given and assurance of actions in place to reduce this further was gained.  The Assistant Principal confirmed that the outcome of a Unison ballot had been confirmed today, with agreement to align to Nelson and Colne College terms and conditions by 1 October 2019. The Group’s HR Manager and the Assistant Principal had welcomed meeting with Emma Schofield (Governor) today to review and gain input to the College’s strategic approach to HR, Board reporting and KPIs.  Karen Williams (PODM) presented the 2018/19 staff survey findings, with data and trends at Group and team level. An update was given against the ‘Be Phenomenal’ professional development programme, leadership team development and the Group’s new appraisal and performance system.  The Board expressed concern that 9 of the 10 questions asked in the Staff Survey showed a negative distance travelled, with Support Staff’s responses showing the greatest decline in satisfaction. Governors reviewed the 7 key challenges and resulting actions proposed to be put in place through an action plan, to respond to staff’s feedback and improve the position.  It was recognised that this is the first full survey post-merger and provides an important baseline for the merged College and new Group, with the Principal clear on the importance of staff views and input. As the Board need to be assured of progress and impact, it was agreed that the resulting staff survey action plan will be shared with Finance and Resources Committee at its next meeting, and progress updates given to Board in-year, with a mid-year ‘temperature check’ on staff views agreed. The Board asked the PODM to gain input from the 3 Staff Governors into the action planning process.  Following the active discussion, the Assistant Principal and PODM were thanked for the update and their input, and Karen Williams then left the meeting.    **Resolved: That the Corporation receive the annual report and update on workforce and organisational development**  **Resolved: That the Corporation’s Finance and Resources Committee receive the Staff Survey Action Plan and monitor its delivery and impact, including a ‘temperature check’ on progress and update to Board before year end** |
| **Item 8.** | **Corporate and governance items**  **8.1 Strategic Plan 2019-21**  Amanda Melton (Principal) presented a summary presentation, highlighting the proposed Strategic Aims and related risks included in the draft Strategic Plan circulated. A summary ‘plan on a page’ and draft Key Performance Indicator (KPI) framework was tabled in the meeting. The KPI framework included both out-turn information for 2018/19 and also proposed targets for 2019/20. The Board were assured that the Strategic Plan developed accurately captured and reflected the vision and priorities expressed by the Board to-date, particularly through the strategic planning workshop held at the Board’s April awayday.  The Corporation split into separate groups to review the proposed strategic priorities and key risks. Feedback was given in the meeting, which will be reflected in the final risk management framework developed for the Group. The Board welcomed the supporting labour market analysis and context within the Strategic Plan.  The Board approved the KPI framework, subject to the Quality and Curriculum Committee and Finance and Resources Committee review of the committee level KPI dashboards at their next meetings on behalf of the Board and proposal of any final changes or acceptance. It was agreed that Board members will also have opportunity to review the KPIs outside of today’s meeting and feedback to the Clerk.  **Resolved: To receive and approve the Nelson and Colne College Group Strategic Plan 2019-21**  **Resolved: To approve the 2019/20 Key Performance Indicator (KPI) framework, subject to a review of the Quality and Curriculum Committee and Finance and Resources Committee**  **8.2 Principals Report**  *Submitted: Report (circulated in meeting papers)*  The Principal presented the report, welcoming questions and comments. Key updates included within the report covered: key challenges and priorities at the start of the new academic year, curriculum performance including feedback from curriculum performance review meetings, the Strategic College Improvement Fund partnership with NCG, national consultations and also a summary of press coverage. The Principal also updated on the Secretary of States recent visit to Nelson and Colne College, and it was agreed that the Clerk will share the report shared with the Minister.  The Board took the opportunity to recognise the College’s excellent performance in GCSEs and A levels this year, and it was agreed that the Principal will share their thanks and recognition with staff.  The Principal was thanked for the informative update.  **Resolved: To receive and note the Principal’s report**  **8.3 Recruitment, marketing and branding**  *Submitted: Report (circulated in meeting papers)*  Alison Rushton (Vice Principal – HE, Adult Learning and Apprenticeships) presented the report, which included an update on:   * Branding – the brand architecture at Group, campus and service levels was explained, and copies of new materials shared * Marketing Strategy and Priorities for 2019/20 – including the strategic focus and marketing and communications activities for 16-18 year olds, adults, and employers * Finer grain analysis of enrolment trends for 2019/20 – as agreed at the previous Board meeting – with analysis at school level for each campus   It was agreed after review and discussion that the Board will receive a mid-year update on marketing activity, with a termly update on enrolments and applications.  **Resolved: To receive and note the report on recruitment, marketing and branding**  **Resolved: The Corporation to receive a mid-year update on marketing activity, and termly update on enrolments and applications**  **8.4 Governance Report**  *Submitted: Report (circulated in meeting papers)*  The Clerk to the Corporation presented her report which covered recommendations on membership, offered an annual update on attendance and an overview of the College Insolvency Regime for the Corporation to note, and also shared a draft Governor Learning and Development programme and scheme of delegation for Governor’s review.  Following consideration, the Board agreed the following resolutions:  **Resolved: To appoint Dean Langton (Chief Executive Pendle**  **Borough Council) as co-opted Audit Committee member, with a 4 year**  **term of office (1 November 2019-1 November 2023)**  **Resolved: To receive the report and note the 2018/19 member attendance levels for Corporation and Committee meetings**  **Resolved: To approve the Scheme of Delegation**  **Resolved: To approve the 2019/20 Corporation Learning and Development Programme, and note the accompanying Governor Glossary**  The Board also considered the AoC’s Senior Postholder Remuneration Code, and agreed to its adoption, with the production of the resulting annual report on remuneration to be presented at the December Board meeting.  **Resolved: To adopt the AoC Senior Postholder Remuneration Code** |
| **Item 9.** | **Finance and Audit**  **9.1 Finance and Audit Summary Report**  *Submitted: Report (circulated in meeting papers)*  David Rothwell (Deputy Principal) presented the summary report, which provided members with an update regarding progress of the capital investment programme, the drawdown position in respect of the approved restructuring facility (RF) grant allocation to the Group and the key monitoring information recently submitted to the ESFA in respect of Q4 2018/19.  Key matters to noted were:   * the time of writing a further RF grant for c£2mn is being finalised for submission to ESFA * The ESFA’s latest quarterly information requirements have been addressed, key extracts of which were enclosed within the report * The major estates programme works at the Accrington site are, in overall terms, progressing satisfactorily – however it was noted there was an increased risk of slippage on the capital programme as contractors Rosslee had indicated concerns of timescales, however the completion of Heartwood was on schedule - £1.9m spend is needed by end of March 2020 so that the full value of RF available is drawn down   The report also included the unapproved minutes from the Audit Committee meeting of 14th June 2019, for member’s assurance. The Deputy Principal took the opportunity to commend and thank staff for their work on the intensive capital programme and also for the positive approach of the many staff affected by the relocations and movement resulting.  **Resolved: To receive the report and note the updated position in relation to capital investment and Restructuring Facility**  **Resolved: To receive the report and note the unapproved minutes from Audit Committee’s meeting of 14 June 2019**  **9.2 Financial Update Report**  *Submitted: Report (circulated in meeting papers)*  The Deputy Principal presented the report, with the summary draft financial position at 31 July 2019 against reported KPIs (draft outcomes) being:   |  |  |  | | --- | --- | --- | | **Summary financial performance projection 2018/19 (Financial Statements basis)** | | | | **Financial performance measure** | **Projected** | **Draft Actual** | | Sector EBITDA as % of income | 3.15% | 4.91% | | Borrowing as a % of income | 8.8% | 8.7% | | Cash days in hand | 122 | 125 | | Adjusted current ratio | 2.3 | 2.55 | | Staff cost / income ratio | 68% | 68% | | Financial covenants overall compliance | Yes | Yes | | ESFA Financial Health category | Good | Good |   The report also confirmed:   * The reported surplus for the year is £3,095k compared to £3,615k forecast in the ESFA financial plan, a variance of -£520k.   It was noted that this includes variances relating to a number of non-cash items: FRS 102 pension charges of -£1,487k, which were not included in the ESFA financial plan forecast, Accrington ‘gift in substance’ +£521k, depreciation +£365k and release of capital grant -£308k. Without these, the variance would be +£389k, which is favourable when reflecting on the underlying performance.   * The EBITDA surplus is £1,343k surplus compared to £852k forecast in the ESFA financial plan. * Solvency and working capital position: current ratio is 2.55, again, favourable compared to the 2.26% forecast. * Cash and investment balances at 31.07.19 stood at £9,374k (125 days) compared to £9,009 (122 days) forecast. * Overall in year computed financial health grade is ‘good’ based on the draft figures, as expected. * Covenant compliance – technical review of covenants to be conducted due to in year exceptional items but full compliance is expected. * Capital expenditure in year is £2,357k.   It was noted that the 2018/19 out-turn position is still subject to an audit process, the position on bank covenants is positive/compliant and that in 2019/20 Apprenticeship income is noted as an area for improvement.  The Deputy Principal was thanked for the report.  **Resolved: To receive the financial update on the position as at 31 July 2019** |
| **Item 10.** | **Quality and Curriculum**  *Submitted: Report (circulated in meeting papers)*  Tracey Baron (Deputy Principal) presented the report, which included an update on the position reported to the Board in July 2019, with key points for consideration being: quality of teaching, learning and assessment in a few campus-based subjects; English and mathematics; overall value added score for A level.  ***Quality of teaching and learning*** – an update was given on the Be Phenomenal professional development programme including progress to-date and next steps  ***English and maths*** – the Board were pleased to note that achievement in high grade mathematics and English this year surpassed the predicted out-comes reported to the July Board. English and mathematics high grade achievement at the Nelson campus was confirmed as 49% and 62% respectively – and while this is a slight drop compared to July 2017, these results are very strong indeed. English and mathematics high grade achievement at the Accrington campus is 67% and 22% respectively. Predicted progress measures in English and mathematics at campus level for students completing their studies at College were noted as exceptionally good. Board noted predictions for high grade achievement reported to Board in July varied significantly when compared to the actual outcomes. They were assured there is now two years of outcomes to be able to more fully analyse the trends. A review had been completed and indications show that the prediction methodology previously applied is narrowly focused on few assessment points in the year and as a result this adversely impacted on the overall accuracy of predicted achievement. The Assistant Principal has begun to work with the Head of Division and the team to apply prediction points throughout the academic year; in–year predictions for GSCE English and mathematics will be reported at future Quality and Curriculum Committee meetings.  ***A level value added*** – Board were pleased to note that the value added score for A level subjects has improved from a score 3 in 2017-18 back to a score 2 in 2018-19 placing the Group’s A level subjects in the top 10% nationally for progress.  ***Quality improvement (Subjects requiring improvement and areas for development)*** – following the assessment of curriculum performance and assessment of outcomes, it was confirmed that there are 7 subjects requiring improvement (3 A level subjects and 4 vocational/occupational and apprenticeships) and 13 areas for development (10 vocational/occupational subjects, 1 A level subject, 1 apprenticeship area) – all which will be monitored through Quality and Curriculum Committee  ***Out-turn achievement for classroom based learning 2018/19*** – performance data was shared for all campuses and by age group, with trend analysis. The Board noted the overall extremely positive position and outcomes, thanking staff for their commitment and hard work to support learners to achieve and progress.  It was agreed that Quality and Curriculum Committee will ‘unpack’ the full set of 2018/19 achievement data, understanding any areas for priority focus and improvement for 2019/20 and assure the Board on strategies in place to achieve this ahead of consideration at the next Board meeting.  The Associate Principal was thanked for the report.  **Resolved: To receive and note the Deputy Principal’s update on Quality and Curriculum** |
| **Item 11.** | **Policies requiring Board approval**  *Submitted: Report (circulated in meeting papers*  Samantha Mercer (Assistant Principal – Planning and Performance) presented the report, and 2 updated policies for Board approval – Disciplinary Policy and Safeguarding Children and Vulnerable Adults Policy and Procedures. Governors reviewed the updated policies and they were approved.  **Resolved: To approve the Disciplinary Policy and Safeguarding Children and Vulnerable Adults Policy and Procedures** |
| **Item 12.** | **Higher Education (HE) Fees 2020/21**  *Submitted: Report (circulated in meeting papers*  Alison Rushton (Vice Principal HE, Adult Learning and Apprenticeships) presented the report.In order to comply with registration requirements for the Office for Students (OfS) the Board was asked to approve the HE fees for 2020/21 ahead of the Group’s main Fees Policy being considered by Board for approval in December 2019.  The Board considered the report and it was agreed to increase the Group’s standard fee for full-time students from £7,500 in 2019/20 to £7,725 in 2020/21, and that part-time fees policy will increase from the 2019/20 rate of £8,000 per full-time equivalent to £8,240. It was noted that there are no changes to discounts, these remain as per 2019/20 HE Fees, as do the requirements regarding evidence if the student is paying by loan.  **Resolved: To approve HE fees for 2020/21 of £7,725 for full-time students and £8,240 for part-time students** |
| **Item 13.** | **AOB** |
| There were no items of AOB. |
| **Item 14.** | **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 felt that the meeting had demonstrated the right balance of scrutiny, conversation and contributions from members. The meeting had included consideration of progress and impact to-date plus strategic look forward, and members had been clear on additional assurance required and impact expected.  Members shared that they had accessed the first Governor VLOG on the new Education Inspection Framework (EIF) requirements and the Group’s approach to meet these, and it had been enjoyable and interesting – and welcomed the further VLOGs being made available.  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:…………………**