



Part 1 Non-Confidential Minutes

Corporation

Monday 12th October 2020

via Microsoft Teams

Present:

Carole Thorogood (Chair)	(CT))	
Anja Beriro	(AB))	
Mary Carswell	(MC))	
Andrew Dickinson	(AD))	
Richard Donovan	(RD))	
Mike Green	(MG)	from item 5) External governors
Jonathan Hawley	(JH))	
Patricia Harman	(PH))	
Neghat Khan	(NK))	
Andrew Unitt	(AU))	
Michael Wisher	(MW))	
John van de Laarschot	(JL)		Chief Executive Officer
Nick Proverbs	(NP)		Staff governor from item 3
Liam Sewell	(LS)		Staff governor from item 3
Henry Icke	(HI)		Student governor

In attendance:

Philip Briscoe	(PB)	Principal (Curriculum & Education)
Jo Clifford	(JC)	Principal (Finance)
Simon Kirby	(SK)	Director of Marketing, PR and Communications
Lauren Waters	(LW)	Director of Quality & Performance
Karen Sanders	(KS)	Director of OD/HR
Jo Welham	(JW)	Governance and Support Services Manager
Rachel Robson	(RR)	Clerk
Mike Firth	(MF)	ESFA
Mick Bush	(MB)	Health & Safety Manager – item 9
Chris Todd	(CT)	Interim Manager PAE - Item 10

1	<p>APOLOGIES</p> <p>048 Apologies were received from Claire Brookes.</p> <p>It was noted that Mike Green would join the meeting late.</p> <p>NP and LS to join after item 3.</p>
2	<p>DECLARATIONS OF INTEREST</p> <p>049 Neghat Khan declared an interest in the matters discussed in minutes 089 to 091. No other declarations of interest were received in relation to matters on this agenda</p>
3	<p>APPOINTMENT OF GOVERNORS (report distributed as CORP.121020.001)</p>

	<p>Staff Governors</p> <p>050 RR updated on the staff governor appointment process as set out in the report. Since the update at the last Board meeting both academic and non-academic staff were asked to nominate and subsequently vote to nominate a staff member for each role. LS has been nominated for the role as staff governor by the academic staff, he is a lecturer in the ESOL department. NP has been nominated for the role as staff governor by the non-academic staff, he is currently the Lead Generation Manager for the College with responsibility for recruitment and funding in Apprenticeships.</p> <p>The Board resolved to appoint LS and NP to serve as staff governors with terms of office of two years ending on 31st July 2022.</p>
4	<p>MINUTES OF THE PREVIOUS MEETING</p> <p>4.1 Minutes</p> <p>051 The Board reviewed the minutes from the previous meeting (distributed as CORP.121020.002). The Board resolved that the minutes of the meeting held on 14th September 2020 be approved as a true record and signed by the Chair.</p> <p>4.2 Actions and Matters Arising</p> <p>052 Governors reviewed the Open Action Tracker (distributed as CORP.121020.003):</p> <p>14.09.20 Action 1 Staff vacancy data in CEO reported amended. Action complete. 14.09.20 Action 2 Revision of KPIs/Dashboard in flight. Action ongoing. 14.09.20 Action 3 Impact target in Ofsted action plan updated. Action complete. 14.09.20 Action 4 Ofsted action plan and QIP to be merged. Action ongoing. 14.09.20 Action 5 Attendees at task & finish groups updated. Action complete.</p> <p>4.3 Written Resolutions (distributed as CORP.121020.004)</p> <p>053 Since the date of the last meeting Board members have passed the following written resolution:</p> <p>Written Resolution: The Board resolved to amend Standing Orders to update the Declaration of Eligibility at Appendix 5</p>
5	<p>CEO REPORT & KPIs</p> <p>054 JL presented the CEO Report (distributed as CORP.121020.005). He updated on data dashboard development and KPIs noting the progress made and the timescale to bring to Board. A governor requested that future KPIs include targets, JL confirmed that trend analysis and clear targets will be included. A Governor queried whether a bespoke dashboard was preferable or whether this would lead to additional cost. JL confirmed that this debate had been considered within the SLT but noted that the team were of the view that a bespoke system using a Microsoft suite would provide greater effectiveness and efficiencies.</p> <p><i>MG joined the meeting</i></p> <p>055 A governor queried how the College was managing Covid 19 issues. JC confirmed that this had been a testing period as the College had had a number of positive cases amongst staff and students. She advised that internal tracking and tracing was working well, and that processes and communication strategies were also working effectively. Cover for staff that were isolating was being put in place, where this had not been possible a couple of faculties had switched to online delivery. Where it was necessary to review working practices, JC confirmed that discussions with staff and union representatives were taking place.</p>

6 TEACHING, LEARNING AND QUALITY

6.1 Curriculum and Quality Report

056 Governors received the Curriculum and Quality Report (distributed as CORP.121020.006). In addition, PB shared an enrolment update on the screen, he updated governors on the latest enrolment figures across all areas of delivery. A governor advised that she had been contacted by two students who had thought that they had completed an enrolment process but had since been told that the course was full and that they did not have a place. She queried the point at which decisions were taken that courses were full and the follow up actions taken with students to ensure that they were not left without an option. PB confirmed that some courses had enrolled at 120% to 125% and had now closed to any further enrolments, he confirmed that students impacted by this were offered places on alternative courses. PB also confirmed that courses not enrolled to capacity were still actively recruiting students. A governor queried if the numbers referred to were those contained within the information supplied to funders. JC confirmed that the same set of numbers were used throughout budgeting and forecasting.

057 A governor noted the number of students referred to as not attending, she noted the impact on overall recruitment of those students that did not attend and asked what actions were in place to ensure those students attended. PB updated on the curriculum areas where the majority of students that had not yet attended were enrolled and confirmed that this was due to known issues on space and staffing, issues which he further confirmed were now resolved. The governor sought confirmation that in the interim those students had been 'kept warm', PB confirmed that keeping in touch activities and been in place. The governor noted disparities on what constituted attendance in reporting and asked for clarity on what is referred to as 'attendance', on the actions in place to chase attendance and the impact of those actions.

Action: PB to add further detail for governors on what constitutes attendance, on the actions taken to chase attendance and the impact of those actions in future Curriculum and Quality Reports.

058 A governor queried if newly recruited staff were being started in a timely manner, noting the impact suggested on students unable to start courses. PB and KS updated on the processes in place to on-board staff as quickly as possible. It was highlighted that some posts are very hard to fill due to the skill set required and the number of vacancies for those skill sets across various colleges in the East Midlands area. Governors queried the impact on students and on retaining students. A governor also raised queries on the numbers of non-starters, of withdrawals and on the reasons for those withdrawals. LW updated on the processes in place to highlight and address learners at risk.

Action: PB to report to governors on the numbers of students who enrolled and did not then attend, withdrawals and reasons for withdrawals.

059 A governor queried the actions being taken to address any issues around enrolment and withdrawals from a communication perspective. SK advised that issues are addressed as they arise on social media, calls made to the College are dealt with informally. He confirmed that a few issues are escalated to the formal complaints process. The governor highlighted the need to ensure that any potential reputational risk was dealt with.

6.2 Ofsted Action Plan

060 Governors reviewed the updated action plan (distributed as CORP.121020.007). It was noted that each target was now bespoke to the action. PB confirmed that governors would shortly receive invites to attend sessions to enable the further progress against action 11 b. He also confirmed that governors would be invited to attend SAR validation meetings.

Action: PB to invite governors to SAR validation meetings

061 A governor noted the revised bespoke targets and the RAG rated actions shown as green, however she queried how governors could be sure of the impact of the actions taken. She requested that an impact column be added to the Plan to provide evidence of the impact of actions taken.

Action: PB to add an impact column to the QIP/Ofsted action plan to provide evidence of the impact of completed actions

062 A governor queried the reported variations in the level of planning shown to be good or better, she queried if areas doing well are sharing good practice with areas not working as well. LW confirmed that a more robust framework is now in place that accounted for apparent discrepancies in data and that sharing of good practice via learning coaches is happening.

Action: LW to share details via email on the reported variations in planning and the sharing of good practice

063 A governor queried the final achievement rates for 19/20, PB confirmed these remained largely unaltered from data shared at the previous meeting.

064 A governor questioned the potential anomalies between reports on IT issues. PB confirmed that the action plan referred to the functionality of the systems in place, noting the improvements in use of eLP. JC confirmed that more IT calls were being logged but that a spike was expected at the start of the academic year and more technicians were in post to work through those.

7 SAFEGUARDING

7.1 Annual Safeguarding Report

065 The Annual Safeguarding Report was received and reviewed (distributed as CORP.121020.008). Governors noted the impact of the lockdown on Safeguarding issues and the steps taken by the College to raise awareness of these issues and to provide relevant support. A governor raised concerns that a subcontractor, where Safeguarding issues had previously caused concern, was endeavouring to re-enter the marketplace. PB confirmed that the College was aware of this and highlighted additional due diligence processes now in place.

7.2 Safeguarding Policy Update

066 Governors received and reviewed the update Safeguarding Policy (distributed as CORP.121020.009). A governor noted some typographical errors and confirmed she would confirm those to PB. Subject to the correction of those errors the Board **resolved** to approve the Policy.

067 A governor queried if governors had received the September 2020 version of 'Keeping Children Safe in Education' and asked if all governor training was up to date.

	<p>Action: RR to circulate the September 2020 version of 'Keeping Children Safe in Education'</p> <p>Action: RR to confirm whether governor training on Safeguarding and Prevent is up to date and if not to arrange training.</p>
8	<p>GOVERNANCE AND SEARCH COMMITTEE FEEDBACK</p> <p>068 RR confirmed to the Board that the Governance and Search Committee had met earlier in the day. She reported on the items of business considered by the Committee that now required Board approval.</p> <p>069 Following the resignation of Phil Crompton there is a vacancy on the Governance & Search Committee. The recommendation of the Committee is that AB be appointed to the Committee. The Board resolved to appoint AB as a member of the Governance & Search Committee. RR confirmed that the Committee had also discussed issues around Task and Finish Groups, this discussion was taken under item 9 on this agenda. The Committee also considered vacancies on the Board and, with reference to the most recent Skills Audit and Terms of Office of current governors, recommended to the Board to progress a recruitment process for two governors with FE curriculum experience through the DfE's '<i>FE Governor Recruitment Pilot</i>' with Peridot and to progress further recruitment with Peridot for a governor with IT/Digital skills and a governor with Finance/Audit/Estates skills. The Board resolved to pursue the recruitment processes outlined.</p> <p>070 RR confirmed that the Committee had reviewed the Annual Governor Attendance Report for 19/20. The Committee recommendation for an attendance target for governors for 20/21 is 80%. The Board resolved to agree the attendance target of 80%.</p>
9	<p>HEALTH & SAFETY</p> <p>071 MB joined the meeting to take governors through the Annual Health & Safety Report (distributed as CORP.121020.010). The additional actions required in year in response to the Covid 19 pandemic were highlighted. MB also highlighted the priority actions moving forward. JC confirmed that the Health & Safety team were relatively small in number and had responded very positively to the unprecedented implications of the pandemic. She thanked MB and the whole Health & Safety team; this was echoed by CT on behalf of the Board.</p> <p>072 A governor queried the how much asbestos was within the College estate and the level of concern this caused. MB confirmed that the College used a specialist contractor to manage this issue, that a full R and D survey is undertaken before any intrusive works in older buildings are commenced, and the last HSE was content with the management of this issue.</p> <p><i>MB left the meeting.</i></p>
10	<p>SUBCONTRACTING</p> <p>073 CT joined the meeting to take governors through the Subcontracting Rationale in detail (distributed as CORP.121020.011). CT advised that on the 30th June 2020 the ESFA had written to the sector detailing its intention to introduce a subcontracting standard over 3 years. The intention of the standard being to ensure all subcontracting is of high quality but also to significantly reduce the volume of subcontracted activity across the sector. As part of the phased implementation to the standard, CT confirmed that colleges need to publish a rationale for their limited subcontracted activity by 31st October 2020.</p>

	<p>074 CT confirmed that the rationale had been straightforward for the College as it fell within the already agreed strategy. Governors reviewed the rationale. A governor asked how the College will measure the quality of subcontracted provision and evidence that. CT confirmed that was already established and recorded within existing procurement arrangements and could be added to the rationale. Subject to that addition the Board resolved to approve the rationale for publication.</p> <p><i>CT left the meeting.</i></p>
11	<p>TASK & FINISH GROUPS</p> <p>HE</p> <p>075 MC confirmed that the group had not met since the last Board meeting but was due to meet in the next few days.</p> <p>Apprenticeships</p> <p>076 MC confirmed that the Group had met in September and would be meeting again soon. Discussion on a roadmap of where to take this area, structure and leadership was advanced. JL confirmed that external guidance was helping to re-shape the competitiveness of the provision and would enable the College to reflect the needs of the market moving forward. He confirmed recommendations would be brought to the Board shortly.</p> <p>Capital Project Board</p> <p>077 AU confirmed that the Group had met since the last Board meeting. Formal completion for the Hub was 9th October with a final agreed snagging list to be completed during the current week. Waites will then work to complete the boundary wall.</p> <p>Adult Education</p> <p>078 JH confirmed that the Group had met on 1st October. He confirmed further work was needed to develop the strategy which would be driven by market need, reference to the Nottingham Growth Board Renewal Plan and D2N2 strategy.</p> <p>Finance</p> <p>079 AU confirmed that the Group had met and discussed in detail the items to be taken under the Part 2 confidential agenda.</p> <p>080 The Board considered draft Terms of Reference taking into account the work of each group, their origins, purpose, and composition. It was agreed that the HE, Adult and Apprenticeships groups are executive groups that have been created to progress Board actions. Governors attend those groups to monitor progress, report progress to the Board and to provide challenge to the emerging strategies. Those groups will report back to Board with proposals for review and approval. Governors who have expressed a wish to join those Groups may do so. The Finance Task & Finish Group is a Board Task and Finish group having been established by the Board for a specific purpose and as such, requires Terms of Reference. It too will report back to Board for approval for the work it has been established to oversee. The Board resolved to agree the Terms of Reference for the Finance Task and Finish Group.</p>
12	<p>POLICIES FOR APPROVAL</p> <p>081 The Board received the following policies which were due for review and reapproval. There were no material changes to the policies beyond updating roles and governors had been afforded the opportunity to raise any queries in advance of the meeting. Some typographical errors were highlighted.</p>

	<ul style="list-style-type: none"> • Financial Regulations (CORP.121020.013) • Security Policy (CORP.121020.014) • Business Continuity Plan Policy (CORP.121020.015) • Public Value Statement (CORP.121020.016) • LGPS Discretions Policy (CORP.121020.017) <p>Resolved that the above revised policies be approved subject to the correction of the errors highlighted</p>
13	<p>AOB</p> <p>082 CT formally welcomed HI, NP, and LS to their first meeting. HI thanked governors for welcoming him to the Board and introduced himself, confirming details of his course and his role as Vice President FE with the Student Union.</p> <p>083 CT congratulated MG on his honour in the Queen's Birthday Honours list.</p> <p>084 Finally CT noted that this was to be the last Board meeting that JC would attend before leaving the College in early November. She thanked JC for all that she had done for the College and wished her well in her new role.</p>
14	<p>DATE OF THE NEXT MEETING</p> <p>085 The date of the next meeting confirmed as the Away Day on Monday 9th November 2020</p>