

Full Governing Body Minutes

Meeting	Full Governing Body	Date	Tuesday 14 th December 2021
Location	The Boardroom, Anne's Building, Folkestone	Time	5.30pm
Membership	Charles Buchanan (Chair), Graham Razey (CEO) (Chief Executive Officer), Allan Baillie, Ella Brocklebank, Gail Clarke, Miranda Chapman, Jonathan Clarke, Natalie Garner, Jason Howard, Tim Kent, Peter Troke, John Korzeniewski, Peter Cheney, <i>Richard Brooks</i> , Joanna Worby, Gregg Skinsley-Stephens (Staff Governor), Ethan Stocker		
In Attendance	Chris Legg (CL) (Chief Financial Officer) Paul Sayers (PS) (Chief Strategy Officer) <i>Tammy Mitchell (TM) (Chief Education Officer)</i> Lucy McLeod (LM) Chief Further and Higher Education Officer Nick Holbrook-Sutcliffe (NHS) Chief Curriculum Officer Jamie Weir (JW) (Invited Observer) <i>Sharon Hollingsworth (SH) (Director of Governance)</i> Kerry Hickmott (Minute Clerk)		

(Italics denotes absence)

	ITEM	COMMENTS	ACTION
1	Welcome and Apologies	<p>The Chair welcomed members to the meeting.</p> <p>Apologies were received from Sharon Hollingsworth, Tammy Mitchell, and Richard Brooks.</p> <p>LM, NG, ES and PT attended the meeting virtually.</p> <p>Heartfelt wishes were sent to SH for a speedy recovery.</p>	

		In the absence of SH, KH was appointed as the clerk for this meeting.	
2	Declarations of Interest	There were no additional declarations to the meeting other than those declared as standing.	
3	Minutes of the Meeting held on 8 th October 2021	<p>The minutes and confidential minutes of the Full Governing Body meeting held on 8th October 2021 were reviewed and approved as an accurate record.</p> <p>The remote e-signing of the minutes will be undertaken by the Chair following the meeting.</p>	
4	Matters Arising	There were no matters arising.	
5	Student Governor Appointment	Ethan Stocker was welcomed to the meeting as the newly appointed student governor.	
6	Chair's Report	<p>The Chair welcomed Ethan Stocker to his first meeting of the Full Governing Body and thanked Gregg Skinsley-Stephens for serving his term as staff governor. The election process for a new staff governor will be undertaken in due course.</p> <p>The Chair advised that there had been visits from both the ESFA and FE Commissioner in recent weeks. The message from both visits were very supportive and largely focused on successful take over of Ashford College and Canterbury Spring Lane and the progress made.</p> <p>There was immense support of the management perspective of bolting on additional business units and making them work. Staff and students were probed on issues of improvement of which there were barely any. The visits gave reassurance of a clean bill of health.</p> <p>The Chair advised that he had met with Jo James, Chief Executive of Kent Invicta Chamber of Commerce regarding a recent interview in FE Week. She had wanted to hear from business and employers. It was noted that businesses should be encouraged to work with the Group from the outset.</p>	

		<p>The Chair advised that he had joined a Chairs Voice Working Group to develop a greater voice for Chairs in the sector. In addition, he had met with GR and SH on a monthly basis.</p> <p><u>Staff acknowledgements</u></p> <p>It was agreed that the Governing body will write to staff at Ashford College and Canterbury Spring Lane to acknowledge their hard work in their achievements.</p> <p>The FE Commissioner was complimentary of the governor model and the link between the local boards and the Full Governing Body. The feedback endorsed the mix of the local board being responsible for the teaching and learning whilst the Full Governing Board are responsible for the whole group. It was agreed that a letter of thanks will be sent to staff at Ashford College and Canterbury Spring Lane.</p> <p>NOTED: The Chair's report.</p>	SH
7	CEO's Report	<p>The report was taken as read. In addition, the CEO thanked governors for their support throughout the year.</p> <p>The Chief Executive Officer referenced the changes to covid guidance, which are constantly being adapted. Student retention and attendance figures are holding up at the current time.</p> <p>Engagement is taking place on the wider student experience and colleges are starting to regain the broader experience for students. The strengths of the organisation are more than just what happens in the classroom.</p> <p>The senior management changes will help progress to be made in education standards. The significant number of staff vacancies has meant added pressures on staff. There is a focus from the HR team to fill these vacancies.</p> <p>The senior leadership team were congratulated on the successful bids that were submitted.</p>	

	<p>The CEO invited questions.</p> <p>A governor commented on the online link to Canterbury A levels site that neither A levels nor the 6th Form College were currently visible on the main Canterbury College website.</p> <p>The governor was thanked for raising this and it was acknowledged that the website is being addressed. NHS and JW were thanked for their work in producing an excellent prospectus. The offer and breadth is very inclusive. There had been some challenge from the Director of Education at KCC, due to negative feedback from the local schools. The deadline for applications is the end of March.</p> <p>The Education Committee will look at application numbers in the March meeting and these will be reported to the Full Governing Body at the next meeting. A new Director of Sixth Form was appointed this week, Emma Wilkinson, who is currently the Head of Education and A-Levels at CATS College. An internal recruitment drive for teaching staff is taking place, with 25 internal applicants to date. It is planned that staff will be in place by Easter.</p> <p>Regarding the number of bids that the Group has been successful with, a governor queried whether we have had our share of bids and therefore would not be successful in any further bids. Swale and Folkestone levelling up bids were noted.</p> <p>A governor asked whether the Senior Leadership Team have the capacity to deal with the amount of work.</p> <p>The CEO felt positive about the way forward and the new structure that is now in place. A new Chief Transformation Officer will be joining the executive team, starting in January.</p> <p>Priority 16 refers to secondary provision with the RSC. The overall Schools Trust development plan is to have a presence of primary and secondary schools. Lots of conversations are taking place regarding options on the Isle of Sheppey along with an interest in any new secondary schools which may be built in the area. There is no certainty of what new provision may look like but the</p>	
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		<p>plan is to log an interest in secondary provision in Kent with the RSC. They have been advised that we need to demonstrate the capacity to run secondary education.</p> <p>NOTED: The Group CEO report.</p> <p><u>Staff Pay and Remuneration</u> <i>This item is considered confidential and will form confidential minutes Part A.</i></p>	
8	Director of Governance Report	<p><u>Code of Conduct</u></p> <p>The governors were asked to approve the updated code of conduct which contained minor alterations.</p> <p>It was queried which mandatory training modules are due. The link to the ETF training modules will be re-sent.</p> <p>Governors indicated that they would prefer that only the clean version is circulated. (The tracked changes version will be made available on governance intranet).</p> <p>APPROVED: The updated code of conduct.</p> <p><u>Governor Development Plan</u></p> <p>The Governor development plan was shared for feedback and comments. It was noted that the Plan is not prescriptive as the Governing Body operates in a dynamic environment and adjustments may be made to take advantage of development opportunities as they arise.</p> <p>AGREED: The Governor Development Plan.</p>	<p>SH</p> <p>SH</p>

9	EKC Group/EKC Schools Trust Financial Contribution	<p>A paper was presented to the Board to explain the Group's financial commitment to the MAT over the next 5 years. A Memorandum of Agreement is in place, so no resolution is required.</p> <p>The plan demonstrates the new financial model of future commitments to the Schools Trust. There is a decline in financial commitment over time from the Group to the Trust. The Schools Trust contributes towards some of the Groups' services.</p> <p>It was noted that the first year of the commitment was mid-year 2019/2020, so the three year period will end half way through 2022/2023, as the Trust was formed before the schools joined. The schools keep more of their budget than what they received from KCC. The national average of top-slice is 5% whereas the Group's top-slice is 3%.</p> <p>The two new schools joining will pay their contribution immediately rather than having a free of charge period. It is standard practice for schools to pay their contribution from day one. The schools that originally joined the Group received a three year deal based on them helping us to set up and develop the Trust.</p> <p>A governor queried whether the 3% top-slice is planned to rise in the future. It was not the intention to increase this in the future, as long as the Trust grows in line with the development plan.</p> <p>It was queried what would happen if we don't recruit new schools in the way we envisaged. Whilst this is not planned, the Group would need to look at costs and potentially review the existing model.</p> <p>NOTED: The report of the EKC Group/EKC Schools Trust Financial Contribution</p>	
10	Quality Improvement Plan 2021/22	<p>The Chief Education Officer explained that because 2020-21 was such an unprecedented year where many aspects of personal development, such as work experience, social action and enrichment could not take place that a Group SAR would not be written for 20-21. Instead, a quality improvement plan for terms 1 and 2 would be written.</p>	

	<p>The Group's performance in functional skills has had a significant impact on our students and is therefore a key focus for this academic year.</p> <p>Teaching standards over the last 18 months have been impacted and it has become clear that there was work to do to get teachers back to the standard of teaching before COVID restrictions were in place.</p> <p>Three key areas have been identified as a focus for progress by the end of term 2, these are:</p> <ul style="list-style-type: none"> • Inclusion - A well-structured and varied lesson that meets the needs of all learners • Purposeful checks in learning and understanding & meaningful feedback and assessment for learning • Aspirational expectations and learning environments supported by high professional standards <p>The Chief Education Officer reports progress to the Education Board. Principals take full responsibility of the TLA of their colleges.</p> <p>The Chief Education Officer advised that she still undertakes learning walks and Student Experience Reviews.</p> <p>The Chair noted that the feedback from Quality Curriculum team at the FE Commissioner visit was fantastic.</p> <p>There is a resolve to ensure the quality of teaching and learning is Good. It was noted that there may be a number of agency staff covering for staff sickness which had affected the current CPIs. There are more staff on Support for Improvement to support staff to meet the expected standards. The CPI sets high standards.</p> <p>NOTED: The Quality Improvement Plan 2021/22</p>	
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11	<p>11.1 Annual Report and Financial Statements 2020/21</p> <p>Post Audit Management Report</p> <p>Letter of Representation</p>	<p><u>Annual Report and Financial Statements 2020/21</u></p> <p>The Chief Financial Officer presented the Annual Report and Financial Statements 2020/21, along with the post audit management report and the letter of representation which had been scrutinised by the Audit and Business Committees.</p> <p>The Chair of the Audit Committee explained to members that the Committee had undertaken a thorough review of the accounts with the External Auditors. The Chair advised that the Committee is comfortable with the presented Annual Report and Financial Statements and recommended Board approval.</p> <p>RESOLVED: The Annual Report and Financial Statements 2020/21, the Post Audit Management report and the letter of representation were approved. The e-signing by the Chair of the Governing Body and Chief Accounting Officer will be undertaken following the meeting.</p>	
	11.2 Sub-contracting	<p>Governors noted the presented assurance report on subcontracting controls 2020-21. The audit findings report indicates that the systems and controls in place for managing the subcontracting provision of EKC Group for 2020-21 comply with the requirements of the College's funding agreement or the funding rules for 2020-21.</p> <p>NOTED: the Sub-contracting Assurance Report 2020-21</p> <p><u>Financial Regulations</u></p> <p>The Chief Financial Officer reported three changes to the Financial Regulations. One was an update to job titles, and one change to the scale of operation. The final change related to contract authorisation, which gave additional authority to some colleagues to approve contracts within their threshold.</p>	

	<p>There have been some amendments with delegated powers within the establishment in order to speed up processes, but these have limited financial risk e.g. the recruitment process.</p> <p><u>October Management Accounts</u></p> <p>The Chief Financial Officer reported that the October accounts were on track. There was an under-recruitment of 16-19 year olds and therefore some vacancies that were planned for growth had been held. There was an increase in the community renewal fund which will show in the November accounts.</p> <p>Non-pay expenditure – all budget holders are encouraged to spend their budget to benefit their students.</p> <p>The Financial health is stable and will be good at the end of the year</p> <p>It has been agreed to recruit a new Director for Talent and Staff Recruitment to focus on filling vacancies and the commercial approach and a renewed vigour to processes around LSPs.</p> <p>It was noted that the end of furlough has had a positive impact on recruitment. It was noted that a third of the pay budget is spent on teaching and it was discussed whether this was the right balance. This is in line with benchmarking. It was acknowledged that more hours would make a difference.</p> <p>NOTED: The October Management Accounts</p> <p><u>LIBOR Transition Amendment Agreements</u></p> <p>The CFO explained he had recently been contacted by the solicitors acting on behalf of Santander regarding the proposed changes to the existing Santander Facilities Agreement as a result of 'LIBOR Cessation'.</p>	
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12	<p>12.1 Annual Audit Committee Report 2020/21</p> <p>12.2 Audit Committee Self-Assessment Evaluation</p> <p>12.3 Regularity Self-Assessment Questionnaire</p>	<p>Based upon the work of the Group's Internal Auditors and External Auditors, as well as management awareness, the Audit Committee is of the opinion and is satisfied that the internal control systems which have been reviewed have been adequate and effective and having noted that any action points have been addressed. The Chief Financial Officer advised that the Audit Committee considered that the Governing Body have satisfactorily discharged their responsibilities included in the financial statements and therefore recommended the financial statements to the Governing Body for approval.</p> <p>The Board thanked the Chief Financial Officer, the Chief Strategic Officer, and the Finance team, along with the Director of Governance for keeping the audit team informed during their visit.</p> <p>RESOLVED: The Regulatory self-assessment questionnaire was approved. The e-signing by the Chair of the Governing Body and the Accounting Officer will be undertaken following the meeting.</p>	
13	Annual Safeguarding Report 2020/21	<p>[KY joined the meeting for this item]</p> <p>KY presented the first report of this academic year and advised that numbers were steady on data and students.</p>	


		<p>KY advised that the work of the staff continues to be phenomenal. They have worked exceptionally hard to make sure students are safe, have correct information, and know where to go if they have concerns. This has been seen through tutorials on issues of peer on peer abuse and consent which have been very well received.</p> <p>To 6 December 2021 there have been 574 safeguarding incidents across the colleges with incidents being relatively proportional to the size of the campus and reflect the issues affecting the demographics of the area in which the colleges sit. These figures are comparable to previous years. Suicidal tendencies and self harm remain the top two areas of safeguarding incidences which is reflective of the national picture.</p> <p>KY highlighted that the Group will be affected by the introduction of the new Protect duty which is anticipated within the next 12 months. This will affect all organisations where they permit members of the public onto their premises.</p> <p>There were no major incidents to report. It was pleasing that there had not been a spike in numbers with the students returning to college.</p> <p>A governor noted that the issues of Suicidal tendencies, Self harm and bullying (including cyberbullying) have been top of agenda for a number of years. It was asked what more can be done.</p> <p>KY advised that this has been a national issue which has increased due to the pandemic. It is noted that the primary function of the Group is to educate. There is an enormous amount of support. Students feel safe and they know where to go and who to report concerns to. It was acknowledged that the Group is not there to replace the services such as CAMHs. It was noted that a number of lecturers are being trained to be Mental Health First Aiders.</p> <p>NOTED: The report from the Independent Safeguarding Chair.</p>	
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14	Annual Remuneration Statement 2020/21	<p>The Annual Remuneration Statement for 2020/21 was presented to the Board.</p> <p>It is planned to conduct a further independent review of Senior Post Holder's and Chair of Corporation Remuneration to the previously Peridot report in due course.</p> <p>APPROVED: Annual Remuneration Statement 2020/21 for publication</p>	
15	Annual Report on Health and Safety	<p>A report was presented which captured the work undertaken to reduce and mitigate health and safety risks to staff, students, and visitors. The report outlined the work that has been undertaken in the past year to achieve the objectives of EKC Group and meet statutory health and safety requirements.</p> <p>It was acknowledged that much of the focus on health and safety in the last academic year has been on ensuring Covid-19 measures were in place and ensuring that statutory maintenance and testing has been completed.</p> <p>Assurance was provided that the Group continues to fulfil its statutory obligations regarding health and safety, despite the challenges of the pandemic.</p> <p>NOTED: The Annual Report on Health and Safety</p>	
16	Policy Report	<p><u>Treasury Management</u></p> <p>The Group's Treasury Management policy has been reviewed and updated versions produced for Audit Committee consideration on 30th November 2021. The Audit Committee recommends the policy for approval by FGB. The policy has been updated to include a new section on page 2 regarding green investments to align with the Group's Sustainability Strategy.</p> <p>APPROVED: Governors approved the Treasury Management Policy</p>	

17	Minutes of the Committee Meeting's	<p>The draft committee meeting minutes from the Education Committee were presented and the respective chair reported verbally on the highlights of the meeting. In the absence of the Director of Governance, the draft minutes for Search and Governance, Remuneration, Audit and Business Committee will be circulated to governors outside of the meeting and made available on the governor's intranet site.</p> <p><u>Education Committee (18.11.21)</u> The Chair of Education Committee, John Korzeniewski reported that it was a difficult year to make a comparison, so it is better to look forward. There is a focus on standards and Local Boards are requested to carry on emphasising the importance of Teaching, Learning and Assessment along with the student experience.</p> <p><u>Search and Governance 23.11.21</u> The Chair of Search and Governance, Jonathan Clarke, reported that the Committee reviewed the code of good governance review along with the self-evaluation and audit. An annual performance review took place of the Group Chair, the CEO and Senior Post holders.</p> <p><u>Remuneration Committee 23.11.21</u> The Chair of Remuneration Committee, Jonathan Clarke, reported that the Committee reviewed the Remuneration Annual Report to the Corporation which has been recommended for approval at this meeting.</p> <p><u>Business Committee 25.11.21</u> The Chair of Business Committee, Tim Kent, reported that the finance plan for the Sixth Form was scrutinised. The results of the staff survey were pleasing, except for two areas, Sheppey College and a lull at Ashford College post-integration. Both areas are expected to improve. A report on the pay gap position indicated that gap had reduced.</p> <p><u>Audit Committee 30.11.21</u></p>	DoG
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		<p>The Chair of Audit Committee, Peter Cheney, reported that the Committee were able to meet independently with the external auditors who were entirely satisfied with the conduct of the audit and the support they were given.</p> <p>It was noted that the FE Commissioner had commented that the Risk register is a sea of red and could not understand why given the Group's positive position. This is due to the high standards that are set. It was requested that all committees actively review their risk register.</p>	
18	Any Other Business	There was no other business.	
19	Matters Considered Confidential	<p>The following items were deemed confidential and will form Part A of the confidential minutes:</p> <p>Item 7: Staff Pay Award and Remuneration Reference to the FEC Visit until official letter is published.</p>	
20	Date and Time of Next Meeting	Tuesday 29 March 2021 at 5.30pm, Folkestone College	

There being no further business the meeting closed at 7.47pm

Signed: 

Print: CED BUCHANAN

Date: 29/3/22