



Full Governing Body Minutes

Meeting	Full Governing Body	Date	Tuesday 6 July 2021
Location	The Alfred Yarrow Suite, The Yarrow Hotel, Broadstairs	Time	5.30pm
Membership	Charles Buchanan (Chair), Graham Razey (CEO) (Chief Executive Officer), Allan Baillie, <i>Ella Brocklebank</i> , 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)		
In Attendance	Anne Leese (AL) (Deputy Chief Executive Officer) Chris Legg (CL) (Chief Financial Officer) Paul Sayers (PS) (Chief Strategy Officer) Victoria Copp-Crawley (Chief Standards Officer) Andrew Stevens (Chief Operations Officer) Simon Smith (Chief People Officer) Tammy Mitchell (Chief Education Officer) Jamie Weir (JW) (Invited Observer) Sharon Hollingsworth (SH) (Director of Governance) Kerry Hickmott (Minute Clerk)		

(Italics denotes absence)

	ITEM	COMMENTS	ACTION
1	Welcome and Apologies	<p>The Chair welcomed members to the meeting.</p> <p>Richard Brooks and Ella Brocklebank sent their apologies for the meeting:</p> <p>Jo Worby and Anne Leese joined the meeting virtually.</p>	

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 30 th March 2021	<p>The minutes and confidential minutes of the Full Governing Body meeting held on 30th March 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	Chair's Report	<p>The Chair thanked governors for their participation at the strategy event that preceded this meeting this afternoon.</p> <p>The Chair noted that we were now going through a period known as peri-pandemic and were now learning to live with the constraints of the pandemic.</p> <p>The Chair acknowledged the efforts of the senior leadership team and the professionalism of staff to triumph against diversity throughout the pandemic. It was a credit to the Group that the budget was healthy and that student achievements were predicting good results The Full Governing Body wanted to extend their appreciation to the senior leadership team and the whole staff body for their work throughout the last year.</p> <p>It was noted that the senior leadership structure has been modified to account for the retirement of the Deputy Chief Executive Officer. Lucy McLeod has been appointed as Assistant Chief Executive Officer. Governors were thanked for their participation in the recruitment process.</p> <p>[JW joined the meeting]</p> <p>The Chair advised that the SLT had been involved in a stream of FE funding and government initiatives. All opportunities were being considered to ensure we are getting the best outcomes for the Group.</p>	

		<p>The Chair advised that he has engaged in 1:1s with GR and SH and attended sessions for the ETF and Oxford Saïd Business School programme. He has also had communication with Chair of Mid-Kent College with an emphasis on collaboration of HE and FE institutions.</p> <p>As part of the campaign to increase governor visibility, the Chair advised that he had recently attended Folkestone college to record a film-piece for inclusion in the induction process for new staff.</p> <p>The Chair advised that he was addressing staff alongside the Chief Executive Officer in a live event at the start of the staff celebration day on Friday 9th July.</p> <p style="text-align: center;">NOTED: The Chair's report.</p>	
6	CEO's Report	<p>The report was taken as read. In addition, the Chief Executive Officer thanked governors for their support throughout the year.</p> <p>A governor highlighted a point in the report regarding a general lack of employers' knowledge of T Levels.</p> <p>GR advised that the Group had not experienced the issues of work placement shortages with local industries. Work experience was graded as outstanding at the last inspection. It was noted placements take place in the second year of a T level programme so there was time to build the placements during their first year. The recruitment of additional Industry Liaison Officers may be required as the provision of T Levels increase. Approximately 72 students had been recruited to T Level programmes to date. It was noted that the college is not allowed to be named as a placement, as this is classed as in-house work experience. The Yarrow and the Nurseries are permitted as these establishments have customers from outside of the organisation.</p> <p>It was queried whether stakeholders are signposted to the Industry Liaison Officers. It was noted that contact with stakeholders to promote the Group's offer may increase in the more challenging areas such as Construction and Engineering as these areas of provision grow.</p>	

		NOTED: The Group CEO report.	
7	Director of Governance Report	<p>The Director of Governance reported on recent governance matters.</p> <p>Governors noted the following agreed electronic special resolution of the Governing Body being presented for formal minute:</p> <p>NOTED: The Special Resolution dated 8th June 2021 that gave authority to the Business Committee to approve the EKC Group capital project proposal to create expanded Engineering, Business and IT accommodation at Ashford College so that a 16-19 Capacity Funding application can be submitted to the ESFA by the deadline of 14th June.</p> <p>An updated Annual Calendar of Governance meetings for 2021-22 was presented for agreement.</p> <p>To support governors in reconnecting with the local colleges and their communities, governor (face to face) college visits are planned with College Principal's for an informal visit from an individual governor or small group of governors. Governors were asked to contact the Director of Governance to book a visit(s).</p> <p>A Governor/Executive engagement programme is planned that will consist of up to three Governors to meet with the Executive Team member and their team. For the next academic year each Executive Officer (excluding the CEO) will hold two online sessions, one in October and the other in February. Each session will be scheduled for 1-1.5 hours.</p> <p>Governors were encouraged to take advantage of a new Governance Development Programme delivered by the Association of Colleges on behalf of the Education & Training Foundation (ETF) which is available with immediate effect. This is a comprehensive training programme for governors and governance professionals which comprises of 32 modules at core, proficient and advanced level, including workshops, online training, podcasts etc. SH to check whether notification will be received when governors complete a development course.</p>	SH

		<p>The Director of Governance advised that the Association of Colleges is due to publish an updated version of the Code of Good Governance. Although adoption of the Code is voluntary, the ESFA require English college corporations to either adopt the AoC Code of Good Governance or comply with the Charity Governance Code or have due regard to the UK Corporate Governance Code. The updated version of the Code will be presented to the Search & Governance Committee in November for consideration.</p> <p style="text-align: center;">NOTED: The Director of Governance Report</p> <p><u>Mission and Vision</u> Governors reflected on their discussion at the recent Strategy Event regarding the Group's Mission and Vision. The following amendments to the Mission and Vision were proposed and agreed.</p> <p style="text-align: center;">RESOLVED: To update the Mission and Vision statements to include the word 'diverse' in the mission and 'inclusive' in the vision.</p>	
8	Group Development	<i>This item was considered confidential and will form Part A confidential minutes.</i>	
9	Group Development	<i>This item was considered confidential and will form Part A confidential minutes.</i>	
10	Group Development	<i>This item was considered confidential and will form Part A confidential minutes</i>	
11	Group Budget 2021/2022 includes Students' Union Contribution 2021/22	The Chief Financial Officer presented a report setting out the proposed revenue and capital budgets, including key assumptions, for 2021/22 for approval by the Governing Body along with the devolvement of responsibility to the Chief Executive Officer for the implementation of the Capital Plan within the agreed financial limit.	

		<p>The initial budget intention for the 2021/22 academic year was due to deliver a 9% EBITDA. However, the impact of Covid-19 has been significant on apprenticeships in 2020/21 and the Group's commercial businesses, therefore a 1% reduction has been required to recognise the short-term reduced financial contributions from these areas as well as afford the 2.5% pay award with no funding rates increases. It was noted that 8% is above the sector average.</p> <p>The budget includes a financial contribution to the Students' Union of £46,332 by way of paying for students' union presidents for each College one day per week and a £20,000 cash contribution.</p> <p>The Capital Budget is made up of five main elements totalling £18,517,000 and is proposed for approval by the Governing Body, with flexibility assigned to the Group CEO to re-prioritise within this overall amount as appropriate during the year.</p> <ol style="list-style-type: none"> 1. Continued development of Folkestone College new build (£6,398,000) – Loan Financed 2. Technology & Other Equipment (£1,000,000) – Self Financed 3. T-Level-related developments (£2,544,000) – 50% Grant Financed 4. Transformation Grant Funded Projects (£3,865,000) – 50% Grant-Financed 5. Growth Grant Funded Projects (£4,620,000) 85% Grant-Financed 6. Sports Centre Development (£90,000) Self-Financed <p>The pay budget assumes a 2.5% pay award.</p> <p style="text-align: center;">APPROVED: The 2021/22 capital and revenue budgets APPROVED: The devolvement of responsibility to the Chief Executive Officer for the implementation of the Capital Plan within the agreed financial limit. RESOLVED: 2.5% pay increase for staff excluding senior post holders.</p>	
12	Group Development	<i>This item was considered confidential and will form Part A confidential minutes</i>	
13	Policy Report:	The Equality and Diversity Policy was presented for Governing Body approval following oversight by the Policy Committee.	

	<ul style="list-style-type: none"> Equality & Diversity Policy 	<p>In summary, there have been no material changes other than amendments to job titles, some terminology, and the addition of a statement regarding staff voluntarily reporting diversity data. A deeper review of the policy will be undertaken once the diversity data for staff has been analysed.</p> <p style="text-align: center;">APPROVED: Governors approved the Equality and Diversity for publication.</p>	
14	Sub-contracting 2021-22	<p>The Chief Strategy Officer presented a report which reviewed the rationale for EKC Group subcontracting to ensure it meets the needs of the Group and is compliant with ESFA requirements and presented the Group’s subcontracting plans for 2021-22.</p> <p>The Group has long-standing partnerships with two subcontractors – Aspire and Go Train. The former is based in Thanet and delivers niche provision to 16-18 students who are not yet ready for a College environment, with progression routes to our Colleges. Go Train has delivered the Group’s Greater London Authority (GLA) Adult Education Budget (AEB) contract however, in line with other devolved areas of England, the GLA will no longer be contracting with providers outside London. This means that EKC Group will not have a contract from 2021-22 and, therefore, will not be subcontracting provision to Go Train. Dover Technical College has also worked in partnership with Viking Recruitment (through their Maritime Skills Academy) in recent years to jointly deliver a Marine Engineering study programme. Although this programme is jointly delivered, the ESFA has now defined this as a subcontracting arrangement.</p> <p>The overall value is just over £100,000 per year.</p> <p>The Board is annually required to discuss and approve the subcontracting rationale and be satisfied that it fits with the Group’s objectives and strategy. The rationale needs to be published on the website prior to the start of the next academic year.</p> <p>Governors noted the Group’s current rationale, and no changes are recommended:</p>	

		<p>“EKC Group subcontracts a limited amount of its curriculum that is focused on bridging identified gaps in provision to meet the needs of its communities.</p> <p>The Group’s subcontracting will meet one or more of the following aims:</p> <ul style="list-style-type: none"> · enhance the opportunities available to young people and adults; · fill gaps in niche or expert provision, or provide better access to training facilities; · support better geographical access for learners; · offer an entry point for disadvantaged groups.” <p style="text-align: center;">APPROVED: The proposed subcontracted provision for 2021-22 APPROVED: The subcontracting rationale statement</p>	
15	<p>Minutes of Committee Meetings:</p>	<p>The following draft committee meeting minutes were presented by the respective committee Chair:</p> <p><u>Search & Governance Committee (28.04.21)</u></p> <p>The Chair of Search and Governance reported that the Committee were in the process of reviewing an analysis of the diversity remit of the governing body.</p> <p>The term of office for the existing Group Chair of Governors, Charles Buchanan is due to expire on 31st August 2021. The Board were asked to approve the re-appointment for a further four year term following the end of his current term of office, as Chair.</p> <p style="text-align: center;">APPROVED: The re-appointment of Charles Buchanan as the Group Chair of the Governing Body for a period of four years commencing 1 September 2021.</p> <p><u>Business Committee (10.06.21)</u></p> <p>TK reported that the results from the gender pay report were disappointing. It was flagged that errors had been found in the data that had been submitted in previous years. The Chief</p>	

		<p>People Officer sought agreement to defer the report and undertake a review of the data to ensure accuracy. The report required Full Governing Body approval however submission is required prior to the next meeting and therefore a resolution is requested to delegate authority to the Business Committee to approve the submission of the report. The Gender Pay Gap Report will be circulated to members of the Full Governing Body following approval, for information.</p> <p>RESOLVED: To delegate authority to the Business Committee to agree the Gender Pay Report to be published by the deadline.</p> <p><u>Audit Committee (15.06.21)</u> The Chair of Audit Committee, Peter Cheney, reported that the 2021 internal audit work has been completed with no significant issues reported. Internal audit plans for 21-22 were discussed. A key piece of work is centred on cyber security and IT systems along with an exam follow-up audit. The Full Governing Body are asked to approve the recommended internal audit plan for 21-22 which is budgeted at £30,000.</p> <p>APPROVED: The internal audit plan for 2021-22.</p> <p><u>Education Committee (17.06.21)</u> The Chair of Education Committee, John Korzeniewski reported the key points raised at Education Committee were the discussion on T Levels along with students' current travel patterns. It was planned to hold an additional Committee meeting to discuss the Sheppey provision. Progress on the quality and improvement plan was reviewed. It was flagged that applications are high with an increase of approximately 800 applications which may present some challenges if they all convert into enrolments. All Local College Boards took the opportunity to review their vision in an additional meeting. It was noted that the Group would be eligible for growth funding if we exceed our allocation by 200 students.</p> <p>The circulation of the Ofsted report of the Canterbury Nursery provision was noted.</p>	SH
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		<p>NOTED: The following draft committee meeting minutes:</p> <ul style="list-style-type: none"> • Search & Governance Committee (28.04.21) • Business Committee (10.06.21) • Audit Committee (15.06.21) • Education Committee (17.06.21) 	
16	Group Management Accounts – May 2021 (including Q3 Forecast) update	<p>The Chief Financial Officer presented the May Management Accounts.</p> <p>It was noted that the FE Commissioner had their own set of benchmarks and assessed our debt levels by debt service coverage rather than overall debt levels against turnover. There is strong cash generation, and all the banking covenants are being met.</p> <p>The Full Governing Body extended thanks to the Finance team for their hard work in achieving the positive position.</p> <p>NOTED: The Group Management accounts</p>	
17	Progress against the Quality Improvement Plan	<p>The Chief Standards Officer presented the Quality Improvement Plan progress update and advised that good progress had been made against the areas of focus.</p> <p>It was noted that 760 new IT devices for students have been ordered for next year as part of the student engagement strategy which will support students in their digital skills with the aim to support them into employment.</p> <p>NOTED: The Quality Improvement Plan update</p>	
18	Safeguarding update	<p>JH presented the update report on behalf of Kate Young, the Independent Chair of the Safeguarding Committee.</p>	

		<p>There was a consistent message throughout the year in recognising the phenomenal effort staff had undertaken in supporting students throughout the year. There was an excellent safeguarding culture and good practice taking place across the Group.</p> <p>It had been agreed to extend the contract for Kate Young to remain as the Independent Safeguarding Chair for 2021-22.</p> <p style="text-align: center;">NOTED: The Safeguarding update</p>	
19	Any Other Business	There was no other business.	
20	Matters Considered Confidential	<p>The following items were deemed confidential and will form Part A of the confidential minutes:</p> <ul style="list-style-type: none"> • Item 8 Group Development • Item 9 Group Development • Item 12 Group Development • Item 15 Business Committee minutes – Group Development <p>It was confirmed that the draft confidential meeting minutes contained within the papers were classed as confidential and would not be published and, that any reference to these draft confidential minutes should also be treated as confidential within the minutes from the FGB meeting.</p>	
21	Date and Time of Next Meeting	Friday, 8 th October 2021 at 3.30pm at The Yarrow Hotel	

There being no further business the meeting closed at 7.33pm



Signed: 

Print: Charles Buchanan

Date: 13 October 2021



The FGB Chair, CEO and the Director of Governance have been given delegated authority by FGB to review confidential minutes on an annual basis. The following minute was released for publication following the review panel meeting held on 10 October 2022. The FGB Meeting of 6/7/21 Confidential Minute Number 12

	ITEM	COMMENTS	ACTION
12	Subsidiary Companies	<p>The Chief Financial Officer apprised the Governing Body on the establishment of two new subsidiary companies: Folkestone College Restaurant Limited (trading as Anne’s Restaurant) and The Yarrow Hotel Limited.</p> <p>The Folkestone College Restaurant Limited will directly employ all the commercial staff working in the new restaurant and The Yarrow Hotel Limited will directly employ all newly appointed staff to the Hotel commencing their employment after the 1st August 2021. The pre-existing workforce at that date will be transferred into the new company in early 2022 after a comprehensive TUPE consultation process has been undertaken.</p> <p>Both companies will provide their employees with access to the NEST pension scheme although existing Yarrow staff will be entitled to retain their current terms of employment, including any current membership to the Kent County Council Local Government Pension Scheme.</p> <p>NOTED: The establishment of two new subsidiary companies.</p>	



The FGB Chair, CEO and the Director of Governance have been given delegated authority by FGB to review confidential minutes on an annual basis. The following minute was released for publication following the review panel meeting held on 11 October 2023.

FGB Meeting of 06/07/21 Part A Confidential Minute Number 10

	ITEM	COMMENTS	ACTION
10	16-19 Capacity Funding update	<p>A Phase 2 development of Ashford College is a capital investment priority for the Group and forms one of the key projects in the Property Strategy. The cost of Phase 2 is estimated to be £10m and planned to be funded through a combination of external grant funding and borrowings. The 16-19 Capacity Fund application, totalling £4.6m, would enable approximately half of Phase 2 to be delivered. The project would be funded with £3.9m of Capacity Funding grant and £0.7m of match funding from EKC Group.</p> <p>The Business Committee approved the application, which was submitted by the deadline of 21st June 2021. The ESFA has committed to communicating the outcome of applications in the Summer. No further Group funds will be committed until the outcome is known.</p> <p>The letter of support from Damian Green MP to Parliamentary Under Secretary of State Gillian Keegan will be circulated to Governors.</p> <p>NOTED: The 16-19 Capacity Fund application that was approved by Business Committee on 10 June 2021</p>	SH