



Full Governing Body Minutes

Meeting	Full Governing Body	Date	Tuesday 29 March 2022
Location	Room C1.01, Ashford College	Time	5.30pm
Membership	Charles Buchanan (Chair), Graham Razey (CEO) (Chief Executive Officer), Allan Baillie, <i>Ella Brocklebank</i> , Gail Clarke, Miranda Chapman, <i>Jonathan Clarke</i> , Natalie Garner, Jason Howard, Tim Kent, Peter Troke, John Korzeniewski, Peter Cheney, Richard Brooks, Joanna Worby, <i>Karen Wilks (Staff Governor)</i> , <i>Ethan Stocker (Student Governor)</i>		
In Attendance	Chris Legg (CL) (Chief Financial Officer) Paul Sayers (PS) (Chief Strategy Officer) Tammy Mitchell (TM) (Chief Education Officer) Lucy McLeod (LM) Chief Further and Higher Education Officer <i>Nick Holbrook-Sutcliffe (NH-S) Chief Curriculum Officer</i> 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>Apologies were received from Ella Brocklebank, Ethan Stocker, Karen Wilks, Jonathan Clarke and Nick Holbrook-Sutcliffe.</p> <p>John Korzeniewski and Gail Clarke attended the meeting remotely.</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 14 th December 2021	The minutes and confidential minutes of the Full Governing Body meeting held on 14 th December 2021 were reviewed and approved as an accurate record and duly signed by the Chair.	
4	Matters Arising	There were no matters arising.	
5	Independent Governor Appointments	<p>The Search and Governance Committee interviewed four candidates who had applied to join as independent governor. It was recommended that the following four candidates be appointed:</p> <ul style="list-style-type: none"> • Carmel Togher • Helen Hammond • Paula Gillespie • Sam Lain-Rose <p>It was agreed to invite the newly appointed governors to the strategy event and full governing body meeting on 12th July, as guests, prior to their appointment on 1st August 2022.</p> <p style="text-align: center;">APPROVED: that Carmel Togher, Helen Hammond, Paula Gillespie and Sam Lain-Rose join as independent members to the Full Governing Body for one year, starting on 1st August 2022.</p> <p>It was noted that Karen Wilks had been elected as the new staff governor for a term of 2 years. Karen is the Deputy Head for Hair and Beauty at Broadstairs College.</p> <p style="text-align: center;">NOTED: the election of Karen Wilks as the new staff governor, starting on 29th March 2022.</p>	

6	Chair's Report	<p>The Chair informed the Board of some changes to the governing body membership that had been agreed at the Search and Governance Committee and subsequently discussed with the respective governor. The Chair highlighted the following:</p> <p>The resignation of Jonathan Clarke who has been a valued, long-standing governor for the group. Jonathan was thanked for his contribution; he will be greatly missed. Jonathan will step down from being a governor of EKC Group on 31 July.</p> <p>John Korzeniewski will step down from his role as Chair of Canterbury Local College Board on 31 July. John will remain Chair of the Education Committee.</p> <p>New Governor Helen Hammond will take up the role of Chair of Canterbury College Local Board and will serve as a member of the Education Committee from 1 August.</p> <p>Following Jonathan's departure, Miranda Chapman will serve as the Chair of Search and Governance Committee and the Chair of Remuneration Committee and will step down from chairing Ashford Local College Board and from serving as a member of the Education Committee. Miranda will serve as a member of the Business Committee from 1 August.</p> <p>Natalie Garner will become the new Chair of Ashford Local College Board from 1 August and will serve as a member of the Education Committee.</p> <p>Richard Brooks will step down from being a governor of EKC Group on 31 July at which point he will join the Dover Local College Board as an independent member.</p> <p>Tim Kent to remain on the Board for a further one year term. Tim will step down from being Chair of Business Committee on 31 July and take up the role of Chair of Dover Local College Board and will serve as a member of the Education Committee.</p>	
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		<p>Gail Clarke will step down from being a member of the Audit Committee on 31 July and will take up the role of Chair of Business Committee and will serve as a member of the Search and Governance Committee.</p> <p>New Governor Carmel Togher and Samuel Lain-Rose will each serve as a member of the Audit Committee from 1 August.</p> <p>New Governor Paula Gillespie will serve as a member of the Business Committee from 1 August.</p> <p>New Staff Governor Karen Wilks will serve as a member of the Business with immediate effect.</p> <p>The Chair advised the Board that he had been appointed as a National Leader of Governance.</p> <p>The Chair drew the attention of the Board to the pleasing feedback contained within the papers from the FE Commissioner and Ofsted letter.</p> <p>Finally, the Chair thanked the staff and student involved in the recent Stakeholder event held at The Yarrow Hotel on 24th March. The feedback from the event had been excellent and stakeholders were extremely impressed with the student involvement.</p> <p style="text-align: center;">NOTED: the Chair's report.</p>	
7	CEO's Report	<p>The Chief Executive Officer (CEO) highlighted the importance of locality and community which was highlighted at the stakeholder dinner. However, it was noted that not all stakeholders that we work with were at the dinner and therefore it was vital that relationships with our stakeholders are continuously developed.</p> <p>The CEO advised that members of the Executive team had each been allocated responsibility on building strategic relationships for each borough/district.</p> <p>It was acknowledged that the SEND green paper and schools white paper is due to be published</p>	

		<p>this week and will inform our priorities going forward.</p> <p>The CEO referenced the rapid support we put in place following the recent announcements for P&O staff.</p> <p>The CEO noted that staff absence, staff turnover and vacancy rates are high at the current time. This is common in the further education sector. It is mainly affecting roles with salaries in the £19-£25K range. Feedback suggests that staff are leaving to take jobs with less accountability and more flexibility. The situation is further compounded by the rising cost of living crisis. Consideration is being given to our short and mid-term people strategy.</p> <p>It was queried whether there was concern regarding the Director of the Levelling Up fund being based in Hastings. It was felt that this was a concern as decisions were being made without a true discussion with stakeholders.</p> <p>It was questioned whether there was an issue regarding flexibility in the data on staff turnover. It was acknowledged that there an issue had been highlighted between working from home and flexible working. As an organisation we are flexible, but there is clear competition from supermarkets are who are now also offering flexible working arrangements. It was noted that training and development is important to engage employees and make them feel valued. It was acknowledged that whilst substantial investment is made in training for curriculum staff, there was not enough career development and training for support staff. This is currently being worked through</p> <p>A governor asked whether lower paid work could be contracted out. It was felt that this would bring additional issues and not necessarily solve the issues being faced.</p> <p>NOTED: the Group CEO report.</p>	
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8	Director of Governance Report	<p>The Director of Governance reminded the Board of the written special e-resolutions of the Governing Body which the Board and the Business Committee had agreed ahead of this meeting and were presented for formal minuting:</p> <p>Written Special Resolution of the Governing Body dated 24th February 2022 to approve the £496,338 EKC Group T level Capital proposal focused on the Spring Lane Campus.</p> <p>Written Special Resolution of the Business Committee:</p> <ul style="list-style-type: none"> - 3 February 2022 to consent to the purchase of community beneficiary laptops, the contract value being £433,200.00 (inclusive of VAT) to support the delivery of EKC Group Community Renewal Projects in Kent - 23 February 2022 to consent to an order being raised to the value of £194,319.53 + VAT to enable the purchase of supplies for the new training kitchen which forms part of the new build project at Folkestone College. The Project Manager has undertaken a procurement exercise and the lowest-priced response has been selected. The successful company is Kent Commercial Kitchens. <p style="text-align: center;">NOTED: the above written special e-resolutions</p> <p>In the absence of the Chair of Search and Remuneration Committee, the Chair of the Governing Body recommended that the term of office for Jo Worby and Natalie Garner be extended for a further 4 years. The Term of Office for Tim Kent to be extended for a further 1 year.</p> <p style="text-align: center;">APPROVED: the reappointment of Jo Worby and Natalie Garner, extending their term of office for a further 4 years, until 31 August 2026 and the reappointment of Tim Kent, extending his term of office for a further 1 year, until 31 August 2023.</p> <p>The Annual Calendar of Governance meeting dates for 2022-23 was presented. The respective calendar invites will follow in due course.</p>	
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		<p>NOTED: the annual calendar of governance meetings for 2022-23</p> <p>The Governor Expenses Policy has been reviewed in accordance with the Policy's Committee review cycle. There are no material changes to report.</p> <p>NOTED: the governor expenses policy</p>	
9	Group Development	<i>This item was considered confidential and will form Confidential Minutes Part A</i>	
10	Group Development	<i>This item was considered confidential and will form Confidential Minutes Part A</i>	
11	Group Development	<i>This item was considered confidential and will form Confidential Minutes Part A</i>	
12	Group Development	<i>This item was considered confidential and will form Confidential Minutes Part A</i>	
13	Group Financial Performance update	<p>The Chief Financial Officer presented the Group Management Accounts.</p> <p>The level of cash generation was on track and banking covenants were being met.</p> <p>Questions were invited.</p> <p>It was queried whether scenario planning had been carried out for the rise in energy costs. It was confirmed that our costs were fixed until October 2023. The current energy annual spend is £1.3 million. Inflation costs are generally 2.5%</p> <p>NOTED: the update of the Group's Management Accounts</p>	

14	Gender Pay Gap Report	<p>The paper outlined the progress EKC Group had made, and continues to make, towards closing the Gender Pay Gap across all statutory reporting measures for the reporting period 2021/22.</p> <p>The Business Committee were comfortable in recommending the report to the full governing body for approval.</p> <p style="text-align: center;">APPROVED: the Gender Pay Gap 2021/22 was approved for publication</p>	
15	Safeguarding Mid-Year update	<p>The Chief Education Officer presented the mid year update from the Independent Safeguarding Lead.</p> <p>It was noted that further discussion and analysis is taking place on volume of peer on peer abuse. This is mainly low level immature behaviour between students both on line and face to face. Assurance is being sought to ensure cases are categorised correctly.</p> <p>The governor lead for Safeguarding advised that since coming out of the lockdown, there has been a rise in the immaturity and lack of resilience in students. It was also noted that there has been a number of additional workshops within the curriculum areas which may encourage students to report issues which may be why there was an increase. Staff also need to build the same resilience in tackling behaviours. The Independent Chair stated that the Group offers an incredible amount of support to students.</p> <p>The high number of suicidal tendencies is typical across organisations nationally.</p> <p>It was also flagged that cases of domestic abuse are very high in Kent.</p> <p>It was noted that at the last Education Committee meeting, the student governor fed back that the Group could not do more for the health and welling of students. The importance of the role of the student governor was also acknowledged as they have effected positive change at Sheppey College.</p>	

		NOTED: the report from the Independent Safeguarding Chair.	
16	Safeguarding and Preventing Extremism and Radicalisation Policy	<p>The Chief Education Officer presented the summary of change to the Safeguarding and Preventing Radicalisation Policy.</p> <p>Following our application to the Home Office for a Student Sponsor Licence, as part of our strategy to grow international provision, additional content has been added into the heading and scope of the English for Speakers of Other Languages paragraph (7.4):</p> <p>“The college is also required by law to report on the attendance of international students to the UK Border Agency (UKBA). The college will report nonattendance in the following circumstances:</p> <ul style="list-style-type: none"> · Attendance drops below 80%, including absence due to lateness · Failure to enrol on a course or withdrawal from a course · Unauthorised absences of greater than 2 consecutive weeks OR 10 missed contacts · Change of course · Other significant circumstances which may affect their visa conditions <p>All international host families are also subject to checks through the Disclosure and Barring Service (DBS)”</p> <p>APPROVED: Governors approved the Safeguarding and Preventing Extremism and Radicalisation Policy</p>	
17	Policy Report	<p><u>Modern Slavery Statement</u></p> <p>The Chief Strategy Officer presented the minor amendments to the Modern Slavery Statement:</p> <ul style="list-style-type: none"> · Group’s turnover changed from £60m to £62m · References to relevant policies added. 	

		<p>The Board was asked to note that we have been asked by the Home Office to voluntarily upload the Group's Modern Slavery Statement in advance of a change in legislation under section 54 of the Modern Slavery Act. This will require all organisations, private and public, which meet the criteria for having a Modern Slavery Statement to publish their statement on the Home Office's portal. The recommendation is that we do this as a Group. The letter from the Home Office giving more details was reviewed, it was noted that the Group has asked the Home Office to provide an organisational reference and secure log in so that EKC Group's statement can be published.</p> <p style="text-align: center;">APPROVED: Governors approved the Modern Slavery Statement</p>	
18	Minutes of the Committee Meeting's	<p>The following draft committee meeting minutes were presented by the respective committee Chair:</p> <p><u>Education Committee (02.03.22)</u> The Chair of Education Committee, John Korzeniewski highlighted the report of the mid-year statement which rated the Group as Good with outstanding features. Following the Ofsted monitoring visit there was a focus for Chairs of Local Board to consider what difference governors make and how this is evidenced.</p> <p><u>Search and Governance 08.03.22</u> The Chair of Search and Governance, Jonathan Clarke was absent however the Chair reported that the updates from this Committee had been reported in his Chairs update (item 6) and in the Director of Governance Report (item 8).</p> <p><u>Audit Committee 15.03.22</u> The Chair of Audit Committee, Peter Cheney, reported that the Committee received a report from auditors on financial management and controls which raised no significant issues. The Insurance brokers had been invited to provide an update on the state of the insurance market. Increased costs and inflation may have a dramatic impact on their price increases in the property section for insurance. The Group will consider what actions can be taken to reduce costs.</p>	

		<p><u>Business Committee 17.03.22</u></p> <p>The Chair of Business Committee, Tim Kent, reported that health and safety trends are higher than last year. A discussion took place regarding the workshop fire at Broadstairs College. The incident was well managed, but it had the potential to be a serious incident.</p> <p>The current legal HR challenges were acknowledged across the Board. It was important to ensure reserves are being put in place in the Group accounts.</p> <p>NOTED: The following draft committee meeting minutes:</p> <ul style="list-style-type: none"> • Education (03.03.22) • Search & Governance (08.03.22) • Audit Committee (15.03.22) • Business (17.03.22) 	
19	Any Other Business	<p>A governor asked when the start date was due for Foreland Fields.</p> <p>It was confirmed that consultation has concluded, and the SLA is being finalised. The start date is planned for 1st September 2022.</p>	
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 9 – Group Development • Item 10 – Group Development • Item 11 - Group Development • Item 12 – Group Development 	
21	Date and Time of Next Meeting	Tuesday 12 July 2022 at 5.30pm, Yarrow Hotel, Broadstairs	

There being no further business the meeting closed at 7.42pm



Signed: .....

Print: CHARLES BUCHANAN.....

Date: 12-07-22.....



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 29/03/22 Confidential Minute Number 9, 11, and 12.

	ITEM	COMMENTS	ACTION
9	Ashford College 2b Project	<p>As agreed by the Business Committee at its meeting in March 2022, work has been undertaken to see if Phase 2B can be constructed at the same time as 2A, which would result in a more efficient build cost, provide additional capacity to accommodate demographic growth, and accelerate the relocation of all 16-19 provision from Wotton Road.</p> <p>PS clarified that planning permission for the whole Phase 2 scheme has already been secured.</p> <p>The main contractor tender process and a detailed loan agreement will be progressed with Santander. Two Business Committee members will be part of the selection panel for the main contractor.</p> <p style="text-align: center;">APPROVED: The proposal to develop Ashford College 2B Project</p>	
11	Appointment of main contractor for the Dover Motor Vehicle new build	<p>The Group was successful in its application to create new and enhanced motor vehicle and engineering facilities at Dover Technical College to enable the delivery of T-Levels. The funding needs to be 50%-matched and provides £1,332,268 towards the total project budget of £2,664,536.</p> <p>The design for the new facilities has been developed and planning consent has been submitted with an expected decision by the end of April 2022.</p> <p>The project manager Woodley Coles LLP (WC) has run a two-stage tender process whereby five contractors were invited to tender and have provided responses which have then been standardised by the Project Manager to ensure true comparisons can be drawn.</p>	

		<p>BEC Construction Ltd were the highest scoring tenderer and were recommended for appointment by WC.</p> <p>The Business Committee had scrutinised the tender outcome report and had challenged the analysis therein, noting that it did not match with the overall recommendation. The Business Committee did not support the appointment of BEC based on the data presented to the Committee at their meeting on 17 March and asked for further evaluation as to why WC had reached their conclusion to provide assurance that BEC Construction is the best decision. The updated report is not overwhelmingly positive about BEC Construction. Baxall appeared to score better on quality differentiation and are the second lowest tender.</p> <p>The Board were concerned that the analysis in the document provided by Woodley Coles did not support their recommendation.</p> <p>It was decided that further analysis is required and that a selection of Board members sit on a panel to review the submissions. The panel will consist of Chris Legg, Charles Buchanan, Miranda Chapman and Richard Brooks.</p> <p>It was planned to start work at the end of April.</p> <p>AGREED: delegated authority be given to the above panel to review and appoint the main contractor for the construction of the Dover Technical College new Motor Vehicle facilities.</p>	
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12	Strategic Development Funding and LSIP	<p>As part of the development of the Government's new Skills White Paper a 'Skills Accelerator' programme was announced. This programme included two key strands – Local Skills Improvement Plan (LSIP) trailblazers and Strategic Development Fund (SDF) pilots.</p> <p>LSIPs will be led by Employer Representative Bodies (in Kent this will be the Kent Invicta Chamber of Commerce).</p> <p>At the same time as the LSIP trailblazer, the three Kent Colleges (EKC Group, MidKent College and North Kent College) were successful in a bid for an SDF pilot. These are designed to work alongside the LSIP trailblazers to respond to emerging local skills needs. The Kent SDF pilot aims to support decarbonisation in three sectors: agri-tech, construction, engineering. EKC Group's pilot strand is focused on engineering.</p> <p>EKC Group has secured £1.55 million to deliver its SDF project – £1,275,000 of capital and £275,000 of revenue.</p> <p>Employers have been invited to work with us to help them with their decarbonisation plans. The Chief Strategy Officer advised that a very early draft of the LSIP report had been received from the Chamber.</p> <p>It was queried whether the Chamber were linking with KCC to consult on their economic strategy. It was confirmed that most strategies and policies are referenced in the new framework and system for providers, employers, and government.</p> <p style="text-align: center;">NOTED: the progress of the Skills Accelerator: Strategic Development Fund (SDF) pilot and the Local Skills Improvement Plan (LSIP) trailblazer</p>	
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