

Governing Body Minutes

Meeting	Full Governing Body	Date	8 th February 2017
Location	Room G1.02, Trust Building, Folkestone Campus	Time	4.02pm
Membership	Beverley Aitken (Chair), Graham Razey (Principal), Patrick Hollis (Vice-Chair), Tom Price, Jonathan Clarke, Sarah Kemp, Patrick Finucane, Tim Kent, Gail Clarke, Charles Buchanan, Stephanie Martin, Miranda Chapman, Jill Leigh, Joanna Brown (Staff Governor) and Joanne Timms (Staff Governor)		
In Attendance	<p>Anne Leese (AL) (Officer) Paul Sayers (PS) (Officer) Chris Legg (CL) (Officer) Lauren Anning (LA) (Officer) Lut Stewart (LS) (Officer) Mark Hill (MH) (Officer)</p> <p>Tara Ashman (Clerk) Jamie Weir (Invited Observer) Alison Gray (Item 5) Matt Atkinson - FE Associates (Item 16)</p>		

	ITEM	COMMENTS	ACTION POINT REQUIRED
1	Welcome and Apologies for Absence	<p>BA advised that JC had recently stepped down as Chair of the Transition Board and to support the merger over the coming months will take over as Chair of the Transition Board; PH as Vice-Chair of East Kent College will act as Chair to the Governing Body until the end of the academic year to facilitate this transition. Governors were supportive of this change.</p> <p>APPROVED - Patrick Hollis to act in the role of Chair to the Governing Body for the rest of the 2016/17 academic year</p> <p>Apologies were received from Gail Clarke and Stephanie Martin.</p> <p>The Chair formally thanked Governors for their role in the recent Ofsted inspection.</p>	

2	Declarations of Interest	There were no additional declarations of interest.	
3	Minutes of meeting held on 14 th December 2016	<p>[Tim Kent joined the meeting at 4.05pm]</p> <p>The minutes of the previous meeting held on 14th December 2016 were formally approved as an accurate record and were duly signed by the Chair.</p>	
4	Matters Arising	<p>GR advised of the new Campus Principal structure with Paul Manning back at Broadstairs and Victoria Copp-Crawley overseeing both Dover and Folkestone. A Deputy Principal for Dover and Folkestone is to be appointed and the Head of Campus Operations is newly titled as Assistant Principal - Campus Operations. GR is mindful of the impact of the change and will keep this under review. The Local Advisory Boards should have the mechanism to keep a close watch on activities at campus level, GR noted the Leadership and Management Inspector from the recent Ofsted visit was very complimentary about the initiative.</p> <p>There were no other matters arising not covered within the agenda.</p>	
5	Annual Reports	<p>AG presented the annual reports for health and safety and equality and diversity for information.</p> <p>Health and Safety - AG assured Governors that all statutory obligations are being fulfilled. AG is currently undertaking an internal health and safety inspection of all campuses and Tom Price accompanied AG recently on a tour, TP noted he was pleased with what he heard and saw. AG attributed the increase in number of reported cases to individuals being encouraged to report and Governors accepted this; reporting has been the focus of this year with last year looking at prevent and ensuring appropriate procedures are in place in the case of a terror attack.</p> <p>AG invited question and observations on the report. A Governor asked AG to comment on RIDDOR and the lack of any reported incidents in the previous 12 months, AG advised that was the case however 2 cases have already been reported this academic year.</p> <p>A Governor asked about emergency response procedures and whether there was any plans for any desktop or real exercises. AG advised a desktop exercise was undertaken with the South East Counter Terrorism Team and it had helped to inform the plans; it is included at induction however AG noted the concern that this</p>	

		<p>needs be on a more regular basis as a refresher to all staff and will take this forward to the internal Committee.</p> <p>Equality and Diversity - The College is required to submit a report as part of the Public Sector Equality Duty. AG noted that the data within the document was extracted from the Self Assessment Report (SAR) and consolidates the key themes under the duty. AG asked Governors to consider the content of the report to be included on the website and Governors approved its publication.</p> <p>APPROVED - Governors approved the publication of the Equality and Diversity Report on the College website</p> <p>The Chair thanked AG for her attendance.</p> <p>[Alison Gray left the meeting at 4.16pm]</p>	
6	Chair's Report	<p>BA reported under this item looking back at the work of the Chair since the last meeting.</p> <p>BA advised the Area Review is still running in tandem to the merger in principle and GR will provide an update within his report.</p> <p>The joint Committee met on Monday to discuss current performance of the partnership and it soon became clear that the work of the committee is reducing as the work of the Transition Board is increasing. Any in-year performance could be considered by the Transition Board and the memorandum of Understanding would remain in place for the duration of the partnership. Members were happy to approve the resolution for the cessation of the Joint Committee on this basis.</p> <p>RESOLVED - Governors approved the cessation of the joint Committee and the remaining work of the committee be carried forward to the Transition Board</p> <p>The Transition Board also met on Monday and the options review is to be considered later in the agenda.</p> <p>BA had a lengthy conversation with the Leadership and Management HMI on Monday prior to Ofsted on the Tuesday due to being out of the country. Members appreciated that the Governance scene was set in advance of the inspection.</p>	

		<p>BA recently undertook the review of the Principal and confirmed all the objectives that were within his control for 15/16 were met. For 16/17 GR had four different sets of objectives; 1. East Kent College, 2. Canterbury College, 3. Partnership and 4. Transition Board. The following were agreed for East Kent College:</p> <ol style="list-style-type: none"> 1. To improve liquidity 2. To improve standards of teaching, learning and assessment 3. To increase achievement rates of GCSE English and Maths and the rates for Functional Skills <p>6.1 Staff acknowledgements - BA recommended that a letter go to all staff from the Governing Body congratulating them on the Ofsted result and thanking them for their commitment and hard work. Governors were unanimous in their agreement of this.</p> <p style="text-align: center;">AGREED - The Clerk will write on behalf of the Chair and the Governing Body to all College staff members</p>	Clerk
7	Principal's Report	<p>GR apologised for the length of the update and detailed the major focus of the executive being the future of the College and decisions having to be made around this. GR updated members in the following areas:</p> <p>Merger - Progress has been made in terms of the Transition Board and merger implementation with no room in the schedule if the College is to meet the 1st August 2017 deadline. There are many external factors that could derail the programme but internally the team is committed to meet this deadline. External factors include the banks due diligence and delays in the transaction unit processing the business case. The next critical milestone is the Transaction Unit accepting the business case which is a significant document. Staff and students have engaged in the strategic proposition and feedback from this has influenced the final version which GR hopes to circulate to staff at the end of the week.</p> <p>Funding - The landscape continues to be very challenging with some support for FE within the Industrial Strategy but no detail forthcoming yet; it is clear however that revenue funding needs to improve. There is a bright future in what can be achieved but there is still a challenging set of circumstances in reality.</p> <p>Area Review - Steering Group 3 meeting was held last week where all Colleges were challenged on their models going forward. There was positive support for the merger from stakeholders in the room although it was made clear from an East Kent College perspective that if the deal is not right that the Governing Body will not agree to merge. The solution needs to be sustainable for our learners and communities. A Governor asked if Ofsted has a bearing and GR noted this was a consideration of the FE Associates report later in the agenda.</p>	

		<p>Successes - The TES award for contribution to the local community ceremony is taking place on Friday 24th February and GR will report back at the next meeting. The College continues to see a lot of student success.</p> <p>Safeguarding & Prevent Data - This data will follow outside of the meeting.</p> <p>The Chair thanked GR for his report.</p>	<p>GR</p> <p>GR/LS</p>
8	Governor Feedback	The Clerk reported on the recent business undertaken by Governors outside of the formal meeting cycle and invited comment. A number of Governors have met with their executive link for this term already and noted the value of the time spent with the executive in this way.	
9	College Performance Indicators	<p>GR commented on the very challenging targets but noted the positive distance travelled for many. GR highlighted a number of CPIs including:</p> <ul style="list-style-type: none"> • Retention of Adults went green in January, this will appear in the next report • Satisfaction of employers went green • Apprenticeship success has improved • EFA funded learners needs to get up to target, there is focus by Campus Principals to meet this in-year and they are very aware of their targets • Apprenticeship starts has improved with a good opportunity to catch up in year. The College is optimistic in achieving this target following the levy and the recent outstanding Ofsted for Apprenticeships <p>Governors discussed the use of CPIs as a risk indicator with the Executive having a clear focus on the areas to improve. The system works to focus the minds of those concerned and the Advisory Boards will be able to test this at a campus level at their next meetings.</p>	
10	Finance Report	<p>CL reported although the increase in Apprenticeship starts will impact positively on the CPIs this will not reflect in income until next year. With the negotiations for protection for adult provision the College is on target to achieve this position however there is no protection in place for 16-18 and this is unlikely to be salvaged this year, the quarter 2 forecast is almost complete and the next meeting should offer a clearer picture. CL reported further on:</p> <ul style="list-style-type: none"> • The under recruitment of HE will remain down over the year, there is no opportunity to catch up in year • Full cost recovery courses are down and there is a worrying lack of activity across the campuses 	

		<ul style="list-style-type: none"> • High needs funding is up due to recruitment however KCC has declined payment for approximately 70 learners in year and GR is engaging with local MPs and stakeholders to seek a resolution. In rejecting the funding this has a significant impact on the supported internship programme which may no longer be viable. CL advised 70 high needs learners' equates to approximately £400,000 of funding. A Governor asked if this is included in the forecast and CL advised it has not yet been reported so it is currently at risk and this loss of income would be a true £400,000 loss to the bottom line. • Income in December was challenging due to timing issues and CL cited HE as an example. • Pay costs have increased, the College has taken on more support staff to meet the demand of the High needs learners. • The profile in non-pay has been changed in regards to how maintenance agreements are paid. • Liquidity - The £1.75million loan has meant a positive cash flow and the College has been able to meet creditors, working towards a positive solvent position. The current level of debt is £5.6million up from £4million at the start of the year. <p>CL invited questions from Governors.</p> <p>A Governor asked whether the College expects to bring the budget back in line in regards to Commercial activity, CL advised the College acknowledge a loss for the first year of opening regarding the Yarrow and profitability is doing well however recognised there was an underestimation of the quiet winter months in terms of room occupancy. CL discussed the concerns with the Broadstairs refectory and a refresh of the area is being considered. A Governor asked whether franchising the refectory would be of benefit however members felt with a catering curriculum this would not seem right and would not help much with the overall costs. A Governor noted that 19+ students were now unable to access the bursary to buy lunches and wondered if this had any impact.</p> <p>A Governor asked CL what is the biggest risk in achieving the forecasted budget numbers, CL felt the High Needs payments was the biggest concern at the moment followed by apprenticeships.</p>	
11	Teaching, Learning and Assessment	<p>LA acknowledged the strategic afternoon where a number of teaching, learning and assessment issues were debated and discussed by the Governors and recognised the robust quality assurance across the College which was noted in the recent Ofsted inspection. LA advised the assessment figures have been updated since the report and confirmed teaching as:</p> <p>Outstanding - 10%</p> <p>Good - 69%</p>	

		<p>Requires Improvement -21% Inadequate - 0%</p> <p>The Campus Principals completed an update of programmes as part of Ofsted and the results gave confidence on the good practice across the College. Governors discussed the recent inspection and the lack of formal feedback given by inspectors at the start of the process, Governors were mindful that the feedback to staff during this process was critical and were pleased to hear more feedback was given by the end of the inspection.</p> <p>Attendance has dropped slightly overall however this isn't uncommon after Christmas and it is hoped this will steadily increase going forward. LA highlighted the gap between study programme and English and Maths now sits at 2% where 2 years ago it was 15%.</p> <p>LA advised that the team realised that MOLLIE was not fitting all the criteria needed to support staff in their personal development and although still very much used across College the executive are looking at a system that picks up more of the performance management issues than MOLLIE currently allows for.</p> <p>The Chair thanked LA for her report.</p>	
12	Risk Management Report	<p>MH advised that due to meeting cycles not always being aligned the current risk register remains unchanged since the meeting in December however the Risk, Audit and Compliance Committee have since met and these proposed changes will go to the Audit Committee in early March.</p> <p>MH presented the draft risk register based on the changes and advised the cover sheet details the key reasons for the changes. MH noted it was a clearer working document highlighting assurance and controls and tracking all changes.</p> <p>The proposed changes are:</p> <ul style="list-style-type: none"> • 2 (Failure to provide a safe College) has moved up from 6 to 10 • 7 (The Joint Partnership) has moved down from 10 to 6 • 8 (Failure to deliver a return on investment) has moved down from 12 to 8 • 9 (Failure to deliver an outstanding student experience) has moved down from 12 to 8 <p>GR reminded Governors that the audit function is to assure the board that the system and process is right and fit for purposed and the boards function is to ensure the controls are in place.</p>	

13	Clerk's Report	<p>The Clerk advised Governors of the administrative updates to some documents and their location on SharePoint for information.</p> <p>The Clerk was able to report that since the acquisition of Folkestone and Dover the geographical representation of the board now includes 50% outside of Thanet.</p> <p>The Chair thanked the Clerk for her report and her work in support of the Governors during Ofsted.</p>	
14	Pay Award Review	<p>This item was considered confidential and will form part B confidential minutes</p>	
15	Policy Review	<p>Safeguarding Policy (Nursery) - LS advised the key developments and updates to the policy have been highlighted in red and presented the policy for approval by the Governing Body. A Governor commented how sad it was that certain items needed to be included for such young children but the board was minded to approve the legislative updates.</p> <p style="text-align: center;">APPROVED - Governors approved the Safeguarding Policy (Nursery) as presented</p>	
16	Consideration of Dissolution/ Transfer of Assets and Liabilities	<p>[Matt Atkinson joined the meeting at 5.35pm]</p> <p>This item was considered confidential and will form Part A confidential minutes</p> <p>[Matt Atkinson left the meeting at 6.00pm]</p>	
17	Draft agenda for the next meeting	<p>Following on from discussion at the strategic afternoon and updates through the meeting the agenda proposed will also include:</p> <ul style="list-style-type: none"> • Pay Award Review • Technical School review • Due Diligence Update on Canterbury College • Report on how to increase outcomes for English and Maths • Report on how the College can maintain high needs provision for students in the face of increasing numbers 	

18	Any Other Business	<p>The Chair thanked LA for the HE update at the earlier strategic afternoon.</p> <p>JT reported 11 different competitions for students in the next week, an update will come to the next meeting.</p> <p>A Governor asked about signage for the Yarrow at the front of the College advertising to passing trade that it is a hotel, restaurant and function venue. Governors were in agreement that more could be done in this regard and the Clerk will pass this feedback to Shane Godwin as Director of Commercial Operations.</p>	Clerk
19	Matters Considered Confidential	<p>Item 13 will be reported under Part B confidential minutes.</p> <p>Item 16 will be reported under Part A confidential minutes.</p> <p>The closed agenda item will be reported under Part B (2) confidential minutes</p>	
20	Date of Future Meeting	<p>Wednesday 29th March 2017 - Dover Campus at 5.00pm</p>	
	Closed Agenda Item	<p>[JB, JT, GR, AL, PS, CL, LA, LS, MH and JW left the meeting at 6.07pm]</p> <p>This item was considered confidential and will form part B (2) confidential minutes</p> <p>The Chair asked whether members thought an informal session for Governors in advance of the board meetings to update on any agenda items or concerns would be of benefit and proposed a trial before the next meeting as no development session has been suggested; Governors were very receptive to this idea.</p>	Agenda

There being no further business the meeting closed at 6.25pm

Signed: Position: Date: