

GOVERNING BODY
Minutes of the VIRTUAL meeting held at 2.00pm on 27 March 2020

Present:

E D'Souza (Chair)	S Daley (Vice Chair)
C Higgins (Vice Chair)	K Points
S Clarke	D Wildridge
J Wakelam	E Lawrance
A Maltpress	N Savvas, Principal/CEO

In attendance:

- S Jones, Vice Principal Finance and Resources
- L Moody, Vice Principal Employer Engagement
- C Shaw, Vice Principal Quality and the Student Experience
- R Kirk, Executive Dean
- S Graham, Interim HR Director
- J Bridges, Clerk to the Corporation

There were no interests relevant to items on the agenda declared by members.

Action
1 Apologies for absence

Apologies for absence were received from S Howard, J Gazzard and D Jugg.

The Clerk confirmed that the resignation from N Wingfield Digby has been received. He is to step down as Governor with immediate effect. This is to safeguard his independent role as a Member of Suffolk Academies Trust.

2 Minutes of the meetings held on
i. 13 December 2019

The minutes of the meeting (minute book pages I305-I311) were agreed as a correct record. **Proposed** by S Clarke and **seconded** by S Daley.

ii. 4 February 2020

The minutes of the meeting (minute book page I312) agreed as a correct record. **Proposed** by C Higgins and **seconded** by A Maltpress.

3 Matters Arising from the meetings held on
i. 13 December 2019

The matters arising from the meeting were summarised in the report (minute book page I313) and all actions reported had either been resolved or, where appropriate, an update had been provided on progress elsewhere on the agenda.

ii. 4 February 2020

The matters arising from the meeting were summarised in the report (minute book page I314) and all actions reported had either been resolved or, where appropriate, an update had been provided on progress elsewhere on the agenda.

4 Clerk Resignation and Recruitment

The report was received and **considered** by members (minute book pages I315-I317).

The Corporation had been previously informed that the current post holder, Clerk to the Corporation and College Secretary, J Bridges, tendered her resignation on 2 March 2020, giving 3 months' notice, therefore leaving on 29 May 2020. Resignation accepted. **Proposed** by K Points and **seconded** by C Higgins.

Under the Instrument and Articles of Government, Article 3 (1) (e) the Corporation is responsible for 'the appointment, grading, suspension, dismissal and

determination of the pay and conditions of service of the holders of senior posts and the Clerk, including where the Clerk is, or is to be appointed as, a member of staff, the Clerk's appointment, grading, suspension, dismissal and determination of pay in the capacity of a member of staff.

The Remuneration Committee has considered the requirements and the process to recruit a Clerk, whom under the Instrument and Articles of Government shall be a Senior Post Holder. The CEO confirmed that due to the College closure in response to the Covid-19 outbreak recruitment to the post would be delayed. In the interim however it was proposed to seek professional governance services from a specialist agency such as the AoC Interim Management who can provide short term high-calibre professionals. The Corporation **approved** this approach in the interim acknowledging that at the point when recruitment can resume the Corporation would need to consider and approve the process, job description, recruitment timeline, advertise the post nationally, convene a selection/interview panel (consisting of the Principal/CEO and at least three other members of the Corporation) and set a likely date of an Extraordinary Corporation meeting to approve the appointment, unless this happened to coincide with the next meeting of the Corporation scheduled for 9 July 2020.

5 Committee Chairs' Summary Reports

5.1 Finance Overview

The report was received and **considered** by members (minute book page I318).

An Extraordinary meeting of the Finance Committee was held on 24 February 2020 to consider the IFMC (Integrated Financial Model for Colleges) and this was duly considered, approved and submitted to the ESFA by the end of February 2020.

The revised forecast remains at a surplus of £355K versus the original budgeted surplus of £125K and could be higher by the year-end although current circumstances may vary this somewhat.

The Vice Principal Finance and Resources presented an additional paper to the Board on the financial impact of Covid-19. In summary although there are many unknowns in terms of impact and duration of the measures to combat the pandemic but also the position of the ESFA with regards to various elements of College business, whatever the duration, the impact is expected to significantly change the direction of the College finances from that of a healthy surplus with a substantial summer works programme to that of a deficit with a summer works programme that only addresses compliance and essential works.

Helpfully the Vice Principal Finance and Resources presented the current financial circumstances plus the impact if the DfE honours all allocations and assumes out-turn consumption of allocations based on activity to date. The income and expenditure shows a short term/better case scenario (up to 3 months disruption where timing is an issue and with the majority of government funding streams being honoured without qualification) and the other a longer term/worst case scenario (post 3 months closure and until the end of the financial year/with minimal unearned funding via government allocations).

The Corporation was asked to acknowledge that the financial objective to reach a surplus of 3% for the year is unlikely given the current circumstances and it was agreed that this objective is therefore waived as a surplus is looking less achievable in the year. Secondly, the Chair of the Finance Committee asked for the support and agreement of the Board to have the ability to call extraordinary Finance

Committee meetings to keep abreast of the changing financial environment and financial position of the College. It was noted that the Vice Principal Finance and Resource will continually reforecast the position and is considering taking advantage of schemes such as furlough or other government recompense initiatives. The Corporation was supportive of this approach.

5.1.1 Financial Regulations

The report was received and **considered** by members (minute book pages I319-I320).

The Financial Regulations have been reviewed and updated in accordance with Funding Body regulations and organisational and staffing changes.

In summary, the document has been renamed the Financial Regulations Handbook and terminology has been updated to include a definition of the role of the College Secretary, the Finance Committee is no longer the Finance and Resources Committee, the role of the GDF (Group Director Finance) has been defined, as has the role of the Head of Finance.

It was further noted that the term Director of Finance has been replaced throughout with Vice Principal, Finance and Resources, Treasury Management Policy detail has been removed and replaced with reference to the policy being updated and maintained, and reference to EU legislation has been updated to include any such alternative regulations in force after the UK has left the EU.

The Finance Committee, having already reviewed the amendments, recommend the Financial Regulations Handbook for approval by the Corporation. The document was **approved. Proposed** by C Higgins and **seconded** D Wildridge.

5.2 Standards and Excellence Overview

The report was received and **considered** by members (minute book pages I321-I322).

It was reported that overall attendance is at 88% for 16-18 students and 89% for 19+. Retention remains strong for both 16-18 and 19+ at 96%. Apprenticeship performance remains strong with a predicted planned achievement rate of 79% compared to a 74% achievement rate last year.

Assessment progress for students in the large majority of areas remains either on or ahead of target, with Access to HE courses currently the only department behind target.

Good progress has been made against the 2019/20 QIP already including attendance for Level 1 courses, English and maths progress, introduction of 'Deep Dives' to further develop quality assurance processes, Professional Learning and use of Innovation Coaches to drive the Quality of Education.

The Committee are now receiving improved workforce KPI reports as the Data Compliance Officer in the HR team has overhauled, cleaned and improved the data and reporting capabilities. This is enabling the department to be far more responsive to staff needs where absence is poor for example or where working arrangements need to change to support staff welfare and wellbeing.

5.3 Audit and Risk Management Overview

The report was received and **considered** by members (minute book pages I323-I327).

The number of risks on the Risk Register with a high likelihood is 1 in the red zone; 2 amber; 17 yellow and 15 in the green zone (low risk). There are no new risks added to the register and no risks have been removed. It was noted that Covid-19 of course is to be the top risk on our register.

We have completed 80% of our GDPR Compliance Action Plan to date, leaving 16% progress required (amber) and 4% good progress (green) to be made.

The College has now experienced and logged 47 breaches (38 reported at the last meeting in December 2019) since GDPR came into force on 25 May 2018. All cases have been investigated and where appropriate the implicated individuals (data subjects) were informed.

In comparison the number of breaches recorded last year was 31 and we have had 16 this year to date.

5.4 Property Overview

The report was received and **considered** by members (minute book pages I328-I330).

Summer moves and work plans are now being developed. Due the relocation of ASFC and the aspiration to invest in HE these are significant and are expected to mirror, if not exceed, the scale of last year's works.

Phase one and two STEM Innovations Centre projects are now complete with the exception of some snagging and access control works.

The ASFC new build is progressing well, although the junction works are still causing some concern. In light of the current Covid-19 pandemic and government announcement that only essential works are carried out there is a build contract meeting scheduled next week to look at the continuity of the build. A recovery plan has been requested in the event that the build falls behind on progress but there is confidence that Wates are not foreseeing that the build or part occupancy would not be available on time. This is already identified on our risk register.

We are considering alternative premises for the Haverhill Centre. Unity Trust is looking to sell off the site where we currently occupy premises so a town centre location is being sought.

Notice has been served to the Ip-City Centre and we hope to relocate to the new site on Fore Street in Ipswich in the summer.

5.4.1 Draft Sustainability and Environmental Policy

The report was received and **considered** by members (minute book pages I331-I334).

The draft policy sets out the College's aims for aiding sustainability and environment development. The College is not accredited in EMAS or ISO14001 but where possible the College will work in line with those standards.

The Corporation requested that more work is required before being shared with the Property Committee and coming back to the Board.

5.5 **University Studies Overview**

The report was received and **considered** by members (minute book pages I335-I337).

The Corporation was reminded that the Office for Students (OfS) is regulating HE in a rigorous manner, judging providers and their practice against the Conditions of Registration in a robust manner. The College proposes for the University Studies Task and Finish Group to become an HE Committee of the Corporation to monitor and review the progress of HE against the KPIs currently reviewed by the Standards and Excellence Committee, and possibly extend these as seen fit by the new Committee.

In addition, the Government announced in the autumn that it will be committing a further £120m to eight new IoTs (Institutes of Technology) and the College has recently submitted an expression of interest.

It is therefore proposed that the membership of the University Studies Task and Finish Group takes on the role of an HE Committee of the Corporation to ensure that the regulations and conditions to maintain registration of the OfS are met and to progress and have oversight of the IoT application. The Terms of Reference for this Committee and Membership are to be detailed before the Corporation are to consider a proposal (at the meeting to be held in July 2020).

RKirk
JBridges

5.6 **Safeguarding Board Overview**

The report was received and **considered** by members (minute book page I338).

The report confirms that welfare cases are becoming more complex with advisers liaising externally via a variety of forums all over the County to support students.

In the autumn term the team made 13 Child Protection referrals with physical abuse the highest category reason for urgent support. There was one referral that had PREVENT implications but this was dealt with via safeguarding process and practice.

5.7 **Health and Safety Overview**

The report was received and **considered** by members (minute book page I339).

The new Health and Safety Manager has been in post since January 2020 and everything is working well. The department is working well with other cross college teams such as Estates and Procurement and they are working up an action plan to take a team approach to the safety needs of the estate.

5.8 **Equality, Diversity and Inclusion Overview**

The report was received and **considered** by members (minute book page I340).

The Equality, Diversity and Inclusion Board look at student achievement, retention, attendance and other metrics by protected characteristic to ensure that no student or group of students are disadvantaged due to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

The number of student withdrawals from learning has been analysed to ensure that students are not leaving their studies due to being disadvantaged in any way. Results confirm that students leave to go into employment or have taken on an apprenticeship. Some students have left due to ill health and/or for financial reasons.

It was noted that the Equality, Diversity and Inclusion Board are looking at the apprenticeship achievement rates for 16-18 BME students as these are showing a downward trend. Investigation suggests that there are no apparent similarities of concern with these withdrawals it appears this was an administrative error that has since been resolved.

6 Gender Pay Gap Report

The report was received and **considered** by members (minute book pages I341-I345).

Due to Covid-19 the Government has confirmed that submission by the 31 March 2020 has been suspended at this time. The College had already prepared its report which confirms that the College's Gender Pay Gap is below the national average with the overall Gender Pay Gap at 8.9% (compared to the national average of 17.9%). When taking a median average of gendered pay rates (as opposed to the mean) the pay gap falls even further to 6.19%.

The Corporation **approved** the report for submission when required. **Proposed** by K Points and **seconded** by S Daley.

7 Strategic Matters

7.1 Principal's Briefing

The report was received and **considered** by members (minute book pages I346-I365).

There has been an extensive number of events held and hosted by the College since the last meeting of the Corporation and these were all detailed in the Principal/CEO's report.

Covid-19 of course has taken over recent events. The Principal and CEO was particularly complimentary of the Group Director of Operations, R Stevenson, who has with his teams been exceptional.

Work with employers still continues and apprentices continue to learn and we are supporting these students remotely with outstanding attendance at 97%.

7.2 Update on Multi Academy Trusts (SAT and SENDAT)

The report was received and **considered** by members (minute book pages I366-I372).

Suffolk Academies Trust (SAT)

Abbeygate Sixth Form College

The report detailed the awards, enrichment activities for students, engagement with schools, promotional events/media, presence/digital activities and horizon scanning/strategic matters that they have been recently been involved in.

One Sixth Form College

The report of One Sixth Form College also informed the Board about the awards received, enrichment activities for students, the school engagement work, promotional activities and strategic matters encountered since the last meeting held in December 2019.

Special Educational Needs and Disabilities Academy Trust (SENDAT)

SENDAT successfully bid for funding from the DfE Trust Capacity Fund to enable an extensive Trauma Informed Schools training programme across the Trust schools and settings.

The Trust has been shortlisted and invited to interview and is currently awaiting the decision of the DfE with regard to its application to the Norfolk Local Authority competition to open a Special Free School (Cognition and Learning) in Norwich for 170 students, aged 4-19 years.

In line with SENDAT's strategic growth plan, the Trust is submitting applications for the two current Suffolk County Council's Presumption Free School competitions; a Social, Emotional and Mental Health (SEMH) in Moreton Hall, Bury St Edmunds, and a Communication and Interaction School in Bungay.

Finally, it was reported that SENDAT has partnered with John Milton Academy Trust to bid to Suffolk County Council to build and run Cognition and Learning Specialist units at Mendlesham Primary School and Stowupland High School. This will necessitate new capital build on both sites.

7.3 National Construction College

The report was received and **considered** by members (minute book page I373).

On 4 February 2020 the Chair of the Corporation announced to the Board that the College had the opportunity to acquire a National Construction College. A proposal was sent to the Corporation (electronically) to progress to the next stage by signing the Heads of Terms which gave the College a six month period of exclusivity to conduct due diligence, before deciding whether or not to progress with the opportunity.

A unanimous vote to proceed was returned approving the Chair to sign the Heads of Terms on behalf of the Corporation and enter into the due diligence stage. These were duly signed and returned on 11 February 2020.

Governors were assured that at any point during this six month period of exclusivity the College can withdraw with no ramifications legally or financially. It was noted that it is the intention to hire project expertise to carry out the due diligence process and the College is currently arranging meetings with prospective companies to ascertain cost.

The approval of the Corporation is required to establish a Task and Finish Group to oversee the due diligence process of this potential acquisition with advisory power to bring any recommendation back to the Corporation for approval. The Corporation **approved** to establish the Task and Finish Group. Membership would comprise D Wildridge, S Clarke, C Higgins, S Daley, E D'Souza and N Savvas.

8 Governance

The report was received and **considered** by members (minute book pages I374-I375).

8.1 2020/21 Draft Calendar of Meetings

Each Committee has been asked to consider the frequency and timings of its meetings for the 2020/21 academic year. Based on these requests the draft calendar of meetings for the 2020/21 year was presented for approval in principle, acknowledging that some dates may be subject to change. The Corporation **approved** the draft calendar of meetings in principle. **Proposed** by J Wakelam and **seconded** by K Points.

9 Governors' Reports and Information

9.1 Representational Activities

Governors have attended and represented the College at a range of events during the past few months including attending the Royal Society of Chemistry approval visit for our Science apprentices, outcome awaited and a visit to the Milburn Centre to view the development of the Pods and the Anglian Water Students who are guaranteed work with Anglian Water after completing their studies.

9.2 Training, Development and Governor Link activities

Governors have been reminded to complete the GDPR, Safeguarding and Equality and Diversity online training through Cylix and all Governors were asked (by email 4 February 2020) to read the summary guidance and complete the quick quiz to keep themselves up to date with the Keeping Children Safe in Education publication. The Clerk will send reminders again.

JBridges

10 Any other business

The Principal and CEO reported that the College is coping well in the Covid-19 circumstances and we are working with communities to support and help the vulnerable and provide valuable resources to the NHS; manufacturing Hand Gel and providing space at our STEM Innovation Centre for vital staff training. The Chair will send a message of thanks and gratitude to every member of staff who has genuinely gone above and beyond at these unprecedented times.

ED'Souza

The Chair on behalf of the Board thanked Jules Bridges for her outstanding service to the Corporation and wished her well in her new private sector role.

11 Review of Meeting

Comments to the Clerk to the Corporation are welcome.

Date of next meeting

Thursday 9 July 2020 at 2.00pm

The meeting ended at 3.40pm