

Governing Body

Minutes of the meeting held virtually at 4.15pm on 11 December 2020

Present:

E D'Souza (Chair)	K Points (part)
C Higgins (Vice Chair)	D Wildridge (part)
S Daley (Vice Chair)	N Savvas (CEO)
S Clarke (part)	J Gazzard (part)
J Wakelam	P Hickman
A Maltpress	S Howard

In Attendance:

S Jones, Vice Principal Finance and Resources
 L Moody, Vice Principal Employer Engagement
 C Shaw, Principal – Sixth Form Provision
 C Meredith, Executive Dean for Higher Education
 R Stevenson, Group Operations Director (part)
 S Graham, Group HR Director
 S Gales, Board Secretary
 T Elkin, Clerk
 J Hannaford, minute-taker

Apologies: E Lawrence

Absent: D Jugg

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

Introduction and Opening Remarks

The Board introduced themselves and welcomed P Hickman and J Hannaford to the meeting. ED'Souza thanked the Corporation and the Executive for their hard work and commitment throughout 2020, which has been an unprecedented year with Covid-19 requiring a completely new way of working.

1 Apologies for Absence

There were apologies from E Lawrence. The absence of D Jugg was noted.

2 Minutes of the meeting held on 9 July 2020 and 17 August 2020

The minutes of the 9 July 2020 (minute book pages 1377) were **agreed** as a correct record subject to the amendment of the minutes to remove quotations ascribed to individuals, the amendment of JRaffel's job title to read 'Group Director Finance', the amendment of the turnover figure in 6.1.1. to read '£33m' and in 6.4. to read 'JWakelam'. Proposed by SDaley and seconded by KPoints.

The confidential minutes of the 9 July 2020 (minute book pages 1378) were **agreed** as a correct record subject to the addition of SHoward as 'present' and the removal of quotations ascribed to individuals. Proposed by JGazzard and seconded by SDaley.

The confidential minutes of the 17 August 2020 (minute book pages 1379) were **agreed** as a correct record, subject to the amendment of the minutes to remove quotations ascribed to individuals. Proposed by DWildridge and seconded by AMaltpress.

3 Matters Arising from meetings held between 9 July 2020 and 11 December 2020

Action

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The matters arising from the meeting (minute book page 1380-81) were summarised in the report and all actions reported had been completed, or where ongoing the update is summarised below:

1. The Property Strategy is on the agenda below.
2. Additional safeguarding training is planned for next term to ensure compliance.
3. Work to formalise the common CEO/CFO employment contract between WSC and SAT continues. Once the proposal has been finalised by the lawyers, a proposal paper will be brought to the Board to approve.

SGraham

4 Committee Chairs' Summary Reports

4.1 Audit Overview

SJones advised that, following the ESFA Funding Assurance Audit in November 2020, the external auditors will be unable to finalise their audit findings report and sign off the 2019/20 financial statements until they have been able to see the findings report of the funding auditors which is unlikely to be until early January. For this reason the financial statements, audit findings report and annual report of the Audit and Risk Management Committee are not included within today's papers for approval. Therefore, we will be calling an extraordinary Corporation meeting in mid-January 2021 to approve these documents.

There are 1 red, 1 amber, 19 yellow and 15 green status risks; with 4 new risks and 4 risks removed (all in relation to the Higher Education provision and to more accurately reflect the risks).

We have completed 97.87% of our GDPR Compliance Action Plan to date, leaving 2.13% progress required (amber) to be made.

The College has received no Subject Access Requests since 1 December 2019, and has experienced and logged 21 data breaches since 1 December 2019, 1 of which was reportable to the ICO (Information Commissioners Office).

4.1.1 Annual Report of the Internal Auditors 2019/20

The Corporation received the annual report of the internal auditors for the 2019/20 year which is relied upon to support the content of the annual report of the Audit and Risk Management Committee. The report confirms the view of the internal auditors that they can draw a reasonable conclusion as to the adequacy and effectiveness of the College's risk management, internal control and governance processes and the processes for securing efficiency and effectiveness.

4.1.2 Review of Risk Management Arrangements

The proposal to change the methodology, administration and management of risk (along with a new Risk Policy and Risk Management Procedure for the College), as recommended by the VP Finance and Resources and the Audit Committee was unanimously **approved**. Proposed by CHiggins and seconded by JWakelam.

4.2 Finance Overview

The year to date financial position is a deficit of £63k (vs. a profiled budget surplus of £86k) which is almost entirely due to three principal income stream incomes falling behind the profiled budget. Staffing costs sit at 71.2% of income vs. a forecast for the year of 67.8%. The cash balance is £10.1m, which although much higher than the same figure last year, is flattered by the receipt of the £1.1m FE Capital Allocation. The current forecast for the year is a £103k surplus (vs. the budgeted surplus of £200k) due to anticipated larger than budget non-pay costs due to Covid-19 related costs.

4.2.1 Capital Request: iTrent

The Corporation unanimously **approved** the unbudgeted £85,000 capital expenditure to purchase and implement the iTrent HR system and the unbudgeted £25k capital

expenditure to purchase and implement the associated payroll system at a later date. Proposed by KPoints and seconded by AMaltpress.

4.2.2 Capital Request: Immersion Rooms

The Corporation unanimously **approved** the unbudgeted £71,800 capital expenditure to acquire and establish two immersion rooms (one room on the Arts, Humanities and Health campus and another at the Built Environment campus) as pilots to enable reduced teaching resource commitment. Proposed by JWakelam and seconded by KPoints.

4.2.3 Capital Request: PSDS Proposal

The Corporation acknowledged the report and unanimously **approved** to specifically approve variations to the College's Financial Regulations to approve the unbudgeted capital expenditure, subject to unbudgeted grant funding being obtained for the works, to progress with:

Part A (to waive the requirement for 3 quotes and approve unbudgeted capital expenditure, and to proceed with initial survey and project proposal)

Part B (for the capital works identified in Part A, to waive the requirement for 3 tenders, to approve unbudgeted capital expenditure and to award a contract value up to £1m. in order to take advantage of the Public Sector Decarbonisation Scheme (PSDS).

Proposed by JWakelam and seconded by CHiggins.

The Corporation granted SClarke and ED'Souza delegated authority to oversee the expenditure in order to meet the deadlines of the Scheme.

4.2.4 Subcontracting Provision

The Corporation unanimously **approved** the continued working with: Eastern Region roofing, British Racing School, University of Suffolk, NWA NHS Trust, Skills Network, The Institute of Export and International Trade, Learning Curve, Marshall Centre, The Pacific Institute, Essex and Suffolk School of Purchasing and West Suffolk NHS Trust as sub-contractors. As well as supporting local institutions with their inclusive learning delivery to high needs students enrolled on 16-19 ESFA study programmes, who receive top-up funding. Proposed by AMaltpress and seconded by CHiggins.

SJones confirmed that he received confirmation from the internal auditors that Board approval is required for the subcontracting policy.

4.2.5 FE Capital Allocation

A report was provided that summarised the governance actions to facilitate the use of ESFA FE Capital grant funding. Following the receipt (in August 2020) of £1.1m unbudgeted capital grant funding to undertake remedial works to the College premises (to be used by March 2021), due to the lack of non-business time to undertake the works plus weather and Covid-19 considerations meaning a conventional procurement and works management programme could not be undertaken in the timescale; the Corporation granted delegated authority to Chair of the Finance Committee and Chair of the Corporation to approve the plans for spending the condition survey monies and to vary financial regulations in order to meet the March 2021 deadline. After consideration, the Chair of the Corporation secured delegated approval from the Corporation to approve the proposal with the caveat that the Chair of the Finance Committee confirmed his approval on behalf of the Finance Committee for the unbudgeted element and the letting of contracts in excess of £100k.

The College appointed two contractors (Barnes Construction and Coulson) to undertake the work to improve the condition of the College's estate in line with the requirements of the ESFA funding. Both of these contractors have been subjected to market testing for the recent STEM project and all works will be undertaken on an open book basis.

The Corporation unanimously **approved** that Phase 2 of the expenditure of the FE Capital Allocation be overseen by SClarke and ED'Souza with the delegated authority of the Corporation, subject to RStevenson outlining the detail of Phase 2 expenditure to SClarke, ED'Souza and DWildridge. Proposed by DWildridge and seconded by SDaley.

RStevenson

The Corporation noted that there is a need for agile governance approval processes in order to be able to respond to future funding opportunities. SJones to consider this within his review of the College's financial regulations.

SJones

KPoints and SClarke left the meeting at 5.05pm.

4.3 FE Standards and Excellence Overview

The Corporation commended the excellent progress in improving teaching, learning and assessment in both FE and Apprenticeships, in unprecedented circumstances.

4.3.1 College Self-Assessment Report 2019/20

The Corporation acknowledged College's 2019/20 Self-Assessment Report and noted the Grade 1 self-assessment which has been validated by two external Ofsted inspectors. The 2019/20 Self-Assessment Reports were **approved** unanimously. Proposed by SDaley and seconded by JWakelam.

4.4 HE Standards and Excellence Overview

This Committee is in the process of being established, with a remit for governance/scrutiny over the Higher Education offer, as regulated by OfS. Work on a business cycle and KPI schedule for University Studies is underway, supported by a substantial review of our reporting and data-analysis capabilities in order to facilitate new Direct-Funded recruitment.

The Corporation noted the key difference of the discontinued partnership agreement with UoS (a franchise relationship with total autonomy and ultimate liability for the quality of provision) vs. the validation agreement we have with UEA as our validating HE partner (an awarding body, with responsibility to assure itself of the quality of its awards but with no contractual relationships with/or provider obligation to, our students).

4.5 Property Overview

Covid-19 mitigation, track and trace and safety measures have been a primary focus this term. A new dust extraction system has been installed at the Built Environment Campus and repeat of environmental testing has confirmed the expected improvement in the atmospheric dust level, and a project is being developed to install external turnstiles at the Built Environment campus for safeguarding enhancement. The dilapidation works at Ip-City and the installation of new internet fibre at Fore Street are both scheduled to complete in December. We continue to work with West Suffolk Council regarding alternative premises in Haverhill however this has been slightly delayed due to the November lockdown.

4.5.1 Sustainability and Environmental Policy

The Corporation acknowledged the policy and unanimously **approved** it. Proposed by JWakelam and seconded by SDaley.

The Corporation agreed to establish a College-wide environment strategy and policy which guides our operations, procurement, and ethos; and to align this with SAT.

4.5.2 College Property Strategy

The property strategy for the proposed development of the College sites, including a scoping document for how Hangers 2 and 3 of the STEM Innovation Campus could

be developed was acknowledged by the Corporation, and was unanimously **approved**. Proposed by DWildridge and seconded by AMaltpress.

4.5.3 Progress on spend of DfE capital works grant

Following the award of the £1.1m capital fund grant for building condition improvements (discussed in 4.2.5), we have informed the DfE that we wish to undertake projects which, due to their complexity, have a completion date beyond the March 2021 deadline and our request for a deadline extension to enable us to undertake these works. On 11 November 2020, we received acknowledgement of our request however they couldn't "confirm the extension at this point, we would urge you to ensure that you do not rely on any extension in the meanwhile." As such, we are now working to Plan B and have outlined a number of significant projects in addition to the minor works being undertaken to utilise the funding within the timeframe. We have appointed two contractors: Barnes Construction (who are working principally on the Built Environment Campus) and Coulsons (who are undertaking work on the Arts, Humanities and Health Campus). Currently, as agreed, we have issued them both with a purchase order for £200k. These contracts include a number of items all identified in the condition survey, such as: minor works including decorations, floor covering replacements, lighting improvements, replacing fire doors and associated frames, etc.

4.6 Safeguarding Board Overview

During the 2019/20 academic year welfare advisers saw a total of 1,198 students, the counselling team has assessed a total of 128 students in the year and PSTs saw 934 students with low level issues. Welfare Officers made 23 Child Protection referrals in the year to Social Care. There were two general PREVENT enquiries raised with the PREVENT co-ordinator; one did not require a full referral and one was referred and adopted by Channel Panel in Norfolk. 52 Children in Care were enrolled in the 2019/20 academic year. The department has seen a decrease in the number of LADO (Local Authority Designated Officer) referrals in the 2019/20 academic year. The 1 student referral involved issues with a nursery placement.

JGazzard and DWildridge left the meeting at 5.16pm

4.6.1 Safeguarding Board Annual Report 2019/20 and Safeguarding Policy

The Safeguarding Policy has been updated in line with KCSIE, with minor terminology and responsibility changes. The policy was unanimously **approved**. Proposed by KPoints and seconded by AMaltpress.

4.7 Health and Safety Overview

During the Covid-19 pandemic the H&S department has worked closely with all departments following Government, DfE and local council guidance to enable the College to continue working safely. Risk assessments have been carried out and continue to be reviewed regularly for suitability. Mitigation measures were introduced including working and studying from home where possible, installation of thermal imaging cameras at the main entrance point, Covid-19 awareness information displayed throughout buildings, one-way systems introduced where possible, classroom desks positioned to allow for social distancing, screens installed in public facing areas and mandatory wearing of face coverings. The Health and Safety policy and supporting procedures have been reviewed and updated during the year to ensure that they remain relevant and compliant with current legislation and reflect HSG 65. Procedures have been and continue to be updated throughout the year as required and to respond to the latest PHE and Government Covid-19 guidance. There were no RIDDOR reportable incidents throughout this period.

4.8 Equality, Diversity and Inclusion Overview

4.8.1 Equality Objectives

The Corporation acknowledged the report and the objectives were unanimously **approved**. Proposed by KPoints and seconded by JWakelam.

5 Strategic Matters

5.1 CEO's Briefing

This term has seen Executive balance keeping students and staff safe and healthy during the pandemic, both physically and mentally, while continuing to provide outstanding education in the context of significant financial and logistical challenges associated with the Covid-19 pandemic. The in-colleges transmission rate has been successfully managed to almost zero (with no outbreaks yet) despite the cases "brought in" by students and staff. The CEO gave an overview of the steps taken by teams to enhance staff and student welfare and summarised the benefit to the organisations of work of further Group-wide best practice sharing.

The Corporation acknowledged a report summarising the successes/awards won by staff and students, the projects planned/underway, the enrichment activities undertaken, and the engagement undertaken with the schools, summary of promotional events/activities this term.

The Corporation commended the work of staff supporting students in these unprecedented times and asked that the CEO and Chair send a communication to all staff to thank them for their outstanding contribution this term.

ED'Souza
NSavvas

5.2 Update on Multi Academy Trust (SAT and SENDAT)

The Corporation acknowledged a report summarising the activities of SAT and SENDAT.

6. Governance

6.1 Governance Report

To Corporation unanimously **approved** the reappointment of CHiggins, ED'Souza, JWakelam and SDaley. The Corporation **deferred** the appointment of Piers Roberts and Andy Airey as co-opted members to be discussed at the extraordinary meeting in January 2021.

SGales

CMeredith, LMoody and RStevenson left the meeting at 6pm.

6.2 Strategy and Strategic Conference

Due to Covid-19 and the need for social distancing, we are unable to host the annual Strategic Conference (scheduled for 21 January 2021) as a 1-day physical meeting as planned. Given the multitude of strategic matters to consider, discuss, and plan for, the Corporation agreed to replace the 1-day Strategic Conference with regular (half-termly) twilight 'Briefing Strategy Seminars', to enable us to debate strategy more effectively throughout the year.

The Corporation was not quorate to agree the extension of the Corporation's common strategy with SAT, for a further 18 months in order to develop the next common (ECG) strategy at the 2022 Strategic Conference; so this item is **deferred** to be discussed at the extraordinary meeting in January 2021.

SGales

7 Any Other Business

7.1 FECA Phase 2

Item covered above in 4.2.5.

7.2 College Closure over Christmas Period

There was unanimous Corporation support for the Executive's plan to 'gift' College staff with 3 additional days annual leave to use over the Christmas period to enable all staff (support and teaching staff) to have an extended break over the holiday period in recognition of their hard work during this unprecedented period.

Date of next meeting:

- Friday 27 March at 3.35pm.

The meeting closed at 6.15pm

