

Further Education Corporation

Approved Minutes

Minutes of a Meeting of the Further Education Corporation held at the Basildon Campus on Monday 16 October 2017 at 5.45 pm.

Present: Mr D O'Halloran (Chairman)
Mr B Brooks
Ms O Buck
Mr L Fraser
Dr R Gray
Mr R Hughes
Mr T Knight
Dr G Ocen
Ms A O'Donoghue CBE
Mr R Patterson
Ms M West
Mrs G Williams

In Attendance: Mr A McGarel (Deputy Principal & Chief Executive)
Mr S Smith (Vice Principal, Corporate Resources)
Mr C Bladen-Kopacz (Dean of Higher Education – items 1 and 10)
Mr P Moore (Deputy General Manager, Essex Shared Services Limited)
Ms S Lane (Vice Principal, Curriculum & Quality)
Ms K Mulvey (Vice Principal, Student Services and Adult Programmes)
Mr R I Millea FCA (Clerk to the Corporation)

1. Presentation – Higher Education

Colin Bladen-Kopacz, Dean of HE, gave a short presentation on developments in HE in the College following his appointment last year and matters still needing to be addressed.

He explained the issues and the position when he arrived – high staff turnover, the notice to terminate by University of Essex, poor HE Student Data Administration System and HEFCE follow up review due in February & April 2017.

When HEFCE carried out their Provider Review, issues emerged regarding retention and student survey.

The QAA had carried out a review and the points they raised needed to be addressed so that we could seek validation from a new provider(s). We achieved 'meets expectations' from QAA in May 2017. New providers would not provide Institutional Validation until QAA confirmed their decision.

He reported that there is still work to be done on the Student Data Administration System to make it fit for purpose. He mentioned the introduction of new Programmes e.g Accountancy, moving forward.

In his opinion, the HE provision and administration in the College is not yet out of the woods but it is out of intensive care.

A governor asked about student numbers this year and the strength of the provision as there has been a decline in new enrolments over the recent past. Enrolments for 2017-18 are not yet finalised but will be reported to the Curriculum & Quality Committee on 20 November 2017 and will be considered at that Meeting.

Colin concluded by summarising the current priorities for action and completion:

- Phasing-in the new HER Department and Academic Structure
- Operational and effective Student Data Administration System
- Completion of validation of all outstanding HE programmes with UEA and UAL by February 2018
- Increase of student numbers and income, ensuring adequate resourcing exists to meet student needs

The Board **THANKED** the Dean of HE for his helpful and informative presentation.

2. Appointment of FE Student Governor

The Clerk and Principal & Chief Executive provided a verbal update. It is hoped that a candidate will be proposed for Board Membership at the December Board Meeting.

ACTION:CLERK

3. Apologies for Absence and Declarations of Interest

Apologies for absence were received from Richard Launder (due to a change of date of this meeting) and Debs Hurst (Director of Finance).

Paramjit Singh Narang was absent.

The Clerk declared his interest as Clerk to Chelmsford College and that his wife's cousin is the Clerk to Writtle University College.

4. Urgent Business

Staff Sickness Benefits

The Clerk **REPORTED** that the Policy & Resources Committee had approved a change in the Staff Sickness Benefits provided to new staff joining on or after 1 September 2017. Members were directed to the detail of this resolution in the Minutes of the Policy & Resources Committee held on 25 September 2017 and forming part of this evening's Agenda papers.

Stephenson Road Resolution and Clerk's Certificate

The Clerk **REPORTED** that the Policy & Resources Committee had, by email resolution, approved the purchase of 28 Stephenson Road and relevant documents in that connection had been signed. A copy of the Resolution was provided to Board

Members, along with the Clerk's Certificate in connection with validity of this resolution.

The Minutes of the Policy & Resources Committee held on 25 September 2017 also refer to both of these items.

Appointment of new Governors

The Chair introduced this item. He told the Board that he had met with Paul Griffiths, together with the Principal & Chief Executive, regarding possible Board Membership and, as a result of that Meeting, recommended that Paul be appointed to the Board.

The Board **APPROVED** the appointment of Paul Griffiths to the Board for a four year term with effect from the Board Meeting tonight.

It is proposed that he join the Curriculum & Quality Committee and formal induction will be arranged by the Clerk as soon as possible.

The Chair then reported that he, the Principal & Chief Executive and the Clerk had met earlier today with Ms Hiba Khoury, a prospective candidate who had applied having seen our advertisement on a jobs site. He reported that this Meeting went well and he suggested to the Board that she would be a good addition to the Board and proposed her appointment. It was agreed that another interview or Meeting was not necessary.

The Board **APPROVED** the appointment of Ms Hiba Khoury to the Board for a four year term with effect from 16 October 2017.

It was agreed that she would join the Audit & Risk Committee and be invited to the next Audit & Risk Committee Meeting at Basildon on 22 November 2017. The Clerk will also arrange formal induction. Ms Hiba Khoury's Governor Induction is now confirmed to be held after Audit & Risk Committee at around 11.00am.

ACTION: CLERK

5. Minutes of the Meeting held on Monday 20 March 2017

The Minutes of the Meeting held on Monday 10 July 2017 were **APPROVED** and **SIGNED** by the Chairman.

6. Matters Arising from the Minutes

There were no other Matters Arising from the Minutes which are not otherwise dealt with on the agenda.

7. Strategic Developments in South Essex (Paper FEC.17.21)

This was deemed to be a Confidential Item under the Instrument & Articles and a separate minute has been prepared in connection with this item and is attached to these minutes.

8. Finance Matters (Paper FEC.17.22)

Items 8(a) to (d) on the Agenda are deemed to be Confidential Items under the Instrument & Articles and separate minutes have been prepared in connection with these items and are attached to these minutes.

9. Curriculum & Quality Matters (Paper FEC.17.23)

9.1 Preliminary Report on Learner Performance 2016-17 (Paper 17.23 (a))

The Principal & Chief Executive **PRESENTED** this Report.

Members were informed that there are approximately 700 outcomes to be finalized due to resits and final verification of assessments. Completion of these outcomes is likely to result in an increase in both pass and achievement rates.

The present conclusions are:

- College Overall Achievement has improved slightly to 78% (in line with original target) since last year but is still below the National Rate 2015-16
- A and AS level achievement is up 10 pp over last year but still remains below National Average
- Access to HE Programmes have improved significantly this year and achievement of 89.2% is almost 11pp higher than the National Rate
- English and Maths Achievement has improved rapidly – Functional Skills E&M is up from 32.7% to 45.3% this year and GCSE E&M has risen from 70.3% to 73.8% - but are still below the National Rate
- Timely Apprenticeship Achievement is 8pp higher than the National Rate and is up by 17pp over last year
- Over 100 qualifications had 100% pass rates and nearly 90% of students complete their qualifications

A governor noted that the achievement rate on main qualifications had declined by 6pp from last year to 81% and this was disappointing. The reasons were sought. Management indicated that the 81% level is expected to rise slightly on completion of all achievements but was still lower than last year. This drop in achievement is due to not putting students in for short course in Internet Safety which inflated previous results.

Further detail will be provided at C&Q once all results are completed.

Another governor observed that we are still below National Rates overall and when is it likely we will get to National Rates or above. Management indicated that, in some subject areas, National Rates have been exceeded but there is still further work to be done to raise our rate overall and to gain consistency between curriculum area.

It was noted that the National Rates used in the data are those for 2015-16 and it is expected that, when the 2016-17 Rates are issued next year, they will be lower than 2015-16, due to the introduction of examinations on many vocational programmes this year.

A governor observed that the results for A Levels was still poor. Management recognised this and acknowledged that further improvement is necessary. A Level Science had been dropped due to poor achievement and small cohort. Management further stated that the small cohorts in this area did raise questions as to whether the provision can be continued in the long term if numbers do not improve.

It is difficult to recruit to A Levels because of competition from school 6th Forms and it was also noted that schools will not permit us to visit their pupils and provide careers advice (which legally they are required to do).

A governor asked about Value Added and Management said that there had been improvement this year and the full analysis of the relevant data will come to the Curriculum & Quality Committee on 6 November 2017 for review.

A governor asked whether the likely final outcomes for 2016-17 were in line with the predictions which Ofsted reviewed during the May inspection and was told they had not reached those predictions, but were not far off.

The Board **NOTED** the Report.

9.2 Quality Strategy 2017-18 (Paper FEC.17.23. (b))

The Committee **RECEIVED** a Paper from the Vice Principal, Curriculum & Quality updating the College Quality Strategy for 2017-18 and seeking Board approval.

Only relatively minor changes are considered necessary to the Quality Strategy which had worked very successfully throughout 2016-17.

The Strategy is designed to provide a continuing cohesive College standard for Quality Assurance and Quality Improvement, maintaining its strong link with Teaching, Learning & Assessment.

Members were reminded of the five key priorities for the College in regard to Quality Improvement and the aim to place the learner at the centre of Quality Assurance and Improvement on a consistent cross-College basis.

The Board **APPROVED** the College Quality Strategy for 2017-18 for FE.

9.3 Teaching Learning & Assessment Strategy 2017-18 (Paper FEC 17.23 (c))

The Committee **RECEIVED** a Paper from the Vice Principal, Curriculum & Quality updating the Teaching Learning & Assessment Strategy for 2017-18 and seeking Board approval.

The Paper outlined the amendments proposed to the existing TL&A Strategy which has applied since 2015-16 and has been used in conjunction with a variety of quality monitoring approaches which have had a positive impact on outcomes, as evidenced by the recent Ofsted inspection.

The amendments were minor and included the removal of HE which now has its own Strategy. This will be presented to the Board at a future meeting.

The Board **APPROVED** the Teaching Learning & Assessment Strategy for 2017-18.

9.4 Institutes of Technology (Paper 17.23 (d))

The Principal & Chief Executive **PRESENTED** a Paper to the Board to inform the Board of proposals to lodge an Expression of Interest for an Institute of Technology in Transport and Logistics.

This Expression of Interest is in response to Government initiatives in establishing such Institutes and has to be lodged by 31 October 2017. A full bid would have to be lodged by the end of December.

The College believes Transport & Logistics is the right curriculum area for an Institute and a number of big employers have been approached locally and are supportive. We have an HE partner interested also.

The plan will involve capital expenditure of around £10million, to be bid from the Government capital allocation of £170million nationally and would be built on DP World Logistics Park, Stanford-le-Hope. If this is not successful, the College would look to develop a Logistics facility itself and seek funding elsewhere.

To arrive at a full bid will require considerably more work, but it is felt the interest amongst employers and generally being shown justifies lodging an Expression of Interest.

The Board **APPROVED** the submission of an Expression of Interest for an Institute of Technology for Transport and Logistics.

10. Higher Education Matters (Paper FEC.17.24 (a))

10.1 Progress against HEFCE APR Action Plan

The Dean of HE **PRESENTED** a Paper to the Board explaining progress against the Action Plan submitted to HEFCE, which requires monitoring by the Board in line with HEFCE

reporting expectations. External QA commenced in October 2016 in the form of the HEFCE Annual Provider Review (APR) process, which is annual.

As previously reported to the Board, the College did not meet two of the HEFCE benchmarks in the Assurance Review in 2016 but addressed these issues throughout 2016-17 by way of the Action Plan mentioned above.

The HEFCE Provider Review early in 2017 identified a need for the College to improve HE retention rates.

The Paper noted that new and existing HE validating partners are satisfied with the College's progress in relation to QAA and HEFCE, since institutional approval has been given and the College is in discussions for further programme validations with UAL.

The College has made commitments with the new validating partners in addition to those agreed with HEFCE in the Action Plan of 9 June 2017, including reinforcing strategies to improve student retention on full time HE programmes. These include the new HE Department structure, which is being introduced during 2017-18.

The Board **NOTED** the Report and **AGREED** the steps taken against the Action Plan submitted to HEFCE, a copy of which was provided to the Board. The Board also had sight of a letter from HEFCE dated 18 July 2017 in which they stated that, having considered the Action Plan, they agree that it meets their requirements. They will continue to monitor the Plan as part of the APR process for 2017-18.

10.2 HE Strategy

The Board **RECEIVED** a Report from the Dean of HE on progress in revising the existing HE Strategy, which was approved in 2014 and due to expire in 2019.

He explained that the existing strategy is no longer fit for purpose, due to changes in the HE landscape and the fact that the College has two new HE validating partners (University of East Anglia and Open University). Also, HEFCE are now the regulatory body and they have introduced a number of new metrics against which the College will be monitored.

The new Strategy is designed to:

- Puts the students at the heart of the strategy
- Fully engage with the changing HE landscape
- Provide adequate resources
- Reposition the HE portfolio

It is critical that the strategy works to improve retention and reduce withdrawals with staff being measured against those metrics. The College will be judged by its performance.

A governor asked about the wisdom of commencing new programmes, which is mentioned in the strategy and the viability financially of doing that with limited numbers.

The Dean explained that programme managers are charged with seeking out the market for new programmes, in conjunction with our marketing department, through engagement with schools, UCAS fairs and by recruiting onto Access to HE programmes. He will supervise this activity.

He felt the new strategy and its orientation towards employability outcomes might prove challenging for some programme leaders and there could be some churn here.

We need to have optimum qualified and skilled staff to deliver proposed growth as we need the numbers to ensure we have a viable Department. The intention that all programme leaders will hold at least a Master Degree and preferably a PHD longer term.

The Board **APPROVED** the HE Strategy 2017-20.

11. Matters for Approval by the Corporation

The Clerk presented a verbal Report with accompanying documentation outlining matters for approval by the Corporation arising from items already considered in detail by Committee and are recommended for approval by the Board.

From the Policy & Resources Committee

The Board **APPROVED** the

- KPIs 2017/18 (Finance/HR) and outturn for 2016/17
- Risk Management Policy
- College Financial Regulations
- Committee Terms of Reference

From the Search & Governance Committee

- Committee Terms of Reference

From Audit & Risk Committee

- Internal Audit Plan 2017-18
- Internal Audit Annual Report 2016-17
- Committee Terms of Reference
- JACOP – Annex C: Self-Assessment Questionnaire

The JACOP questionnaire was signed by the Chairman and the Principal & Chief Executive and will be passed to the auditors.

ACTION: CLERK

12. Items for Information Only

The Board **RECEIVED** the following Committee Meeting Minutes (unapproved):

- Search & Governance 25 September 2017
- Audit & Risk 27 September 2017
- Policy & Resources 25 September 2017

The Board **RECEIVED** the following documents which had been considered by the Policy & Resources Committee and the Audit & Risk Committee:

- Risk Management Report (including Risk Register, Dartboard and Assurance Mapping)
- Financial Recovery Plan 2017/18 and Minutes of ESFA Monitoring Meetings

13. Governance Matters (Papers FEC.17.25)

Staff Governor Elections

The Clerk reported that Staff Governor Elections will be held shortly and the successful candidates will be proposed for Membership of the Board at the start of the December Meeting.

The Board **AGREED** that the terms of office for staff governors will henceforth be for four years, not the present two years and this will be publicised as part of the forthcoming election process.

Potential New Governors

Two new governors were appointed under Urgent Business above – Paul Griffiths and Hiba Khoury.

The Clerk provided an update as to potential recruitments, reminding the Board that there is currently now one vacancy for an independent governor and one for an FE Student Governor. A further vacancy for an independent governor will arise on 31 December 2017 when Paramjit Singh Narang retires as he is not seeking re-appointment.

There are two other possible candidates under consideration.

The Clerk reported that advertising is also taking place in free websites and portals and local media advertising (for which there is a cost) is being investigated.

ACTION: CLERK

Annual Review of Confidential Minutes

The Clerk **PRESENTED** a Paper documenting his Annual Review of Confidential Items. After discussion, the Board **APPROVED** the Action proposed by the Clerk to maintain all matters currently designated Confidential remain so.

Compliance with English Colleges Code of Good Governance

The Clerk **PRESENTED** a Paper documenting the College's compliance during 2016-17 with the Code of Good Governance and this was **NOTED**. The Paper gives assurance to the Statements made in the College's Statement of Corporate Governance and Internal Control included in the Annual Members' Report.

Governor Links

The Chairman **TABLED** a proposed amended schedule of Governor Links for discussion and agreement.

The Chairman said that the Links remain a changing dynamic but will be further helped with the appointment of two new governors this evening.

The revised Governor Links schedule was **APPROVED** by the Board.

Meeting with Students

A small number of students met with Governors before this meeting informally. Some concerns they raised, mainly on estates related matters, will be followed through by the Chairman with Management.

14. Forthcoming Events (Paper FEC.17.26)

The Board **NOTED** the contents of the paper, prepared by the Clerk.

15. Date of Next Meeting

Monday 4 December 2017 at the Basildon Campus

Monday 26 March 2018 at the Thurrock Campus

Monday 9 July 2018 at the Southend Campus

There being no further business, the Meeting terminated at 8.05 pm.

Signed.....Dated.....