

## East Coast College Corporation Meeting

26<sup>th</sup> September at 5.00pm

<b>Present:</b>	Mike Burrows (MB) Albert Cadmore (AC) Mick Castle (MC) Tina Ellis (TE) David Hill (DH), Saul Humphrey (SH) Gwen Parsons (GP) Stuart Rimmer (CEO/Principal) Jane Fermor (JF) and Debbie Pring (DP)
<b>In attendance:</b>	Wendy Stanger (Director of Governance) Simon Eaton (Deputy Chief Executive) Jackie Watt (Interim Deputy Principal) Mal Cowgill (Director of Transition) Anthony Fairbanks Weston (Turnaround Consultant) David Churchill and Lucy Walker (ESFA)
<b>ECC/17/09/1</b>	<b>Apologies, Declarations of Interest and membership</b>
	<b>Action</b>
<p>Apologies were received from Tony Ing (TI) Simon Gray (SG) Karen Knight (KK) Rob Evans (RE) Keith Monaghan (KM) Alan Debenham (AD) and attendee Susan Brady</p> <p>There were the following declarations of interest:</p> <ul style="list-style-type: none"> <li>Saul Humphrey – Energy Centre and it was agreed that this did not preclude him from the discussions.</li> </ul> <p>The Director of Governance presented the report on the appointment of staff governors, which included the nomination for Jane Fermor from the Lowestoft Campus. An unopposed nomination had now been received from the Great Yarmouth Campus, Debbie Pring Course Leader in Health and Social Care.</p> <p>The Director of Governance advised the Board that the process for nominating student governors was ongoing.</p> <p><b>The Corporation resolved to appoint the following staff governors:</b></p> <ul style="list-style-type: none"> <li><b>Jane Fermor and</b></li> <li><b>Debbie Pring.</b></li> </ul> <p>The new staff governors were welcomed to the meeting.</p>	
<b>ECC/17/09/2</b>	<b>To approve the Minutes of the meeting of</b> <b>A. ECC Designate Corporation held on 11 7 17</b> <b>B. Lowestoft Corporation 17 7 17</b> <b>C. Great Yarmouth Corporation 18 7 17</b> <b>And any other matters raised previously not otherwise on the agenda</b>
The three sets of minutes were agreed and signed as a true record of the meetings.	

	<p>ECC/17/07/2 The Director of Governance advised that as requested she was arranging an interactive training session on safeguarding and prevent on 28<sup>th</sup> November with a provisional time of 2.30 – 4.30.</p> <p>LC/8 The Director of Governance advised that the energy centre tenders had been discussed and agreed by the Chair of Corporation, Chair of Finance and General Purposes Committee and the Principal and details included at agenda item ECC/17/09/13.</p>	
<p><b>ECC/17/09/3</b></p>	<p><b>To review the post-meeting action log</b></p>	
	<p>The action log and progress were noted.</p> <p>ECC/17/07/6 The Director of Governance advised that the full report on the nursery provision had been postponed to a later meeting with a brief update included in the Transition Update at agenda item ECC/17/09/10.</p>	
<p><b>ECC/17/09/4</b></p>	<p><b>Written Resolutions and Application of the College Seal</b></p>	
	<p>The Director of Governance presented the report which was required by the Standing Orders to update the Corporation on the written resolutions passed and the application of the College Seal since the last Corporation.</p> <p>The Principal commented that thanks were due to the Director of Governance for all her work with the 3 sets of lawyers over the summer to secure the funding from the bank and TU. The Corporation recorded their formal thanks.</p> <p><b>The Corporation resolved to:</b></p> <p><b>note the written resolutions that were passed on:</b></p> <ul style="list-style-type: none"> <li>• <b>Designate Board decisions,</b></li> <li>• <b>Appointment of Internal and External Auditors and</b></li> <li>• <b>Funding Agreements.</b></li> </ul> <p><b>note that the ECC Corporation seal was attached to the following documents:</b></p> <ul style="list-style-type: none"> <li>• <b>Deed of Covenant with Ventureforth</b></li> <li>• <b>Affidavit for UKVI to confirm East Coast College merger</b></li> <li>• <b>Sports Council Deed of Adherence URN 2012010406 and 214000724</b></li> <li>• <b>Deed of Amendment and Restatement Eversheds/Lloyds</b></li> <li>• <b>Legal Charge ECC and Secretary of State</b></li> <li>• <b>Deed of Priority</b></li> <li>• <b>Lloyds Mortgage re Lound</b></li> <li>• <b>Lloyds Mortgage re Lowestoft</b></li> <li>• <b>Lloyds Mortgage re Great Yarmouth.</b></li> </ul>	

ECC/17/09/5	Principal's Report	
<p>The Principal presented the report. He highlighted the T levels and Institutes of Technologies (IOT) within the sector update. The TU funding covenants required the college to adopt T levels within three months of the policy announcement. <b>It was agreed that this should be considered by Standards at their December meeting.</b> The IOT policy is now out with expressions of interest by end October. The College will be making a joint STEM bid with the College of West Anglia, Suffolk New College and West Suffolk College supported by the LEP.</p> <p>The college has now received the loan facility from the Transaction Unit at a value of £3.45 million. A further grant of £250,000 has been temporarily held back as it is for funding at point of need and we are in discussions on when this will be released. An additional £120,000 from the ESFA is awaited based on the additional merger costs incurred.</p> <p>The mental health summit held at the College was a great success with over 100 delegates and it was useful to meet those responsible for commissioning. The Principal is now also chairing the AOC Mental Health Policy Unit.</p> <p>Governors challenged if those commissioners attending covered both Norfolk and Suffolk and the Principal confirmed they did.</p> <p>There have been issues with Additional Learning Support (ALS) and we are currently looking at how this can be managed better. We need to understand what Norfolk and Suffolk will fund, with the risk to the College of how we would support the student if the Counties will not fund.</p> <p>Governors noted that there was also a risk of adverse publicity if funding was not forthcoming. The Principal advised that if a case was raised in the media he would make clear that the funding had been refused by the Counties and not the College.</p> <p>Estates had worked hard over the summer to make various changes at the two campuses and the team had been working well together. There was a risk as the manager was currently on long term sick leave. The IT team had also worked hard to upgrade and amalgamate systems.</p> <p>Governors challenged that it was concerning that there was no manager given the high priority that health and safety had now been given. The Principal advised that the new Health and Safety Officer was addressing these areas.</p> <p>Recruitment is nearly at funded allocation with the focus on attrition to ensure that students remain at the college. Some groups have been amalgamated where recruitment has been low. Recruitment to English and Maths has been good and the results for the previous year had been poor but improving.</p> <p>Governors challenged if there was data on student's progression for maths and English. The Principal advised that they would only be entered for the GCSE if they had previously got a grade D. A more detailed report on maths and English would be considered by October's Standards committee.</p> <p>There was a major risk with MIS due to the amalgamation of the 2 systems. This is being mitigated by bringing a specialist consultant in to advise, an allowance for this was included in the merger budgets.</p> <p>Tier 4 licence has now expired and we are not able to reapply as both a QAA and an Ofsted rating is required. As a merged college we do not have an Ofsted rating so the legacy grade for Lowestoft is used which is requires improvement and we are therefore not eligible. This is a major risk to our income.</p>		<p><b>WS</b></p>

<p>Governors challenged if the MPs had been briefed. The Principal advised that they had and Brandon Lewis was now the Minister responsible.</p> <p>Governors challenged why an Ofsted rating was required when the provision was not subject to an Ofsted inspection and that why if looking at legacy grade was the Great Yarmouth grade of good not also considered. The Principal advised that these points had been raised but the department had been intransigent.</p> <p>Governors noted that the student flight risk was low given the cost of the course and that the students would only start earning once they were employed on a boat.</p> <p><b>It was agreed that the Principal would contact Brandon Lewis to make sure he was aware of the ramifications of the decision both to the College and to local economy and then consideration would be given to a formal letter from the Corporation.</b></p> <p><b>The Corporation resolved to</b></p> <ul style="list-style-type: none"> <li><b>note the contents of the report.</b></li> </ul>		<b>SR</b>
<b>ECC/17/09/6</b>	<b>Governance Business Schedule</b>	
<p>The Director of Governance presented the report which included the standard business for the Corporation and its main committees for 17/18. This would be used to draft the agenda with the relevant Chair. The schedule had been shared with the SLT so that they were aware of when reports were due.</p> <p>The Principal raised that changes may be required so that the schedule tied in with the college reporting structure that the Director of Transition was producing.</p> <p><b>The Corporation resolved to:</b></p> <ul style="list-style-type: none"> <li><b>Approve the standard governance business schedule for 2017/18.</b></li> </ul>		
	<b>Winning our Market</b>	
<b>ECC/17/09/7</b>	<b>Lowestoft Sixth Form (L6)</b>	
<p>The Principal gave a verbal update on progress. A meeting with L6 had been held on the 20<sup>th</sup> September when an indicative timetable for merger had been discussed including a proposed merger date of 1 August 2018. Financial forecasts were also shared. L6 has an improving position with a strong enrolment, strong results and a surplus forecast for the year. The proposed date had been accepted as a reasonable one. Federation had also been raised but had not been received so positively, so an alternative way of having an influence over the 18/19 finances and staffing would need to be considered.</p> <p>There would be TUPE implications as L6 staff are on different terms and conditions.</p> <p>L6 were looking for 3 seats on the Corporation, 2 independents and 1 staff.</p> <p>Governors commented that the merger must not be allowed to drift as it is needed for the Community's benefit.</p>		

	<p>The Principal suggested that a light touch due diligence (DD) should be carried out, given that it was only 2 years since the last DD, that we own the land that L6 is situated on and they only have one funding stream. For the financial DD we would consider their financial plan and audited accounts. <b>Governors agreed that this was a sensible approach.</b></p> <p>Governors challenged whether L6 would also be employing a light touch to DD. The Principal advised that it was likely that they would require a more in-depth DD as they would need to be assured that they were handing their assets to a financially secure organisation. They will make a decision on this once they have seen three months of our management accounts.</p> <p>Governors challenged whether L6 were committed to merge, as we couldn't afford staff resources on it if they were likely to pull out again. The Principal advised that L6's Corporation had accepted the Area Review which recommended them merging with ECC. What will be crucial is that we are seen to be performing to our Financial Plan. We have also made clear that their brand would be maintained, which was one of their reasons for their withdrawal previously.</p> <p>The ESFA commented that the position was now different as we had successfully merged and launched ECC. Even with their improved enrolment L6 was still a small college that was not sustainable.</p>	
	<b>Student Success, Progression and Wellbeing</b>	
<b>ECC/17/09/8</b>	<b>Achievement Outcomes 2016/17</b>	
	<p>The Interim Deputy Principal gave a verbal update on progress, further details will be presented to the Standards Committee on 3rd October. Achievement was currently 79-81% for Great Yarmouth and 69-70% for Lowestoft but data was still incomplete.</p> <p>Areas that have not performed well will be put into 'special measures' with additional monitoring including a meeting every six weeks with the Deputy Principal, Assistant Principal (AP), Curriculum Manager and Course Leader. The meetings will focus on student progress and be used to identify if any further intervention is required. Vocational reviews will also be used with the first looking at motor vehicle and welding.</p>	
<b>ECC/17/09/9</b>	<b>Quality Update</b>	
	<p>The Interim Deputy Principal presented the update which outlined the main activities to be undertaken to help ensure quality across the campuses.</p> <p>Governors challenged what this year's SAR would concentrate on. The Interim Deputy Principal advised that this would focus on the key areas for improvement, key strengths and the actions to improve in the QIP.</p> <p>Governors challenged if the underperforming areas were consistent across the campuses. The Principal advised that they weren't with for instance Brickwork achieving stunning results at Great Yarmouth but poor ones at Lowestoft, so we therefore had the internal capacity to fix the quality issues.</p> <p><b>The Corporation resolved to</b></p> <ul style="list-style-type: none"> <li>• <b>note the contents of the report.</b></li> </ul>	

	<b>Improving our Business</b>	
<b>ECC/17/09/10</b>	<b>Transition Update</b>	
<p>The Director of Transition presented the report. The workstreams are now transitioning into the new Strategic Development Implementation plan framework which will support the KPI dashboard and all other monitoring. As merger had now been completed there had now been 61% of actions signed off. No actions were signed off without the approval of the Principal. The action plan links to the risk register.</p> <p>Governors challenged what areas were still to be completed. The Director of Transition advised Estates (but these were in the process of being completed) and MIS were the main areas together with policies that required updating.</p> <p>Governors challenged progress on student support and safeguarding given its high priority and affect a poor safeguarding review from Ofsted would have. The Director of Transition advised that the work was in hand but that systems had not yet been fully amalgamated.</p> <p>The information group was working on the KPIs and SMT had approved the new HR system. AD had been involved with considering the functionality of the HR system. The HCM software from Access Group was agreed as a better product for both HR reporting and for the general staff interface.</p> <p>The review of the nursery provision was ongoing with a draft report to be presented to Corporation in November and various options were being considered, an initial meeting had been held to consider the reviews terms of reference. We need to consider the nursery use in terms of staff v private customers.</p> <p>The negotiations regarding Lound were making progress and heads of terms should be available by the November meeting. ESFA clawback would need to be considered at point of sale.</p> <p>An offer had been received to purchase the phone masts and a meeting was being held. Currently it does not look like a good offer for the college.</p> <p><b>The Corporation resolved to</b></p> <ul style="list-style-type: none"> <li>• <b>note the contents of the report.</b></li> </ul>		
<b>ECC/17/09/11</b>	<b>Introduction to Turnaround</b>	
<p>The Turnaround Consultant gave a presentation on his role and background. DP left the meeting</p>		
<b>ECC/17/09/12</b>	<b>Risk Register</b>	
<p>The Principal presented the report which was a summary of the risk register including the highest risks. The full risk register will be considered at each Audit Committee.</p> <p>Health and Safety was a high risk and this was addressed in agenda item 16. Other high risks were the Tier 4 license, single central register, MIS and system integration and recruitment. For HE we had recruited to budget but the long-term</p>		

<p>viability of the University of Suffolk may need consideration given that other partners hadn't recruited as well.</p> <p>Due to the restructuring there had been a number of changes in key support departments, such as Marketing who only had 1 of the original team now in place. MIS and Finance had also seen a number of staff changes. This created risks until the new teams were fully functioning.</p>		
<b>ECC/17/09/13</b>	<b>Energy Centre Update</b>	
<p>The Principal presented the report. Quinto had been appointed as the demolition contractors. Quinto will be utilising the college's asbestos survey contractor, East Coast to remove the asbestos in the first two weeks of the contract. The college has cleared and decanted the functions that were within the technology building ready for demolition. This is commencing next week and should be a short process.</p> <p>Pick Everard have been appointed to the role of Technical Advisor (client side), Mechanical and Electrical designer and Quantity surveyor.</p> <p>A 2 stage process will be used for the design and build tendering.</p> <p>Governors challenged if the 2 stage process was appropriate. The Principal advised that the market had been soft tested and the contractors favour a 2 stage process. It is less risk for both the contractor and the college.</p> <p>There has been a delay in commencement due to the requirement for a state aid letter before the LEP would confirm the funding. The funding agreement has now been agreed with the LEP with the change to monthly payments rather than quarterly ones.</p> <p>Value engineering will be required as currently there is a project cost of £11.3m compared to funding of £10m.</p>		
<b>ECC/17/09/14</b>	<b>Management Accounts:</b> <b>A. Lowestoft</b> <b>B. Great Yarmouth</b>	
<p>The Deputy Chief Executive presented the accounts. Lowestoft's Junes management accounts were tabled as there had been issues producing them as all of the previous Lowestoft accounting staff had left. It had also been discovered that no reconciliations had been carried out during the year. The projections were that forecast income was going to be down, pay costs because of variable costs would be over but that non-pay should be under due to the controls put in place since federation. Therefore we should achieve the deficit predicted in December's forecast.</p> <p>Governors challenged if the reconciliations had now been carried out. The Deputy Chief Executive advised that they had been completed up to period 11 and period 12 was currently being reconciled.</p> <p>Governors challenged why the employer contributions were low compared to budget. The Deputy Chief Executive advised that there had been issues around invoicing systems with some courses not being invoiced. He has asked Internal Audit to review this area.</p> <p>Governors challenged why the pay costs were over budget and if they were now controlled. The Deputy Chief Executive advised that there were now robust controls in place and that the overspend was due to use of agencies and variable hours.</p>		

	<p>The Deputy Chief Executive advised that expenditure had been held back over the summer at both sites until the TU and Bank funding was received. This had now been released with expenditure in areas such as IT and Estates prioritised.</p> <p>Great Yarmouth's accounts were period 12 and were better than forecast. The biggest variation was the effect of the BBO project both on income and expenditure. When the annual accounts are completed it is likely that the surplus will be wiped out by the pension adjustments.</p>	
<p><b>ECC/17/09/15</b></p>	<p><b>East Coast College ESFA Budget and Forecast</b></p> <p><b>A. Financial Plan</b></p>	
	<p>The Deputy Chief Executive presented the report which included the detailed information required by the ESFA.</p>	
<p><b>ECC/17/09/16</b></p>	<p><b>Health and Safety Update including fire safety</b></p>	
	<p>The Deputy Chief Executive updated the Corporation. Suffolk fire brigade (SFB) and also the Funding Council have reviewed tower blocks with cladding in their areas. The College was issued with a letter of recommendation from the fire service of actions needed to improve fire safety in the Tower including:</p> <ul style="list-style-type: none"> <li>• Comprehensive fire risk assessments</li> <li>• Improved detection</li> <li>• Additional fire doors and closers fitted to all internal doors</li> <li>• Maintenance of the dry riser system</li> <li>• Removal of fire hoses</li> </ul> <p>It should be noted that at no point did the fire brigade say that the building was unsafe to occupy.</p> <p>Improvement work had been ongoing over the summer including the installation of a wireless detection system that can be extended across the Lowestoft site. (Great Yarmouth already has a detection system that covers the whole site.) New fire doors and closers. Minor jobs have been carried out by Estates.</p> <p>We had previously carried out risk assessments internally these have, now based on the Fire Brigade's recommendation, been carried out externally. No major issues had been raised with the main issue being out of date or missing signage.</p> <p>Governors challenged if there were sufficient resources for H&amp;S. The Principal advised it was currently unclear if we would be required to replace the cladding and this would be significant expense. The fire improvement works had been paid out of minor works budget which would therefore be overspent. The Deputy Chief Executive advised that planning for H&amp;S and maintenance has not been sufficient and this needs to be improved for future following a review of the estate.</p> <p>Governors challenged if the tower block was still a risk. The Principal advised that after the additional works and evacuation testing we are confident that we could safely detect, evacuate and contain but that it is likely we would lose the building</p> <p>Governors challenged if there was a safe haven within the tower block for the disabled. The Deputy Chief Executive advised that the replaced fire doors should create a break and that evacuation would be by evacuation chairs.</p>	

<p>Governors challenged if there were any H&amp;S implications of the L6 site. The Deputy Chief Executive advised that it has a sprinkler system installed when it was built due to being clad and it was not considered to be high rise.</p> <p><b>The Corporation resolved to</b></p> <ul style="list-style-type: none"> <li>• <b>note the contents of the report.</b></li> </ul>		
	<b>Learning, Development &amp; Wellbeing</b>	
<b>ECC/17/09/17</b>	<b>Restructuring and Staffing Update including staff survey</b>	
<p>The Principal presented the report which gave an update on progress and included the staff survey results. He was pleased to inform the Corporation that Ann Wall had been appointed as the HR Manager. Susan Brady would be retained short-term to assist with the HR system implementation and policies. The HR system would allow us to access the organisational data required and run systems such as annual leave and appraisals.</p> <p>The HR Manager would be drafting a People Strategy which would include a clear implantation plan and would be published to staff. We needed to show staff that we were listening and doing something about their concerns and issues.</p> <p>Governors challenged if there were any themes emerging from the staff survey. The Principal advised that the main areas for improvement were communication, quality and clarity of leadership, quality of CPD and how teams function. To help with this we were moving to team led based workstreams to engage staff in areas that they could influence.</p> <p>Governors challenged how communications could be improved. The Principal advised that improvements can be made but that it was also about the human relationships and team dynamics and a piece of work was required with middle managers. The ethos and behaviour expected of managers would be covered in the People Strategy.</p> <p>Governors challenged when the survey would be repeated and how completion rates could be improved. The Principal advised that we would need to consider this as part of the action plan from this year's survey.</p>		
	<b>Committee Reports for Information</b>	
<b>ECC/17/09/18</b>	<b>Audit Committee Designate 18 July 2017 including business schedule</b>	
<p>The Corporation received the summary report.</p> <p><b>The Corporation resolved to approve the recommendations from the Audit Committee that:</b></p> <ul style="list-style-type: none"> <li>• <b>a Succession Plan be developed that included an active CPD to develop staff and that this should be part of a Business Continuity Plan.</b></li> <li>• <b>the summary risk register should be a separate standing item on the Board agenda and should include an analysis of any risks that required escalation.</b></li> </ul>		

	<ul style="list-style-type: none"> <li>• the summary and full risk register should be a standing item on the Audit Committee agenda.</li> <li>• Column 'workstream risk owner' to be changed to 'workstream' and Governance Committee owner.'</li> <li>• A target risk to be set for each item on the risk register.</li> </ul>	
<b>ECC/17/09/19</b>	<b>Union Meeting Minutes:</b> A. 06 07 17 B. ECC Joint Consultative Committee Schedule 2017/18	
The Corporation received the minutes and meeting schedule.		
<b>ECC/17/09/20</b>	<b>Review of Meeting</b>	
<ol style="list-style-type: none"> <li>1. Confidential Items: Lound sale negotiations</li> <li>2. Risk Management: Tier 4 and cladding</li> <li>3. Health and Safety: Cladding, H&amp;S policy to be revisited in light of recent events</li> <li>4. Equality and Diversity: Nursery Report</li> <li>5. Media: Mental Health Conference, Lowestoft 6 proposed merger and risk of bad press re ALS.</li> <li>6. How did the meeting go: A long meeting with a lot covered need to consider length of agenda</li> </ol>		<b>SE</b>  <b>MC</b>
<b>F/17/09/21</b>	<b>Date of Next Meeting</b>	
7 <sup>th</sup> November 2017 5pm 28 <sup>th</sup> November 2017 5pm		