

# East Coast College Corporation Meeting

22<sup>nd</sup> May at 5.00pm

<b>Present:</b>	Mike Burrows (MB) Jane Fermor (JF) Tony Ing (TI) Tina Ellis (TE) Rob Evans (RE) Saul Humphrey (SH) Albert Cadmore (AC) Mick Castle (MC) Peter Lavender (PL) Stuart Rimmer (CEO/Principal) Judy Nichols (JN) Michaela Kent (MK) and Debbie Pring (DP)
<b>In attendance:</b>	Wendy Stanger (Director of Governance) Simon Eaton (Deputy Chief Executive) Stella Raphael-Reeves (Deputy Principal)
<b>ECC/18/05/1 Apologies and membership</b>	
<b>Action</b>	
<p><b>Apologies</b></p> <p>Apologies were received from Alan Debenham (AD) Gwen Parsons (GP) David Hill (DH) and Karen Knight (KK) and attendees Ann Wall (Head of People and Wellbeing) and Vicky Beck (Director of Business Development and Communications.)</p> <p><b>Membership of the Corporation</b></p> <p>The Chair advised that Simon Gray (SG) had resigned from the Corporation with immediate effect due to other commitments and that Gwen Parsons (GP) was stepping down as at 1 8 18. The Director of Governance advised that a Governor recruitment campaign had commenced.</p> <p><b>Membership</b></p> <p>Alan Debenham (AD) Tina Ellis (TE) Rob Evans (RE) David Hill (DH) Mike Burrows (MB) Gwen Parsons (GP) Mick Castle (MC) Stuart Rimmer (CEO &amp; Principal) Tony Ing (TI) Saul Humphrey (SH) Albert Cadmore (AC) Karen Knight (KK) Jane Fermor (JF) Debbie Pring (DP) Peter Lavender (PL) Judy Nichols and Michaela Kent.</p>	
<b>ECC/18/05/2 Declarations of Interest</b>	
<b>Action</b>	
<p>There were the following declarations of interest:</p> <ul style="list-style-type: none"> <li>• Saul Humphrey – Energy Centre and cladding</li> <li>• Simon Eaton – Lowestoft Sixth Form</li> <li>• Tony Ing – Nursery; his organisation had expressed an interest but had not formally tendered.</li> <li>• Mike Burrows, Tina Ellis and Stuart Rimmer as Directors of LOWES.</li> </ul> <p>It was agreed that these declarations didn't preclude full participation in the meeting.</p>	
<b>ECC/18/05/8</b>	<b>To approve the Minutes of the meeting of 6<sup>th</sup> March 2018</b>
<p>The minutes for the Corporation meeting of 6<sup>th</sup> March 2018 were agreed as a true record of the meeting.</p> <p>ECC/18/03/25B – The Director of Governance updated that the ESFA had advised that new sub-contracts could not be entered into whilst the College was under a</p>	

<p>notice of concern. If the sub-contract was allowed the Principal had advised that some out of region work would be required.</p> <p><b>The Governors agreed the following actions:</b></p> <ol style="list-style-type: none"> <li>1. <b>Clarification from ESFA re sub-contracting rules, whilst under a notice of concern and</b></li> <li>2. <b>Sub-contracting to be extended to out of region if new sub-contracting allowed.</b></li> </ol>		<p><b>ESFA / WS SE</b></p>
<b>ECC/18/05/9</b>	<b>To review the post-meeting action log</b>	
<p>The Director of Governance presented the action log and the Corporation noted the progress and where the actions were included on the agenda.</p> <p>ECC/17/09/5 – The Deputy CEO advised that this would be affected by the Ofsted grade and that we were now likely to lose the Tier 4 and would have to reapply once a good Ofsted grade had been achieved.</p> <p>ECC/18/03/24 – The Deputy CEO advised that the draft budget was still being worked on, with a report due to June’s Finance and General Purposes Committee.</p>		
<b>ECC/18/05/10</b>	<b>Written Resolutions and Use of the Corporation Seal</b>	
<p>The Director of Governance presented the report, which is required by the standing orders on resolutions that have been agreed by written resolution and on College Seal applications.</p> <p>A written resolutions was used to agree the change in the Term Loan Facility with the Secretary of State:</p> <ol style="list-style-type: none"> <li>1. Approve the changes to the Term Loan Facility Letter, set out in the letter dated 27 April 2018 sent on behalf of the Secretary of State for Education (the lender). This being the change from the use of the gilt edge rate to the use of the Public Works Loan Board six month rate, renewed and repriced annually on 1 April and 1 October. (A copy of the letter was attached to the written resolution.)</li> <li>2. Execute, deliver and perform the said letter.</li> <li>3. Designate that the letter is a finance document as defined in the facility agreement.</li> </ol> <p>The College Seal has been attached, since the last Corporation meeting, to a lease with AP Wireless II (UK) Ltd for the lease of roof space at Lowestoft Campus.</p> <p><b>Corporation resolved to note that:</b></p> <ol style="list-style-type: none"> <li>1. <b>The written resolution regarding change of interest rate was passed and</b></li> <li>2. <b>That the college seal was attached to the lease with AP Wireless II (UK) Ltd.</b></li> </ol>		
<b>ECC/18/05/11</b>	<b>Principals Report A. KPI Dashboard</b>	

	<p>The Principal presented the report which gave a sector update and a college update. The report included positive news from all College areas. He advised that following his conference call with the FE Commissioner it was proposed that an FE Commissioner visit to support and challenge the College would take place in the autumn term. He drew the Board's attention to Appendix 1 that listed all the current Strategic development and was a guide to the Senior Leadership Groups work.</p> <p>Governors commented that the report and the KPIs included a lot of good news that shouldn't be missed following the Ofsted inspection. If the retention and achievement rate could be maintained we would improve on the previous year's performance.</p> <p>The student governor commented that we needed to do more to let the community know what was available at the College and this could be done by sharing good news stories and the involvement of local celebrities. The Principal advised that the new Marketing Manager was producing the new prospectus that would be more heavily focused on achievements and the demand in the local area for the skills on offer.</p> <p>The Principal advised that recruitment was down in some areas such as sport and IT where there was direct competition with the sixth forms provision. This would be reflected in the curriculum plan with consolidation of provision.</p> <p>The Principal raised that the Governance structure needed to be reviewed.</p> <p><b>Governors noted the report and agreed the following actions:</b></p> <ul style="list-style-type: none"> <li>• <b>Governance Remuneration and Search Committee to consider aligning the Governance structure to the strategic aims.</b></li> </ul>	WS
ECC/18/05/12	<p><b>Turnaround</b></p> <ul style="list-style-type: none"> <li>A. Programme Board Minutes March</li> <li>B. Turnaround Consultant Scope</li> </ul>	
	<p><b>Governors noted the minutes and the scope and agreed the following action:</b></p> <ul style="list-style-type: none"> <li>• <b>Principal to invite the Turnaround Consultant to present to the July Corporation meeting.</b></li> </ul>	SR
ECC/18/05/13	<p><b>Quarter 3 Performance</b></p>	
	<p>The Principal advised that the quarter 3 performance would be based on the April management accounts. The TU had requested specific information that would be provided with the updated CFADs by the end of the month.</p>	
	<p><b>Winning our Market</b></p>	
ECC/18/05/14	<p><b>Minimum standards</b></p>	
	<p>The Principal presented the report. The results for Great Yarmouth and Lowestoft Colleges for 2016/17 were reported separately by ESFA and as a result minimum standards were not met and an additional condition of funding was therefore issued.</p> <p>The joint picture now shows that we are achieving minimum standards and that the overall achievement rate is above national average. This was reviewed by OFSTED, who gave apprenticeships a provisional grade 2 (good).</p>	

	<p>Governors challenged if the issues with recruiting Assessors had been resolved. The Principal advised that the issue with Assessor recruitment could affect timely achievement to mitigate this overtime had been agreed for FE Lecturers to allow them to act as assessors.</p> <p><b>Governors resolved to note the report.</b></p>	
	<b>Student Success, Progression and wellbeing</b>	
ECC/18/03/8	<p><b>Quality Update</b></p> <p><b>A. OFSTED mini SAR</b></p> <p><b>B. SCIF Progress Report</b></p>	
	<p>The Deputy Principal presented the mini SAR that had been produced for the Ofsted inspection, the results of which were discussed in the confidential section of the meeting.</p> <p><b>Governors noted the report and agreed the following actions:</b></p> <ul style="list-style-type: none"> <li>• <b>The OFSTED report to be considered in detail by the Standards Committee.</b></li> <li>• <b>The revised SCIF programme to be considered by the next Standards Committee.</b></li> </ul>	<b>SRR</b>
	<b>Improving our Business</b>	
ECC/18/05/16	<b>ECC Management Accounts – March and April</b>	
	<p>April's accounts that had been circulated by email were tabled at the meeting.</p> <p>The Deputy CEO presented the April accounts and advised that these were quarter 3 for the TU and Bank. He advised that based on the level of loans and the anticipated out turn the College would meet the gearing covenant at the end of the current period and also expected to meet it at year end. The income cover covenant, which is only measured at year end, is also predicted to be met. During the period payroll and non-pay were below budget as was income. To retain the bottom line of the predicted deficit and offset the reduced income substantial reductions in non-pay were required. The cash position at the end of April was healthy and the overdraft had not been required.</p> <p>The Deputy CEO advised that the payroll had been contracted out. This hadn't been subject to a full competitive tender as it had been market tested previously.</p> <p>Governors challenged the reason for payroll being under budget. The Deputy CEO advised that this was predominantly due to unfilled vacancies in admin and central services. We had struggled to recruit in admin areas and in the Assessor roles. There were currently more temps employed than ideal. The Principal advised that an establishment review was being held to consider what was required for the next year.</p> <p>Governors challenged how the non-pay savings had been identified. The Deputy CEO advised that all departments had been tasked with identifying savings, these are genuine savings and could have an adverse effect on provision, which would be monitored.</p>	

Governors challenged that if changes were required to support quality improvements where could the resources come from. The Principal advised that the SCIF funding was ring fenced for quality improvements and was to be refocused following the Ofsted inspection. <b>Governors resolved to note the report.</b>		
<b>ECC/18/05/17</b>	<b>Risk Register</b>	
The Deputy CEO presented the risk register. He advised the Board of the new risks, one of which was GDPR. This had been mitigated by the appointment of an internal DPO who was currently on a 4 day training course. The Director of Governance advised that the DPO had direct access to the Board.  <b>Governors agreed the following actions:</b> <ul style="list-style-type: none"> <li>• <b>Subcontract delivery risk to be increased.</b></li> <li>• <b>Ofsted risk to be updated to reflect the inspection.</b></li> <li>• <b>Merger risk to be increased and</b></li> <li>• <b>Risk of FE Commissioner Visit in autumn term to be added.</b></li> </ul>		<b>SR / TB</b>
<b>ECC/18/05/18</b>	<b>Supply Chain Fees and Charges Policy 2017 - 18</b>	
The Deputy CEO presented the policy which was required for sub-contracting. <b>The Corporation resolved to approve:</b> <b>The Supply Chain Fees and Charges Policy 2017-18, which will be applicable for the current year for all sub-contracted provision.</b>		
<b>ECC/18/05/19</b>	<b>East Coast College Energy &amp; Engineering Skills Centre and Tower Cladding Progress report</b>	
The Deputy CEO presented the progress report. The Planners had advised that the changes could be signed off as minor amendments and didn't require an additional planning application. The Principal advised that the building's footprint had been reduced to fit the budget that was available.  The Deputy CEO advised that Fusion had now been employed to produce the tender for replacing the cladding. A framework would be used to procure to reduce the tender requirements. Once tenders had been received then ESFA funding would need to be applied for. It was hoped that only the fascia would need to be replaced but this would not be known until work commenced. The Principal advised that the Local Authority and the local MP had been briefed on the current situation. <b>Governors resolved to note the report and that a further detailed report would be presented to the next Estates Committee.</b>		<b>WS</b>
	<b>Learning, Development &amp; Wellbeing</b>	
<b>ECC/18/03/20</b>	<b>A. Staff Voice B. Chairs Feedback Union</b>	
The Principal presented the report, this included operational detail but was a strategic issue as it affected staff morale. Issues had been raised with the Principal		

by the Unions and had been substantiated at listening forums and at team meetings. The issues had been worked through and it had been identified where there were blockages in the systems stopping efficient working. There has been progress which has been welcomed by the Unions. The action plan included with the papers had been discussed by Finance and General Purposes and was now included for Corporation with the progress and actions taken.

The Principal advised that the performance of staff at both campuses during Ofsted had been excellent and demonstrated a collegiate approach. A risk was that the establishment review could affect morale. This year's staff survey was due out shortly and would give the Board a marker of staff's views.

One of the issues raised by the Unions was that they didn't have direct access to the Board and a meeting was therefore arranged with the Chair. It was unusual for the Unions to have direct access to the Chair and had been welcomed by the Unions.

The Chair advised at his meeting the key points raised were:

- Systems and databases.
- High workload.
- Speed of change.
- State of the Estate – needs to be smarter and cleaner.
- Management style – it was felt that consultation was sometimes just lip service.
- Issues in Work Based Learning – this appeared to be a difference of opinions rather than an issue.
- Principal – staff wanted to see more of him.

Governors commented that direct connection was important where the issues were of strategic importance, but it was important not to get involved in operational issues.

**Governors resolved to note the report and agreed that the staff survey results would be considered by the F&GP Committee.**

**AW / WS**

	<b>Committee Reports for Information</b>	
<b>ECC/18/05/21</b>	<b>Standards 27 3 18</b>	
<b>ECC/18/05/22</b>	<b>Finance and General Purposes 24 4 18</b>	
<b>ECC/18/05/23</b>	<b>Health and Safety Committee</b>	
<b>ECC/18/05/24</b>	<b>Union Meeting Minutes 25 1 17 and 8 3 18</b>	
<p>The Committee reports were noted.</p> <p>The Director of Governance advised that the format of Committee Reports to Corporation had been changed to give more detail and to rag rate the issues to make clear to the Corporation where the Committee believed the risk to be. The Board agreed that this was a preferable format.</p>		
<b>ECC/18/05/25</b>	<b>Review of Meeting</b>	
<p>1. Confidential Items: Separate section. OFSTED until published.</p>		

<p>2. Risk Management: L6FC Merger, OFTED &amp; FE Commissioner monitoring visit.</p> <p>3. Health and Safety: No additions.</p> <p>4. Equality and Diversity: L6FC Principal Appointment panel gender balance.</p> <p>5. Media: Student successes. Prepared media statements required re OFSTED, L6FC and cladding</p> <p>6. How did the meeting go: A good meeting well Chaired.</p> <p>Governors raised about the competitions that students were entering and the great standard of work that they were producing for these.</p> <p><b>Governors agreed the following actions:</b></p> <ul style="list-style-type: none"> <li>• <b>that sponsorship to cover students costs of taking part in competitions be looked into and</b></li> <li>• <b>Whether the Learners Support Fund could be used to help with competition costs.</b></li> </ul> <p>As this would be the Deputy CEO's last Corporation meeting the Chair and the Board thanked him for his work for ECC, the merger and for his former role at GYC.</p>		<b>SRR</b>
<b>ECC/18/05/26</b>	<b>Date of Next Meeting</b>	
<ul style="list-style-type: none"> <li>• 6<sup>th</sup> June 2018 5pm</li> <li>• 31<sup>st</sup> July 2018 5pm</li> </ul>		