

**East Coast College Corporation Meeting Tuesday 12 July 2022  
8.30am Conference Call**

<b>Present:</b>	David Blake (Chair - DB) Mike Dowdall (MD) Tina Ellis (TE) Saul Humphrey (SH) Ian Lomax (IL) Stuart Rimmer (CEO & Principal -SR) Andrew Walmsley (AW) Gemma Head (GH) Giles Kerkham (GK) Nasima Begum (NB) Alan Debenham (AD) Kirk Lower (KL) Jude Owen (JO)	
<b>In attendance:</b>	Wendy Stanger (Director of Governance), Ann Wall (Director of People and Wellbeing), Urmila Rasan (Deputy Chief Executive) and Julia Bates (Deputy Principal Curriculum Development and Strategic Partnerships)	
<b>ECC/22/07/1</b>	<b>Apologies and membership</b>	<b>Action</b>
<p><b>Apologies</b></p> <p>Apologies were received and accepted from Peter Lavender (PL) and from Rob Evans (RE) who could not access due to Teams issues, and from attendee Paul Padda (Deputy Principal Curriculum and Quality)</p> <p>It was noted that Jude Owens planned to join the meeting at 9.45am and Giles Kerkham and Nasima Begum would join the meeting about 9am.</p> <p><b>Membership</b></p> <p>Alan Debenham (AD) Tina Ellis (TE) Rob Evans (RE) Stuart Rimmer (CEO &amp; Principal - SR) Saul Humphrey (SH) Peter Lavender (PL) Andrew Timberlake (AT) Gemma Head (GH) Mike Dowdall (MD) Giles Kerkham (GK) David Blake (Chair - DB) Kirk Lower (KL) Ian Lomax (IL) Andrew Walmsley (AW) Jude Owens (JO) Nasima Begun (NB)</p>		
<b>ECC/22/07/2</b>	<b>Declarations of Interest</b>	
<p>There were the following declarations of interest:</p> <ul style="list-style-type: none"> <li>• Mike Dowdall as an employee of the LEP</li> <li>• All staff in items 6.1 and 13.</li> </ul> <p>It was agreed that these declarations did not preclude full participation in the meeting.</p> <ul style="list-style-type: none"> <li>• Urmila Rasan, Ann Wall, Julia Bates in agenda item 22 and it was agreed they would withdraw for this item.</li> <li>• Stuart Rimmer in agenda item 22.4 and it was agreed he would withdraw for this item if requested.</li> <li>• Wendy Stanger in agenda item 22.6 and it was agreed she would withdraw for this item if requested.</li> </ul>		
<b>ECC/22/07/3</b>	<b>To approve the Minutes of 14 6 22, including confidential and any other matters raised previously not otherwise included in the Agenda</b>	
The minutes were approved as a true record of the meeting.		

<b>ECC/22/07/4</b>	<b>Rolling Action Log</b>	
<p>The Action Log was reviewed.</p> <p>Governors queried if the ministerial changes would delay the Great Yarmouth redevelopment decision. The CEO advised that the decision required ministerial sign off so was likely to be delayed. The budget would also require an increase due to construction inflation which could also cause delay.</p>		
<b>ECC/22/07/5</b>	<b>CEO/Principals Report</b>	
<b>ECC/22/07/5.1</b>	<b>Organisational Structure Chart</b>	
<b>ECC/22/07/5.2</b>	<b>Quarter 4 SLG Deliverables</b>	
<b>ECC/22/07/5.3</b>	<b>Confidential independent governors only - SMG Departmental Operational Risk Assessment</b>	
<b>ECC/22/07/5.4</b>	<b>Annual Review 2022 “Success Through Partnerships” to be launched 8 7 22</b>	
<b>ECC/22/07/5.5</b>	<b>Annual Strategic Conversation</b>	
<p>The CEO presented the update and the supporting documentations which provided a review of the year. He encouraged the Board to share the Annual Review 2022 “Success Through Partnerships” widely. The organisation chart was included to give the Board assurance that there was now a full team in place.</p> <p>The Board thanked the College team for the year and the marketing team for a superb Annual Review and the recent award evenings.</p>		
<b>ECC/22/07/6</b>	<b>Governance Update, Governance schedule 22/23 and Governance Remuneration and Search Committee Report</b>	
<p>The Director of Governance presented the report and highlighted the recommendations from the Governance Remuneration and Search Committee.</p> <p>Alan Debenham who was stepping down as People Committee Chair was thanked for all his work in this key role.</p> <p><b>Corporation resolved that:</b></p> <ul style="list-style-type: none"> <li>• <b>Kirk Lower be appointed People Committee Chair as at 1 9 22 for a period of up to 2 years.</b></li> <li>• <b>Rob Evans be appointed as an Independent Governor and Senior Independent Director for a one-year term of office commencing as of 1 8 22 and ending 31 7 23.</b></li> <li>• <b>Roland Kaye be appointed as an Associate Governor on Quality and Audit Committee for a one-year term of office commencing as of 1 8 22 and ending 31 7 23.</b></li> <li>• <b>the Governance Schedule 22/23 be approved</b></li> <li>• <b>and that the Governor links be:</b> <ul style="list-style-type: none"> <li>o <b>Safeguarding – Tina Ellis</b></li> </ul> </li> </ul>		

	<ul style="list-style-type: none"> <li>o Health and Safety –Ian Lomax</li> <li>o Careers – Jude Owens</li> <li>o Apprenticeships – Kirk lower</li> <li>o Equality Diversity and Inclusion - Gemma Head</li> <li>o Sustainability – Saul Humphrey</li> <li>o Higher Education – Roland Kaye</li> </ul>	
<b>ECC/22/07/6.1</b>	<b>Written Resolution</b>	
<p>The written resolution approved by the Independent members of the Corporation was received and ratified:</p> <p><b>That Corporation, based on the improved financial forecast, resolved to:</b></p> <ul style="list-style-type: none"> <li>• <b>Pay an honorarium to all current staff members, including Senior Post Holders, at a set rate of £400 in July 2022.</b></li> <li>• <b>To be eligible staff need to have worked for ECC within the academic year and be current staff members as at 1 July 2022.</b></li> </ul> <p>This had been approved by written resolution so that it could be announced at the end of year staff celebrations.</p>		
<b>ECC/22/07/6.2</b>	<b>College Patron - recommended by Governance Remuneration and Search Committee</b>	
<p><b>Corporation resolved to appoint as College Patrons:</b></p> <ol style="list-style-type: none"> <li>1. <b>Henry Cator OBE and</b></li> <li>2. <b>Lord Somerleyton</b></li> </ol>		
<b>ECC/22/07/7</b>	<b>Risk Register</b>	
<p>The Deputy Chief Executive presented the strategic risk registers and advised these, along with the tactical registers had been reviewed by the Audit Committee at its July meeting. They would be next reviewed following the year's outturn</p>		
<b>ECC/22/07/8</b>	<b>Management and Accounts</b>	
<p>The Board received and approved the May 2022 management accounts. The Deputy Chief Executive advised that these showed that the College would clear all bank covenants.</p>		
<b>ECC/22/07/9</b>	<b>HE Income Forecast Change</b>	
<p>(This was taken after the budget item.)</p> <p>The Assistant Principal (Higher Education and Access) presented the paper and advised on the reasons for the reduction in income and the actions being taken to address the issues. The College had recruited under target and had seen an increase in students leaving their degree study earlier in the academic year. This is due to improved HE information and guidance where concerns with student attendance and learning engagement are being challenged much earlier.</p> <p>The Deputy Chief Executive advised that there was a need to look at efficiencies and that a report would be back in the Autumn setting out how these were to be achieved.</p> <p>Nasima Begum joined the meeting.</p>		

ECC/22/07/10	<b>Budget 2022/23</b>	
ECC/22/07/10.1	<b>East Coast Commentary to the Financial Plan 2022 - 2032</b>	
ECC/22/07/10.2	<b>College Financial Forecast Return (CFFR)</b>	
<p>The Deputy Chief Executive presented the budget papers including the commentary and the College Financial Forecast Return. This had been discussed by the Finance and General Purposes Committee.</p> <p>Giles Kerkham joined the meeting. Governors noted that:</p> <ul style="list-style-type: none"> <li>• The proposed budget cleared all bank covenants.</li> <li>• The proposed budget included capital investment plans for 2022/23.</li> <li>• the budget included a commitment of in year savings of circa £400k in order to maintain the EBITDA at £1.8m and that work was ongoing to achieve these.</li> <li>• the risks in the budget included: <ul style="list-style-type: none"> <li>○ Pay award not budgeted.</li> <li>○ HE income.</li> <li>○ Apprenticeship income and</li> <li>○ Inflation.</li> </ul> </li> </ul> <p>The CEO advised that a schedule of non-pay and pay savings was to be drawn up in the new academic year and that the College had committed to share the budget with the Unions.</p> <p>Governors discussed the new financial grading methodology; the College would be Good under the current and requires improvement under the revised. The Deputy Chief Executive advised that it was not yet confirmed when the new methodology was to be introduced or whether there would be any change in the proposed calculations.</p> <p>Governors challenged if the VAT claim had been approved. The Deputy Chief Executive advised that HMRC had not yet approved the claim and consideration was now being given to whether the College should start completing the previous returns based on the partial exemption methodology.</p> <p>Governors discussed the inflationary pressures. It was noted that the Great Yarmouth development costings were being significantly affected by construction inflation and that the budget had not yet been signed off by the Government. The College's fuel costs were on a fixed term rate which was due to end in 23/24 and would then increase significantly due to inflation.</p> <p>The CEO advised that the Office for National Statistics (ONS) review into whether Further Education Colleges should be brought back into the public sector could affect the way that loans are treated which could have an effect on the budget.</p> <p><b>Corporation resolved to approve the:</b></p> <ul style="list-style-type: none"> <li>• <b>Budget 2022/23, including commentary and college financial forecast return.</b></li> </ul>		
ECC/22/07/11	<b>Apprenticeships Update - as discussed by Quality and Standards Committee</b>	
<p>The Apprenticeships update was noted.</p>		

<p>Governors commented that Ofsted was the greatest Ofsted risk and there was a need to move forward with the improvements.</p> <p>The Deputy Principal Curriculum and Strategic Partnerships advised that there were issues to address including in compliance but when apprentices were achieving they were achieving well and progress had been made.</p>		
<b>ECC/22/07/12</b>	<b>OFSTED Preparation</b>	
<p>The CEO presented the Ofsted presentation. The SAR would need to be assessed against the EIF and governors attending the curriculum area SAR validations needed to challenge the areas against this. The revised further inspection and skills inspection handbook with changes that will come into effect from September 2022 had been published and shared with the Board. This included greater focus on how colleges are contributing to meeting skills needs and the inspection report will include a worded judgement on how well the college is contributing to meeting skills needs.</p> <p>Governors agreed that there was need for all governors to be prepared for Ofsted and that governors briefings needed to be at the right level to enable this.</p> <p><b>Governors agreed the following actions:</b></p> <ul style="list-style-type: none"> <li>• <b>Ofsted preparation to be a standing item on Committees and the Corporation's agenda.</b></li> </ul>		<b>WS</b>
<b>ECC/22/07/13</b>	<b>Pay Review 2022/23 - Initial Response and Timeline</b>	
<p>The Director of People and Wellbeing presented the paper that set out the AOC's position, the ECC Trade Union Side Terms and Conditions claim 2022/23 and the College's proposed timeline for decision. The Governance timeline proposed was:</p> <ul style="list-style-type: none"> <li>• 8th November 2022 – People Committee review SMG pay paper including review of recruitment position</li> <li>• 29th November 2022 – F&amp;GP committee review People Committee pay recommendations</li> <li>• 13th December 2022 – Corporation review annual accounts and People Committee &amp; F&amp;GP Committee pay recommendations</li> </ul> <p>Governors noted that there was no budget provision for a pay review as a two year award had been made. The CEO advised that there was a risk of industrial action if an award was not made but that the college would need to significantly outperform the budget including the required savings to afford to award one.</p> <p>Governors discussed the use of the potential VAT refund and noted that this was a one off and could not therefore be used for a consolidated pay award.</p> <p><b>Corporation approved:</b></p> <ul style="list-style-type: none"> <li>• <b>the timeline for negotiations and for SMG to confirm this to the Unions.</b></li> </ul> <p><b>Governors agreed the following action:</b></p> <ul style="list-style-type: none"> <li>• <b>Risk of industrial action to be reflected in the risk register.</b></li> </ul>		<b>AW</b>
<b>ECC/22/07/14</b>	<b>Staff Recruitment - verbal update</b>	
<p>The Director of People and Wellbeing gave a verbal update on current staff recruitment. There were still a number of hard to recruit roles but it was hoped with the Technical Trainer roles and the use of differential pay these would be recruited to.</p>		

<p>Governors queried the Unions view on the use of differential pay. The Director of People and Wellbeing advised that the reasons for its used and how it will be implemented had been discussed with the Unions and no major objections had been raised. The introduction of differential pay would now be communicated to all staff and the roles advertised. Governors commented that it was important that there was transparency in how differential pay was used.</p> <p>Governors discussed if staff recruitment risk should be increased and agreed that this should be reassessed at the next review including the effect of the mitigation that was being put in place for hard to recruit to areas.</p> <p><b>Governors agreed the following action:</b></p> <ul style="list-style-type: none"> <li>• <b>Annual report to the Unions and the Corporation on the use of differential pay.</b></li> <li>• <b>Staff recruitment risk and the results of the mitigation including differential pay and Technical trainers to be reviewed and reported to the November People Committee.</b></li> </ul>		<p><b>WS</b></p> <p><b>AW</b></p>
	<b>Committee Reports for Review</b>	
<b>ECC/22/07/15</b>	<b>Quality and Standards Committee Report</b>	
The Committee report was noted.		
	<b>Policies recommended by committees on which no discussion is anticipated</b>	
<b>ECC/22/07/15.1</b>	<b>Quality Strategy – as recommended by Quality and Standards Committee</b>	
<b>ECC/22/07/15.2</b>	<b>Teaching, learning and assessment Strategy – as recommended by Quality and Standards Committee</b>	
<b>ECC/22/07/15.3</b>	<b>SEND Strategy and Policy– as recommended by Quality and Standards Committee</b>	
<p><b>Corporation resolved to approve the:</b></p> <ul style="list-style-type: none"> <li>• <b>QD085 Quality Strategy 2022-23.</b></li> <li>• <b>QD012 Teaching, learning and assessment Strategy</b></li> <li>• <b>QD011 SEND Strategy and Policy.</b></li> </ul>		
<b>ECC/22/07/16</b>	<b>Finance and General Purposes Committee Report</b>	
The Committee report was noted.		
	<b>Policies recommended by committees on which no discussion is anticipated</b>	
<b>ECC/22/07/16.1</b>	<b>Data Protection Policies and Procedures - Data Protection Policy, Rights of Individuals Policy, Rights of Individuals Procedure, Data Breach Notification Policy and Data Breach Notification</b>	

	<b>Procedure – as recommended by Finance and General Purposes Committee</b>	
<b>ECC/22/07/16.2</b>	<b>Fees Policy, Bursary Policy and Procedure, Sub-contracting Policy and Supply Chain Fees and Charges Policy – as recommended by Finance and General Purposes Committee</b>	
<p>Corporation resolved to approve the:</p> <ul style="list-style-type: none"> <li>• QD004 Data Protection Policy</li> <li>• QD087 Rights of Individuals Policy</li> <li>• QD088 Rights of Individuals Procedure</li> <li>• QD089 Data Breach Notification Policy</li> <li>• QD090 Data Breach Notification Procedure</li> <li>• QD027 Fees Policy 2022/23</li> <li>• QD048 Bursary Policy and Procedure 2022/23</li> <li>• QD093 Sub-contracting Policy 2022/23</li> <li>• QD074 Supply Chain Fees and Charges Policy 2022/23</li> </ul>		
<b>ECC/22/07/17</b>	<b>Audit Committee Report - Verbal update as Audit Committee on 11 7 22</b>	
<p>The Audit Committee Chair gave a verbal update and advised the Board on:</p> <ul style="list-style-type: none"> <li>• the General Ledger, Financial Planning and Budgetary Control and Follow Up Internal Audits. The Committee had asked for an early follow up of the General Ledger audit to give assurance that the agreed actions had been implemented.</li> <li>• the External Audit Planning Letter, the accounting treatment of the potential VAT refund and Great Yarmouth re-development would be dependent on timing of the decisions.</li> <li>• the Funding Assurance Review and Off the job checking process review, these had still identified issues that required resolution and work was ongoing to address and included RSM consultancy support.</li> <li>• The Committee's concern of the Risk that there was no-one with the skills to cover the work of the Deputy Chief Executive. The Corporation discussed the mitigation that was in place including the separation of duties detailed in the various policies and noted that it was not an unusual situation for a College of our size.</li> </ul>		
	<b>Policies recommended by committees on which no discussion is anticipated</b>	
<b>ECC/22/07/17.1</b>	<b>Regularity, Propriety and Compliance Manual and Associated Policies – as recommended by Audit Committee</b>	
<b>ECC/22/07/17.2</b>	<b>Business Continuity Plan and Risk Management Strategy – as recommended by Audit Committee</b>	

ECC/22/07/17.3	<b>Counter Fraud Strategy, Anti-Fraud and Anti-Bribery Policies – as recommended by Audit Committee</b>	
<p>The Audit Committee Chair commented that the Audit Committee:</p> <ul style="list-style-type: none"> <li>• had asked that the College Companies, Mergers, Acquisitions and Joint Ventures full Policy be added to the Corporation papers as it was questioned if this was at too a high level.</li> <li>• Noted that the College was paying the HMRC mileage rate and suggested that the relevant committee may wish to consider a temporary higher rate given the fuel increases. This would be taxable.</li> <li>• Had reviewed the Business Continuity Plan, Risk Management Strategy. Counter Fraud Strategy, Anti-Fraud and Anti-Bribery Policies in full at their meeting to provide themselves with assurance that they were still current as no material change had been made.</li> </ul> <p>Corporation resolved to approve the:</p> <ul style="list-style-type: none"> <li>• <b>QD104 Regularity, Propriety and Compliance Manual</b></li> <li>• <b>QD106 College Companies, Mergers, Acquisitions and Joint Ventures Policy</b></li> <li>• <b>QD107 Revenue and Capital Budget Policy &amp; Procedure</b></li> <li>• <b>QD108 Income Policy Quality</b></li> <li>• <b>QD031 Procurement Policy &amp; Procedure Quality</b></li> <li>• <b>QD113 Inventory and Asset Management Policy</b></li> <li>• <b>QD114 Credit Management Policy Quality</b></li> <li>• <b>QD115 Treasury Management, Banking and Cash Policy</b></li> <li>• <b>QD007 Travel and Subsistence Policy and Procedure Quality</b></li> <li>• <b>QD116 Management Accounts and Cashflow Policy &amp; Procedure</b></li> <li>• <b>QD103 Business Continuity Policy and Plan</b></li> <li>• <b>QD029 Risk Management Strategy and Policy and Procedure</b></li> <li>• <b>QD154 Counter Fraud Strategy</b></li> <li>• <b>QD152 Anti-Fraud Policy and Response Plan</b></li> <li>• <b>QD153 Anti-Bribery Policy and Response Plan</b></li> </ul>		
	<b>Subsidiary Update</b>	
ECC/22/07/18	<b>ECETA Report - meeting 6 7 22 postponed to 18 7 22</b>	
It was noted that the ECETA Board meeting had been postponed to 18 7 22.		
	<b>Committee Reports for Review</b>	
ECC/22/07/19	<b>Curriculum Development Committee</b>	
The Committee Report was noted.		

<b>ECC/22/05/20</b>	<b>Review of Meeting</b>	
<p>Confidential items – Agenda Item 5.3 and separate confidential minutes</p> <p>Risk management – To be reviewed based on outturn. Issues that require review are industrial action, effects of inflation and collaboration project.</p> <p>Equality and Diversity – needs a clearer focus through the College and in Governance</p> <p>Health and Safety -. None</p> <p>Sustainability –. None</p> <p>Media – the Annual Review.</p> <p>How did the meeting go – a long meeting, as end of year, managed well. Governors commented that for policy revisions the governance summary report needed to state what had been changed. The Director of Governance advised this was what was supposed to happen and the Board agreed that this needed to be enforced.</p>		