

Colchester Institute Corporation

**Minutes of a Meeting of the Board
held on 24th April 2019
at the Sheepen Road Campus**

Present:

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| Kevin Prince, <i>in the Chair</i> | David Gask |
| Alison Andreas | Liz Goodall |
| Daniel Clarke | Keith Moule |
| Mark Davies | Scott Piper |
| Martin Fordham | Terry Smyth |

In Attendance:

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| Maeve Borges | Vice Principal: Student Services and Support |
| Nils Franke | Dean of Higher Education (item 8.2 only) |
| Caroline Fritz | Assistant Principal: Quality, Teaching and Learning (item 9 only) |
| Gary Horne | Executive Vice Principal: Finance and Corporate Development |
| Hazel Paton | Clerk to the Governors |
| Jason Peters | Vice Principal: Curriculum Delivery and Performance |
| Jill Wognum | Executive Vice Principal: Curriculum, Planning and Quality |

Apologies for absence were received from Brenda Baker, David Gronland, Sue Thompson-Arnold. and Richard Wainwright

1. **Declaration of any conflicts of interest**

None.

2. **Appointment of Vice Chair**

The Chair reported that two Governors had expressed an interest in taking on the role of Vice Chair and proposed that the Board appoints two Vice Chairs. Both individuals have a financial background, which is important given the financial pressures facing the FE sector, and will complement the Chair's educational background. The Chair also wants to involve the Vice Chairs to a greater extent than has previously been the case, and appointing two role holders will spread the load the recognise the other demands on their time. This was APPROVED by the Board.

The appointment of Richard Wainwright as Vice Chair was proposed by David Gask, seconded by Alison Andreas and unanimously APPROVED by the Board.

The appointment of Mark Davies as Vice Chair was proposed by Terry Smyth, seconded by Scott Piper and unanimously APPROVED by the Board.

Both appointments were with immediate effect, coterminous with the individual's term of office as a Board member.

3. **Minutes**

The Minutes of the meeting held on 13th February 2019 (CIC/19/2/1) were received and confirmed. The Chairman signed the minute book.

4. **Matters arising from the minutes**

The Corporation Chair reported that consideration of Board objectives would be a substantive agenda item at the Board planning meeting. Governors will be asked to reflect on the comments in

the Ofsted inspection report and what the Board needs to do to improve. The Planning meeting will also include discussions on teaching and learning.

Noting that the Principal and key members of the College Executive were no longer available on 23rd May the Board agreed to move the date of the planning meeting to Wednesday, 5th June at 4.00pm.

5. **Chairs Announcements/Action**

- 5.1. CIC/19/2/2, Application of the seal of the Corporation, was received and noted. The seal had been affixed to Deeds of appointment, novation and collateral warranty (post novation) in relation to the Braintree STEM 2 development on 29th March 2019, authenticated by the signatures of the Corporation Chair and Principal.
- 5.2. The Chair reported that, as recommended in the FE Commissioner Diagnostic Assessment Report, as a newly appointed Chair he was receiving support and guidance from a National Leader of Governance (NLG), the Chair of York College (an outstanding college). To date they had met on two occasions and he was finding it a useful and reassuring process.
- 5.3. The Chair reported that he had also enrolled on the Education and Training Foundation's Chairs' Leadership Programme. A two day residential programme was held in Oxford, attended by a mix of newly appointed and experienced Chairs as well as a designate Chair. The programme was useful in terms of both content and networking. .

The Chair was asked what he had learnt about practices in the sector that could inform change at Colchester Institute. The Chair responded that it was evident from his discussions with his NLG mentor and other colleagues that colleges can be very good at doing some things, but not so good at other things. The challenge is to get better at the things you are not so good at whilst the expectations of the sector are constantly changing. As an example, Colchester Institute's outcomes at Level 3 match or exceed those of many colleges, but are not as good as other colleges in maths and English. Outcomes in maths and English are an important indicator for Ofsted currently, but this might change going forward.

Governors asked how other colleges approach the teaching of English and maths. It was reported that many colleges deliver A Levels as well as vocational programmes and have a very different student intake to that at Colchester Institute. Students taking A Levels who are resitting GCSE maths and/or English are more motivated to achieve those subjects than students on vocational programmes who may have already failed the examinations on numerous occasions. Arising from the discussion it was reported that not all the students who should be taking maths and/or English because they did not achieve GCSE Grade 4 at the end of Year 11 are included in the national data. Colleges are able to dis-apply a proportion of individual students for legitimate reasons without affecting funding. The tolerance in 2017/18 was 5%. Governors noted this but agreed that Colchester Institute should be student focussed and always do what is in the best interests of the student. The College needs to do more to improve teaching and learning and student commitment to improve outcomes in maths and English.

Governors asked what else other colleges do to improve outcomes in addition to improving teaching and learning and in the classroom. The Principal reported that senior staff recently visited Northampton College and they have a more rigorous approach to ensuring as far as possible that all students leave with a qualification. At Colchester Institute, students are enrolled on the most suitable qualification when they join the College. If they do not complete the qualification they fail. A number of other colleges offer qualifications that have sub awards, so if the student leaves early, or does not achieve the full award, they leave with a sub award. A significant difference between Colchester Institute and other colleges is that the choice of qualification is delegated to Area Heads, who pick the qualification that is most appropriate and best suits the students. For example, Art, Media and Performing Arts enrolls student on UAL (University of The Arts London) qualifications,

which do not offer sub-qualifications. The College could look at offering more qualifications with sub-awards where it is appropriate to do so. This is not possible for all students because of funding bands. This was supported by Governors if it is the right decision for the students and their future employability without denigrating standards.

- 5.4. The Chair, David Gronland and Richard Wainwright attended the opening of the Construction Skills Centre in Clacton on 11th March and were very impressed with the new facilities. Mark Davies was thanked for attending the apprenticeship evening at the Sheepen Road campus.

6. **Principal's Report**

The Principal presented her written report (CIC/19/2/3).

- 6.1. Local MPs Will Quince and Giles Watling both attended and spoke at the debate on FE Funding in Westminster Hall in early April. Colchester Institute was mentioned during the debate by Will Quince MP.
- 6.2. It was reported that Elaine Hart had joined the College on 15th April as Director of Human Resources and was already tackling a number of priorities.
- 6.3. It was reported that the College had been successful in its Stage 1 application for funding from the Strategic College Improvement Fund (SCIF) and the Stage 2 application was being finalised, with assistance from an advisor from the FE Commissioner's office. The deadline for submission of the Stage 2 application was 26th April, and the outcome would be known by about 20th May.

The Principal reported that the College had put together a programme of work to the value of £200k, of which £50k would be funded by the College, and £50k needs to be spent with the partner college (Northampton College). The programme of work comprises three main work strands:

- (i) Whole College programme of CPD to support teaching and learning (£100k). Within this is a sub-strand of a programme for new teachers (additional support, mentoring and additional CPD modules), and a sub-strand for excellent teachers. The programme includes some compulsory CPD, delivered by an external consultant.
- (ii) Improving maths and English, in particular activities in teaching and learning to help students who come to the College with a Grade 3 move to a Grade 4.
- (iii) Support for students. It is proposed to create one or two new roles to work with students who need additional support and to upskill existing practitioners to give them knowledge which can be shared with teachers.

The SCIF funding will make a significant difference to the College if the bid is successful. The programme of work needs to be sustainable, so the focus is on upskilling staff; there will be very few additional posts.

Governors asked how closely Northampton College matches Colchester Institute in terms of size and mix. It was reported that the biggest difference is that Northampton College does not deliver much by way of construction trades, an area which nationally takes a lot of students into maths and English.

Governors agreed that the three work streams were very appropriate for this application based on the recent Ofsted Inspection and hoped for a positive outcome. The £50k matched element of the bid was approved by the Board earlier in the year and has been set aside in the budget.

- 6.4. The Lead Governor for Safeguarding referred to the recent rise in knife crime and how the Governing Body is made aware of safeguarding issues. His concern was that security issues and stop and search are raised and reported through the Health and Safety Committee, but other safeguarding issues are dealt with by the Safeguarding team and reported through the Curriculum and Quality Committee. It

was recommended that a review of the reporting mechanisms takes place to bring all safeguarding concerns under the remit of one committee. It was reported that this would be discussed at the Curriculum and Quality Committee on 30th April, where Governors will be asked to provide feedback on the information they would like to see presented in the future.

It was reported that the College has recently communicated with students, parents and staff reminding them of the process for the anonymous reporting of people carrying knives/weapons. The College is also working with the Police on this. Students are alert to this issue and are talking to staff if they have a concern that a student is carrying, and anyone found to the carrying a knife will be summarily excluded. It was noted that people are now carrying sharpened credit cards, which is difficult for the Security Team to identify and deal with.

7. Performance 2017-18

7.1. January/March 2019 Performance Tables

CIC/19/2/4, January/March 2019 Performance Tables, was received and considered. It was reported that the Performance Tables only provide a partial view of the College. The Tables do not provide data for Entry or Level 1 and only include Levels 2 and 3 if the qualification has differentiated grading outcomes.

Comparisons to colleges graded 2 by Ofsted this academic year show that Colchester Institute has a broadly comparable profile. Where it performs less well compared to grade 2 colleges is in English and maths progress measures. The progress scores for maths and English include GCSEs and Functional Skills. The number of students taking Functional Skills has been declining, and this academic year will be less than 100 as students have moved over to GCSEs. Governors were reminded that two years ago the College took the decision to put students on Functional Skills unless there was a legal requirement to retake the GCSE and had 1600 fails in Functional Skills that year. A large proportion of these students were put on Level 2 Functional Skills as they already had a Level 1 pass (grade E/F at GCSE).. The College believed putting these students on Level 2 was the right thing to do, as it would allow them to make progress, but too many failed. The main priority for the College is to improve the standard of teaching of learning.

The Chair reported that he had attended a presentation by an Ofsted Inspector earlier that year, who had indicated that whatever qualification the student is put on, it has to complement the course that they are doing.

7.2. National Achievement Rate Tables

CIC/19/2/5, National Achievement Rate Tables, was received and considered. It was noted that although there was a significant improvement in overall achievement (81%) compared to the previous year (71%), facilitated by the move from Functional Skills to GCSEs, another step change is needed if the College is to move safely to an Ofsted Grade 2 profile. Overall achievement needs to be 86%, and overall achievement for main qualifications needs to be 88-90%, for the College to be in the broad grade 2 profile. This is what the College is aspiring to this year.

It was reported that the National Achievement Rates are based on every qualification, regardless of size. The College has worked with Chelmsford College this year to do a small qualification in British Values. The College is making good progress, and this qualification will add 3% to the overall achievement figure. It is now looking at a qualification in personal safety. Governors supported this approach provided there is a strategic objective for introducing small qualifications and they are worthwhile.

Performance by group was considered. It was noted that 16-18 provision improved considerably compared to the previous year. Adult achievement rates were impacted by the curriculum offer. Colchester Institute offers programmes such as accounting and Functional Skills (Learning Shops) where nationally the achievement rates are low. The College needs to consider whether to stay with

qualifications, which there is a demonstrated need for but which negatively impact on achievement rates, or move away from them. There are changes the College can consider in particular areas, such as changing the awarding body for ESOL so that there are opportunities for resits in sufficient time. The College is ahead of national averages for accountancy.

8. 2019-20

8.1. Further Education – Applications and Curriculum Plan

CIC/19/2/6, Further Education – applications and curriculum plan, was received and presented by the Vice Principal: Curriculum Delivery and Performance. It was noted that Digital Media would be the most popular study area in 2019/20. There is strong growth in Salon Studies and Hospitality and planned growth in adult courses in construction at the Clacton Campus. Despite our best efforts to promote the provision over the past few years, the decision had been taken to discontinue Health and Social Care at the Braintree Campus due to low numbers. Most of the electrical installations full time provision will be moved from Clacton to Sheepen Road.

Application data at 31 January 2019 compared to the same period last year was noted. It was reported that overall the planned curriculum is more efficient than last year, with capacity for 4100 students at 17 students per group. Governors asked if the curriculum had been designed to support outcomes in terms of employability. It was reported that the curriculum is heavily focussed on construction and engineering, where there is a local need to support population growth. The other areas of local need are Health and Social Care and digital skills. In Art, Music and Performing Arts more students go on to higher education than into employment.

The Dean of Higher Education joined the meeting for this item.

8.2. University Centre Colchester

8.2.1. Office for Students (OfS)

CIC/19/2/7, OfS Letter to Corporation Chairs entitled financial viability and sustainability: information for governing bodies, was received and noted. The letter set out the concerns of the OfS in respect of the assumptions that have made by providers about future student recruitment and advising Boards that they need to bear this in mind in the budget setting process and to interrogate the plans and income assumptions.

It was reported that the College has received written confirmation that Colchester Institute has been added to the register of providers. The registration confirmation identified two areas for enhanced monitoring. The Dean of Higher Education has recently attended a meeting of MEG (Mixed Economy Group) colleges and all colleges appear to have had some conditions applied to their registration.

The Chairman has received notice that the Quality Assurance Agency (QAA) will be inspecting the College's higher education provision. The timescale for the review is yet to be confirmed by the OfS/QAA.

The College is required to submit an Access and Participation Plan during July 2019. The plan will be taken to the June meeting of the Curriculum and Quality Committee for consideration and approval ahead of the submission deadline. Last year the OfS announced that the Access and Participation Plan would have to be written on an annual basis, but have now asked for a five year document.

It was noted that the OfS has a regulatory role and expects governing bodies to monitor and scrutinise the institution's higher education provision very closely.

8.2.2. Application and Curriculum Plan

CIC/19/2/8, UCC applications and curriculum plan, was received and presented by the Dean of Higher Education. It was reported that since the paper had been written, application numbers had risen by 3%. It was noted that there are considerable difficulties in the sector. The biggest impact is the removal of the student cap. Some institutions have been very successful in over-recruiting students and other institutions have seen their numbers reducing as a result. Applications to UCC are roughly in line with the previous year and the College hopes to recruit the same number of first year students.

Governors' attention was drawn to a gradual change in applications from some schools and programmes to other schools. Musical Theatre, which has previously recruited very high numbers, is struggling to recruit, and there is a reduction in Art and Design and Music. The area of Social Science is growing, and a new programme in Policing is recruiting well.

In respect of the curriculum plan, it was reported that the College is 'over-teaching' in terms of student contact time compared to what is delivered by other institutions. Final year degree courses deliver quite a few generic subjects, such as writing dissertations, which could be delivered in classes of 30-40 students rather than small groups as currently. All programmes being validated through the University of East Anglia will have a flexible 3:2:4 delivery framework – three years full-time; two years intensive; and four years part-time. At least 65% of the delivery will be infill on the three year full time structure to ensure that is delivered very efficiently whilst at a pace to meet the needs of the student.

It was reported that a validation event would be taking place the following day at which the Centre was hoping to validate a post graduate programme to be delivered entirely online.

The Link Governor for Higher Education expressed his full support for this model. Colchester Institute has previously offered four year and two year accelerated programmes, and he was pleased to see a resurgence in this area. There are educational as well as economic benefits in bringing different strands of the curriculum together.

The Dean of Higher Education left the meeting.

8.3. Apprenticeships – applications and curriculum plan

CIC/19/2/9, 2019-20 Apprenticeships – applications and curriculum plan, was received and presented by the Executive Vice Principal: Curriculum, Planning and Quality.

It was reported that the College hopes to grow its apprenticeship starts in 2019-20. This will be achieved through a different programme mix, with more standards and higher apprenticeships. The College has different funding streams for levy (uncapped) and non-levy (capped) provision and needs to ensure that it meets but does not exceed the non-levy allocation. The planned profile builds on two years of trend data. The College has recruited 600 starts this year so far against a numbers target of 681, and is still recruiting and is on target to achieve the funding target.

The curriculum plan for 2019-20 includes higher apprenticeships in Engineering and some Construction areas, HR and Procurement. The College is also introducing a Level 3 Professional and Technical Apprenticeship in Construction and is working with various companies to develop bespoke provision. The College is finding it more and more difficult to get applicants and enrol students on some of the health programmes. There is competition from hospital trusts working with particular providers or providing their own apprenticeships. This is an area where the College struggles with success rates in FE, partly due to difficulties recruiting staff into the college.

It was reported that the College is moving towards delivering more standards, which are larger, more complex programmes. All have end point assessments which in some sectors are proving very difficult for students to pass. It was suggested that the national achievement rates will decline as more students enrol on standards and it becomes more difficult to get them through all the elements

of the programme plus an externally assessed end point assessment which takes place over two to three days.

Governors asked about the decline in enrolments in health in the context of the investment the College was currently making by adding a floor to South Wing to accommodate health provision. It was reported that the programmes in the new build will not necessarily be using the apprenticeship funding stream. The challenge will be in terms of staff recruitment. It is hoped the investment in a standalone flagship facility will be a driver for both student and staff recruitment.

Governors' asked if there was any overlap in the delivery of degree apprenticeships. It was reported that most of the students on the Engineering degree apprenticeship will have taken the HN rather than the degree pathway, but there is some cross over and opportunities to infill with other degree students on the final year.

The Assistant Principal: Quality, Teaching and Learning joined the meeting for this item.

9. **Equality and Diversity Report**

CIC/19/2/10, Equality and Diversity Report, was received and presented by the Assistant Principal: Quality, Teaching and Learning. The report is a public facing document, bringing together data from a number of sources, such as achievement rates in the Self-Assessment Report and the HR Strategy. Governors asked if there was a bias towards males in areas such as construction and engineering and were advised that Engineering and Construction do have females on their courses, but the numbers are small. The College is currently doing roadshows in schools to target females to come on to programmes in STEM subjects, but there is still a lot of resistance from schools to do this. There are three or four female lecturers in areas that are traditionally male but construction and engineering is still very male dominated. The College also has some female dominated areas as well.

The Assistant Principal: Quality, Teaching and Learning left the meeting.

10. **Health and Safety Policy**

CIC/19/2/11, Health and Safety Policy, was received, considered and APPROVED. The changes mostly related to reinforcing management responsibilities around undertaking room audits and accident reporting. The section on obligations of all employees had been updated as a results of incidents that had occurred over the last year. The policy will continue to be updated as the H&S Management Team work through recommendations arising from a recent internal audit of health and safety.

11. **Reports from Committees**

11.1. **Audit and Compliance Committee**

The minutes of the meeting held on 13th March 2019 (CIC/19/2/12) were received and presented by the Committee Chair Mark Davies.

The Chair reported that the Committee had considered whether the auditors were looking at the right areas. There has been a significant focus on finance in the past and this needs to continue. The Committee had also considered whether the resourcing for health and safety was adequate for what is a large and complex organisation operating across three campuses. An internal audit of health and safety found that in some cases, middle management responsibilities were not always being followed, which caused the Committee to question whether there was enough resource to improve the position within the resources available. The Health and Safety Officer has a dual role and the College Executive was asked to review this. The Executive Vice Principal: Finance and Corporate Development reported that the Audit and Compliance Committee had been provided with a presentation that had been delivered across the management team in response to the Health and Safety audit findings, and which had been incorporated into a new Health and Safety audit framework. The Executive Vice Principal had personally carried out four audits under the new framework and two had been given positive assurance and two partial assurance outcomes. The

new framework is reinforcing management responsibility and puts responsibility back on individuals. Two audits are being carried out each week until the end of term in order to achieve full coverage of the 41 managers within the College that have health and safety responsibilities, and progress will be reported back to the next meeting of the Audit and Compliance Committee. Thereafter a view will be taken on whether there will be a need to upgrade the central resource for health and safety. The Audit and Compliance Committee recognised that mitigating actions had been put in place but were concerned at the level of engagement of the College Executive in operational matters.

11.1.1. **Appointment of Financial Statement Auditors**

CIC/19/2/13, Report to the Audit and Compliance Committee: review of performance of the Financial Statements Auditors against agreed performance indicators, was received and noted. The Board accepted the recommendation of the Audit and Compliance Committee and APPROVED the reappointment of Scrutton Bland as Financial Statements Auditors for the current finance year.

11.1.2. **Strategic Corporate Risk Register**

CIC/19/2/14, Strategic Corporate Risk Register (updated 15 April 2019), was received and noted. The Clerk had tabled a proforma at the start of the meeting, which Governors were asked to complete and return to Clerk within two weeks of the meeting. The proforma asked Governors to identify the key risks facing the College over the next 12/18 months. The returns will be analysed by the College Executive and considered at the next Risk Committee as part of the review of the Corporate Risk Register.

11.2. **Resources Committee**

The minutes of the Resources Committee held on 2nd April 2019 (CIC/19/2/15) were received and in the absence of the Committee Chair presented by the Corporation Chair.

11.2.1. **Lease Agreement**

The Committee Chair had approved Heads of Terms (subject to contract) for the lease of part of B Block at the Braintree Campus to a pharmacy, to be located next to the existing GP practice.

11.2.2. **Management Report and Accounts**

CIC/19/2/16, Management Report and Accounts February 2019 [Period 7], was received and considered. The Executive Vice Principal: Finance and Corporate Development reported that the March report, which would be issued shortly, showed a similar position. The overall position was a full year operating surplus of £235k, slightly down on the full year budget.

11.2.3. **Colchester Institute Financial Statements 2017-18**

The Committee had considered the Finance Dashboard March 2019, compiled by the Education and Skills Funding Agency (ESFA) from information submitted by colleges to them. The Committee had been pleased to note that Colchester Institute's performance ratio was above the sector average for the second year in succession. Staff costs as a percentage of income had also improved and was above the national median.

11.2.4. **Capital Developments**

It was reported that work on the new Learning and Technology Centre at the Braintree Campus was two weeks behind schedule but this time is expected to be recovered.

To avoid disruption to teaching and learning, scaffolding for the additional floor to South Wing at the Colchester Campus was erected over the Easter break. Work will start at the end of the summer term and will be completed in March 2020.

The College is hopeful that its bid to the SELEP for £100k funding for the development of a ground works and scaffolding facility at the back of the College will be supported.

11.2.5. HR Plan 2018-19 – Update on Progress

CIC/RC/19/2/17, Update on HR Operational Plan 2018-19, was received and noted. Some planned activity had been impacted by the resignation of the Executive Director: Human Resources. The HR Plan is ambitious in terms of breadth and scope, and the new Director of HR would be looking at the plan to identify key priorities which will be reported to the next meeting of the Resources Committee. Governors asked for the overall plan to be kept as streamlined as possible.

12. Membership

CIC/19/2/18, Board Membership Matters, was received and considered.

12.1. The Board accepted the recommendation of the Remuneration and Search Committee and APPROVED the appointment of Lisa Clampin as an Independent Member and member of the Audit and Compliance Committee for a four year term office 01.05.2019 to 30.04.2023.

12.2. It was reported that the letter confirming the College's registration with the Office for Students specified requirements for enhanced monitoring, including a condition in respect of public interest governance and the length of service of Board members. This will be considered by the Remuneration and Committee at its next meeting and a recommendation brought to the July meeting of the Board.

13. Feedback from Governors Link Visits

Governors provided oral feedback on recent link visit.

Terry Smyth reported that he had attended the recent Teaching and Learning Development Day and thanked staff for the way in which they had engaged in the activities and their very positive attitude towards the College overall. It had been a very open event which had generated some interesting ideas.

Liz Goodall reported that she had met twice with the Head of English and maths. A number of students had come in during the Easter break to revision classes. Arising from the discussion it was reported that a number of areas had put on additional classes during the Easter holidays.

14. Dates of Future Meetings

It was agreed to move the Board planning meeting to 4.00pm on 5th June 2019 and the Board meeting scheduled for 24th July to 2.00pm on 26th July 2019.

15. Any Other Urgent Business

There were no item.