

Colchester Institute Corporation

**Minutes of a Meeting of the Board
held on 22nd October 2019
at the Sheepen Road Campus**

Present:

Kevin Prince, *in the Chair*
Alison Andreas
Lisa Clampin
Mark Davies
Pam Donnelly
Lizzy Ellam

David Gask
Liz Goodall
David Gronland
Terry Smyth
Richard Wainwright

In Attendance:

Jason Peters
Jill Wognum

Vice Principal: Curriculum Delivery and Performance
Executive Vice Principal: Curriculum, Planning and Quality

Board Briefing

The meeting was preceded with a presentation from the Executive Vice Principal: Curriculum, Planning and Quality, Jill Wognum, on the new Ofsted Education Inspection Framework.

The new Inspection regime came into force on 1st September 2019 and the College is expecting a full inspection under the new framework in the summer or autumn 2020. An Ofsted monitoring visit is expected in the next few weeks, and the outcome could influence the timing of the full inspection. If the College receives a good outcome it may want to push for an earlier inspection.

The overriding part of the inspection is the Quality of Education, which is as important as the combined outcomes for behaviour and attitudes, personal development and leadership and management. Inspectors will look at education programmes for young people, adults, and high needs (of which the College has about 60 learners this year, mostly in Foundation Studies). It is stated that under the new framework a provider has to be graded Good for all provision types to be Good overall. However, an ex HMI Inspector working with Area Managers has suggested that this might depend on the size of the provision. If a large part of the College's provision is graded as Good it may still achieve an overall Good even if a smaller area is not graded Good.

There is much less emphasis on data under the new framework. Inspectors will look at last two sets of data ahead of visit but the emphasis will be on gathering evidence on what learners are doing during visit rather than on whether they are actually achieving the qualification. However, outcomes are unlikely to be completely ignored.

Quality of Education is the largest area in the framework and is where curriculum intent will be looked at. Inspectors will look at why the College is doing what it is doing and how well it is implemented (teaching, pedagogy, assessment and how the curriculum is structure and delivered). Inspectors will also look at Impact – this includes learner progress, how well learners are developing skills and knowledge and learner destinations (a crucial part of framework) and outcomes.

Personal Development looks at the broader education experience - enrichment, British values, careers guidance, healthy living, citizenship and equality and diversity.

Leadership and Management encompasses the strategy for the whole organisation and the provision for students with education needs. There is also an emphasis on staff development, staff workload and staff wellbeing, which are new areas to the framework.

Safeguarding has the same significance as under previous frameworks. It looks at how the College identifies safeguarding needs, what action is taken and the management of safeguarding, including staff training etc.

The College will receive two working days' notice of an Inspection (probably on a Thursday/Friday). The first day's activities will be discussed during a planning call, enabling Inspectors to go straight into classrooms and do 'deep dives' when they arrive. Inspectors are likely to look at all the different provision types (the biggest, the best and the worst areas, based on our data). The planning call will be a two-way conversation and the College can put forward suggestions and possibly negotiate where Inspectors start. When the Inspectors are satisfied that they have seen enough in those areas, they will move on to other areas. The Inspection team will probably be similar in number to previous Inspections (about 12) and they will be allocated to certain types of provision. The Lead Inspector, who previously would have been co-ordinating the inspection and looking at paperwork, will be collating information from the team of Inspectors and also out in the College looking at what is going on.

Another change to previous inspections is the range of meetings. There will only be four for Leadership and Management (i) strategic organisation intent meeting (presentation from Principal) and sometimes a meeting with senior leaders; (ii) Governance; (iii) Safeguarding; (iv) staff development/wellbeing/professional development / appraisal etc (it is envisaged that HR will be heavily involved in this meeting).

Inspectors will gather evidence for judgements through what they term deep dives. Inspectors will talk to students and also talk to teaching staff about their curriculum choices, the intent, the outcomes, and the sequencing.

During deep dives, the Inspectors will work with the middle managers. Area Heads will become mini nominees and are already preparing for the challenge. Inspectors will only talk to senior managers in the four meetings. Middle managers are expected to be fluent about the intent of curriculum and how well it is met. Inspectors will go into classes with middle managers and observe teaching, speak to learners, look at their work and discuss the area. All programmes must have a clear line of sight to jobs or further study.

In summary the new EIF focuses on the quality of education seen throughout the College rather than the success rates. It is a very different approach and involves a lot more staff and their views.

Arising from the discussion it was reported that most middle managers will be able to describe very well why we deliver the subjects we do, the benefits to learners, and learner destinations.

The College is undertaking a programme of development and by the time of inspection there should be confidence to do this across curriculum areas within the College.

Governors observed that this framework seems like a whole organisation responsibility inspection and thought that was good thing and the right way of doing it.

Governors noted that the College do a number of things to involve students in citizenship but questioned whether students would recognise this and be able to articulate it to Inspectors. It is recognised that the College needs to also prepare learners and get them used to being asked questions and it is hoped that Inspectors are skilled in asking those questions of learners.

Governors discussed their own preparation for Inspection. Participation in learning walks, which were introduced this academic year, and being more visible as governors will contribute to improving their understanding and knowledge of what is going on in the college. The new concepts will also emerge through the documents coming to Board.

Governors discussed the current curriculum offer and why digital media is such an important subject and growth area for the College. The students want to learn games design, and these transferable skills, particularly programming, are being used more and more in different areas, such as medicine, animation, 3D modelling in architecture, and marketing (interactive media). Many of the big shots in the TV series Game of Thrones were filmed by cameras on drones controlled by consoles coded by games designers. Not all students will get jobs in digital games design but the College can articulate the related jobs they can go into.

The Executive Vice Principal: Curriculum, Planning and Quality was thanked for her presentation.

1. **Apologies for absence**

Apologies for absence were received from Brenda Baker, Keith Moule, Gary Horne (Executive Vice Principal: Finance and Corporate Development) and Hazel Paton (Clerk to the Governors).

2. **Declaration of any conflicts of interest**

None.

3. **Membership**

The Corporation Chair welcomed Lisa Clampin and Pam Donnelly to their first meeting of the Board, and Patrick Giddings as an observer.

3.1. The Board confirmed the appointment of Lizzy Ellam as a Staff member, nominated and elected by the College's teaching staff, for a four year term of office 22/10/2019 to 21/10/2023. Lizzy was welcomed to the meeting.

3.2. The Board confirmed the appointment of Natesha Riddiough, FE Students' Union President, as a Student member, nominated and elected by the College's FE students, for a term of office 22/10/2019 to 31/07/2020.

3.3. It was noted that the Board had approved the following written resolution:

On the recommendation of the Remuneration and Search Committee, the Board considered and APPROVED the appointment of Pam Donnelly as an Independent member for a four year term of office with effect from 22 October 2019.

Pam had been a co-opted member of the Audit and Compliance Committee since June 2016.

4. **Minutes**

The Minutes of the meeting held on 26th July 2019 (CIC/19/4/1) were received and confirmed. The Chairman signed the minute book.

5. **Matters arising from the minutes**

None, other than on the agenda.

6. **HE Fee Proposals 2020-21**

CIC/19/4/2, HE Fees Proposals 2020-21, was received and considered. A Cost of living increase has been applied for HNC/D programmes from £6000k to £6125k. The paper also confirms that the reduction in fees for full time undergraduate courses from £9250 to £8250 agreed last year and which came into effect this academic year is being retained or 2020-21.

It was noted that Governors are eligible for a discount on tuition fees for part time full cost courses, but this must be declared in the register of interests.

Governors asked if the fee structure was neutral in terms of the competitive position and in attracting students. It was reported that the fees are lower than those charges by universities locally

and are reasonable fees for the course. Governors asked if the level of fees is a key consideration for learners in making their choices. It was reported that younger students are not attracted by lower fees, but the College enrolls a lot of students over 21, and a lot of PT students. For the more mature students the cost of the loans is a key factor. This fees structure seems to sit better with the College's market.

Governors asked if the College has any evidence that the tiered discounts available for postgraduate students are attractive. It was reported that quite a few universities offer such discounts. It is quite attractive to Colchester Institute students who want to come back to do a postgraduate programme, and motivates them to get a good grade. The numbers coming through are small, but this helps raise the profile of our postgraduate offer.

On the recommendation of the Resources Committee, the Board APPROVED the HE Fee Proposals 2020-21.

7. Chair's Announcements/Action since the last meeting

- 7.1. CIC/19/4/3, Application of the Seal of the Corporation, was received. It was noted that on 13th August 2019, the Chair and Principal signed, and the Corporation Seal was affixed to:
- (i) Deed of Variation relating to a contract for the sale of land at Church Lane Bocking, Braintree between Colchester Institute Corporation (1) and M Scott Properties Limited (2).
 - (ii) HM Land Registry TP1 – Transfer of part of registered title(s): Land at Church Lane Bocking, Braintree, Essex, CM7 5SN as registered with title number EX388585 together with the land forming part of title number EX760614.
- 7.2. CIC/19/4/4, Office for Students – UCC Reportable Events was received. It was noted that there were two reportable events:
- (i) Change in partnership arrangements with the University of Huddersfield for Initial Teacher Training programmes from a franchise to validation arrangement.
 - (ii) Ending of subcontracting arrangements with OLC (Europe) for the delivery of HNC and HND Business programmes. It is expected that the teach out period will be complete by the end of September 2020.
- 7.3. The Chair thanked Richard Wainwright for chairing one of the four graduation events on 4/5 October 2019, and thanked all Governors who attended. The Chair recorded his thanks to the Marketing Team who did an excellent job in organising the events; the atmosphere on both days was fantastic.
- 7.4. The Chair reported that he had attended one of the Open Day events for 16-18 students. He thought it was a superb evening and very well attended. The Chair was pleased at how welcoming the staff were and that a number of current students had attended to talk to potential students, which had a huge impact. It was reported that the overall numbers attending was excellent, particularly at Colchester, where there were 270 more visitors than at the equivalent Open Days last year. Numbers were slightly down for both events at Braintree from about 100 visitors last year to around 80 visitors this year. Governors were reminded that a number of courses have been withdrawn at the Braintree Campus over the last two to three years, so some of the students who may have previously attended an open event at Braintree will have come to Colchester where the College continues to offer those programmes. The College needs to ensure that it takes every opportunity to market the new facilities at the Braintree campus. It was reported that there was strong feedback from those who had attended the open events.
- 7.5. The first round of learning walks for Governors took place on 9th October 2019. The Chair thanked those Governors who had attended. Governors were asked to note that the next round of learning walks for Governors is scheduled for Monday, 3rd February 2020, 11.00am – 1.00pm.

7.6. The Chair thanked those Governors and senior staff who had completed the Chair's appraisal and for their constructive comments. The outcomes will be reported to the Remuneration and Search Committee and used to develop an improvement plan.

7.7. It was noted that Board objectives still need to be discussed and moved forward.

8. **Principal's Report**

The Principal presented her written report for September/October 2019 (CIC/19/4/3).

8.1. There have been no further updates on additional funding for Further Education from 2020/21 since the announcement in early September, but the sector continues to lobby on this. Week commencing 14th October was College's week and along with many other colleges Colchester Institute was sending out Social Media posts to raise the profile of the work of colleges as part of the #Love our Colleges campaign. The College filmed a range of students on a number of programmes, including apprentices, talking about their experience, what they like about college, and how their studies fit into their future plans. These were put into a short two minute film which was shown at the Open Days as part of the Principal's address, and was well received by those present.

8.2. Governors attention was drawn to the Auditing and Accounts update issued by the AoC, which was reproduced in full in the report, and the key documents which set out the responsibilities of colleges and Governors (ESFA's funding agreement; ESFA's accounts direction for colleges; AoC senior staff remuneration guidance; ESFA's post 16 audit code of practice).

8.3. The local sixth forms are still developing their curricula for the future. The College continues to monitor this as it has the potential to impact the College's numbers.

8.4. The College is still anticipating an Ofsted Monitoring Visit before Christmas. Governors asked if, being remote, the Clacton Campus was a potential vulnerable area in terms of a positive outcome. It was acknowledged that in previous inspections Inspectors were not excited by what they saw at Clacton. There is now a clearer intent. The College's role in Clacton is to deliver programmes designed to improve employability in general and to meet the needs of the growing construction sector.. The College does this well, but leaders are looking at whether this is financially viable in the longer term.

8.5. It was noted that Richard Wainwright had been elected as Chair of the Remuneration and Search Committee, replacing the Corporation Chair who now a member but not chair of the Committee. This is in line with the requirements of the Senior Staff Remuneration Code.

9. **Targets 2018/19 and 2019/20**

CIC/19/4/6, College Targets 2019/20 – and updated performance 2018/19, was received and presented by the Principal. The paper has evolved over the last two years and at the request of a Governor now includes national benchmarks where available. In most cases the benchmark data was for 2017/18 because the 2018/19 data was not available yet. Actual results for 2018/19 had been added where available. Some results are not available until later in the year because they are provided to the College from various sources, and can't easily be produced internally. Governors noted a good performance against targets in many areas in 2018/19.

Governors questioned if the targets for English and maths (percentage of Grade 3 students gaining a Grade 4) in 2019/20 were realistic, given they are above the targets for 2018/19, which were not achieved. The targets had been set before the results for 2018/19 were known, and are challenging. The College Executive were disappointed that the results in English and maths were not slightly higher than were. English and maths for 16-18 students is still the weakest area and more needs to be done to improve those outcomes.

Governors noted that the apprenticeship success rate was down on the previous year and asked the reasons for this. The College is disappointed that there has been a dip in success rates, but there are some mitigating factors. Retention has had an impact, as has the change from frameworks to Standards. A number of learners who were due to finish by July 2019 did not take the End Point Assessment until the August/Sept/October, so they rolled over into the next year, reducing success rates. It is believed that this is a national issue, and the Funding Body will be producing a shadow performance table at the end of October to see if apprenticeship results would have been different if they had completed in year. The issue is that it is taking longer (up to five months) to get people ready for and through the End Point Assessment. Arising from the discussion it was noted that in some areas the College struggles to get sufficient high quality assessors. The Link Governor for apprenticeships expressed a view that this is because the salaries offered by the College are not competitive enough to attract applicants.

A Governor asked whether there was any robust research evidence that the new End Point Assessment process is better than the assessment methodology previously used. The College was not aware of any research being available yet. However, the College runs quite a lot of Standards, and put a number of students through the End Point Assessment. It does seem to prepare the learners well for employment. The End Point Assessment is challenging for the learners, but the employers do feel that requiring the learners to prove that they can do the job by putting them through an interview process, answering questions on their knowledge, etc is a more robust process.

Governors noted that the most recent destination data quoted in the paper were for 2016, and asked what the College was doing to collect more recent destination data, given the importance placed on the use of destination data to inform the curricula by Ofsted. It was reported that the 2016 data is the most recent formal destination data received by the College. There is always a significant time lag in analysing the data from universities, colleges and government departments. The College has a very robust process in place this year to collect actual destination data for learners who left in 2019. Currently the College has destination data for over 75% of students who left in 2019 and will be collecting further data by various means over the next few weeks, to give a comprehensive view of where students progressed to. This information will be used in planning going forward.

The Principal presented more detailed data on the final results 2019:

- The overall achievement for classroom provision (excludes apprenticeships), all ages was 88.9% compared to 81% last year and 71.7% in 2016/17.
- The overall achievement rate for 16-18 learners (8034 learning aims) was 89.4%, up 22 points on 2016/17 (67.1%).
- The overall achievement for adults (c3000 learning aims) was 87.4% compared to 84.9% last year and 83.6% in 2016/17.

The College is well above the national averages for 16-18 Study Programmes, but still below the most recent national averages for adults. This is mainly to do with the product mix. There are colleges that are no bigger than Colchester Institute, that have up to 20,000 entrants on very small qualifications of a few hours duration, delivered through a subcontractor, that have national achievement rates of 98%/99%. This inflates achievements rates in those colleges, as well as the national averages. The College could improve its achievement rates if it were to stop delivering ESOL, where there is a community need, and some programmes through the Learning Shop, and put the work through a sub-contractor, but that is not the intent of Colchester Institute. Governors agreed with this. The College performs well in some adult provision, but needs to improve in others. Success rates in part time adult accountancy programmes (70%) are comfortably above the national average for those qualifications but nonetheless bring overall achievement rates down.

Governors noted a significant improvement in 16-18 data as asked if previously weaker areas were doing better. It was confirmed that under-performing areas have improved and the gap between subject areas is closing.

The Principal presented a snapshot of Colchester Institute's performance in 2018/19 against national achievement rates 2017/18 (the most recently available data). Governors were pleased to note that the College improved its positions on the league table in a number of areas:

- All ages – up from 158th to 33rd position
- 16-18 – moved from 131st to 9th position
- Adult programmes – from 140th to 106th – this is still not where the College would like to be.

The only area of decline is in apprenticeships, but based on anecdotal evidence it is believed that there will be a fall in the national benchmarks this year.

The Board congratulated the Senior Management Team and staff generally for all the hard work they had put in over the last 12 months which resulted in a significant improvement in outcomes.

The Principal shared the key headline data from the Self-Assessment Report. Out of 33 curriculum areas, 23 have improved their position on 2017/18 outcomes, and four stayed the same. In terms of national benchmarks, 23 areas are above the most recent national average.

Pam Donnelly left the meeting for another engagement.

10. Reports from Resources Committee

The minutes of the Resources Committee meeting held on 23rd July 2019 (CIC/19/4/7) were received and noted. The minutes of the Resources Committee meeting held on 1st October 2019 (CIC/19/4/8) were received and presented by the Committee Chair, Richard Wainwright.

10.1. Management Report and Accounts

CIC/19/4/9, Management Report and Accounts July 2019 [Period 12], was received and noted. It was reported that, subject to audit, the College recorded a year end profit of £234k, which was better than expected in the Period 11 Management Report. The Principal confirmed that the auditors had been in, and she was not aware of any material changes at this stage as a result of the audit. The final accounts are being put together and will be presented to the Resources Committee on 26th November 2019.

Governors' attention was drawn to the impact on the balance sheet of an increase in the Local Government Pension Scheme liability. The liability reduced by £6m last year, improving the position of the balance. A reassessment this year, increasing the liability by £5.5m, has reversed that position. This is outside the control of the College, and does not impact on the financial ratios.

It was noted that if contracts for the sale of land at Braintree are not exchanged in November as planned, the College faces a potential shortfall in cash in February 2020. This is being closely monitored by the College Executive, and contingencies are being put in place. Progress is being made in respect of moving the telephone masts from the existing building in order to give vacant possession.

Governors' attention was drawn to the schedule of debtors and creditors. There are no areas of concern for the Board.

10.2. HR Plan 2018-19

CIC/19/4/10, HR Plan 2018-19 – Update on Progress, was received and noted.

Noting that staff wellbeing is now part of the Education Inspection Framework, Governors were surprised that wellbeing does not feature in the HR Plan. It was reported that this is an area where the College needs to step up its activity. The College has a Wellbeing Committee, chaired by the Principal, and a new set of Workplace Health Champions have been trained and will be taking

forward number of physical and mental wellbeing initiatives. A new member of staff had just joined the HR Team in the role of Learning and Development Business Partner, which responsibility for staff wellbeing as part of their remit. A focussed learning and development plan around Ofsted readiness on staff issues (CPD, staff development, performance management, and wellbeing) will be considered by the College Executive on 26 November 2019 and subsequently reported to the Resource Committee for information.

Governors asked for an update on the introduction of a new HR system and the updating of the Single Central Record (SCR). It was reported that the new HR system was currently out to tender, and moving along according to plan. The new system will not be in place until summer 2020. The College is making good progress on the SCR, and the number of outstanding DBS checks is negligible.

10.3. **Student Enrolments 2019**

The Principal gave an oral update on student enrolments 2019.

It was reported that the target for ESFA funded 16-18 learners was 3691. Last year the College had a sub contract with VLUK (85 students), but took the decision in the best interests of the College not to continue with the sub contract this year. As a result the College has been notified that its funded allocation has been reduced to 3649, but if the College over-recruits it will be paid in-year. At this stage it is not clear whether the College will over recruit. The College will incur a material reduction of up to £250k but this could be mitigated depending on numbers by December. The College recorded 3748 learners in the October return, but lost between 80 and 100 learners in the period October to December last year. The recruitment of first year students (year 11) was much better than last year, but there were fewer students progressing into years 2/3 because of the downturn in recruitment (nearly 400) last year. It is now important that the College retains these learners.

The College has enrolled 347 apprentices, with another 157 in the process of being signed up, against a full year target of 715. There are no concerns to bring to the attention of the Board at this stage.

The College has almost achieved its full time HE student target, but is behind on part time recruitment. However the College continues to recruit part time learners during the year, with two programmes due to recruit for a February start.

The College has met its internal target for students taking advance learner loans, which is better than in previous years. It is too early in the year to give a position in respect of full cost and special projects but there are no concerns at this stage.

10.4. **Property Issues**

It was reported that the College was on target to take possession of the building at the Braintree Campus by 25th October 2019. IT equipment will be installed during half term, and programmes will be moved into the new facility on a phased, prioritised, basis during the first week of term.

The construction of an additional floor on South Wing is two weeks behind schedule, but this is not a cause for concern as student can stay in their existing accommodation for the rest of the year if necessary. There are still some issues in respect of water ingress. .

11. **Reports from Remuneration and Search Committee**

The minutes of the Remuneration and Search Committee held on 23rd July 2019 (CIC/19/4/11) were received and noted. The minutes of the Remuneration and Search Committee held on 1st October 2019 (CIC/19/4/12) were received and presented by the Committee Chair Richard Wainwright.

11.1. **Membership**

The Committee had considered potential new members, and discussed the induction arrangements for new governors. It was agreed that these need to be more comprehensive than previously, including a Buddy system and opportunities to observe at meetings ahead of being appointed. This

will be taken forward by the Clerk, using feedback from new Governors on how they felt the process went.

11.2. Governance Risk Register

The Committee is looking at developing its own register of governance risk. Mark Davies agreed to look at for the next meeting.

11.3. Committee Vacancy

It was reported that is a vacancy for an Independent member on the Remuneration and Search Committee. Independent governors interested in joining the Committee were asked to contact the Chair or Clerk outside the meeting.

11.4. Board Attendance Report 2018-19

CIC/19/4/13, Board Attendance Report 2018-19, was received and noted. It was noted that Board attendance last year was similar to previous years and above the expected minimum, but needs to be better. If the College is to achieve its aspiration to be outstanding, it starts in the Boardroom and it is incumbent on Governors to contribute to the movement to excellent. There is an expectation that Governors attend as many meeting as possible. The Clerk has been asked to look at what technology is available at the College to help people be in attendance virtually.

12. Future Meetings

12.1. The next meeting of the Corporation Board is on Wednesday, 18th December 2019 at 4.30pm. It was agreed to hold the meeting at the Braintree Campus, and to give Governors the opportunity to tour the new facilities before the meeting.

12.2. Governors were invited to attend the Chair's briefing to College Management on Thursday, 19th December 2019 at 10.00am at the Sheepen Road campus.

13. Any Other Urgent Business

There were no items.

Peter Giddings left meetings

14. Membership

The Board considered the appointment of Patrick Giddings and Jasmin Patel as Independent members. The Corporation Chair outlined the background and experience of both candidates. The Board accepted the recommendation of the Remuneration and Search Committee and APPROVED the appointments of:

14.1. Patrick Giddings as an Independent member for a four year term of office with effect from 1 November 2019. It was agreed to appoint Patrick to the Resources Committee.

14.2. Jasmin Patel as an Independent member for a four year term of office with effect from 1 January 2020. It was agreed to appoint Jasmin to the Resources Committee.