

Colchester Institute Corporation

**Minutes of a Meeting of the Board  
held on 19<sup>th</sup> February 2020  
at the Sheepen Road Campus**

**Present:**

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

Patrick Giddings  
Liz Goodall  
Jasmin Patel  
Terry Smyth  
Richard Wainwright

**In Attendance:**

Maeve Borges	Vice Principal: Student Services and Support
Peter Cook	Observer
Gary Horne	Executive Vice Principal: Finance and Corporate Development
Irene Kettle	Observer
Hazel Paton	Clerk to the Governors

Peter Cook and Irene Kettle were welcomed to the meeting as observers

1. **Apologies for absence**

Apologies for absence were received from Lisa Clampin.

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

None.

3. **Minutes**

The Minutes of the meeting held on 18<sup>th</sup> December 2019 (CIC/20/1/1) were received and confirmed. The Chairman signed the minute book.

4. **Matters arising from the minutes**

None, other than on the agenda.

5. **Chair's Announcement/Action since last meeting**

- 5.1. The Board received and noted CIC/20/1/2, Report on the Application of the Seal of the Corporation.
- 5.2. The Corporation Chair and Principal signed (29/01/2020) a Provision of Apprenticeship Levy Training Framework Agreement between (1) Hertfordshire County Council, and (2) Colchester Institute.

6. **Principal's Report**

The Principal presented her written report for January/February 2020 (CIC/20/1/3).

6.1. **FE Commissioner (FEC) Diagnostic Assessment Monitoring Visit**

The Principal was pleased to report that the second monitoring visit, which took place on 12<sup>th</sup> February 2020, had a very positive outcome. The assessment had been undertaken by a Deputy FE Commissioner and an FE Adviser who commented that they did not feel that they could add value by coming back so no further monitoring visits are planned.

There was one recommendation in respect of governor involvement in the process of self-assessment. The suggestion is that it may be appropriate for some Governors to attend curriculum monitoring and apprenticeship monitoring meetings to hear the discussions that feed into the self-assessment process. The Curriculum and Quality Committee will consider how to take this recommendation forward.

The FEC Team were very complimentary about governance and the progress that had been made since the diagnostic assessment visit in December 2018. They were also complimentary about the way the College Executive had managed to bring the land sale at the Braintree Campus to a satisfactory conclusion.

## 6.2. **Local Issues**

The Principal and Pam Donnelly are both involved in two initiatives taking place in Colchester: the Towns Fund and ONE Colchester. The Towns Deal is an opportunity to secure investment through a competitive bid for Government funding. Colchester has been selected to put forward a bid; up to £25m is available if the bid is successful. The theme is collaboration, and a range of stakeholders from the public sector and businesses are involved. A credible bid has to be ready for submission to the Government in June. Some seed funding has been received which has enabled the appointment of someone to co-ordinate and run the engagement and collaboration events, which are well under way.

## 6.3. **National Performance Tables**

The first tranche of national performance tables with results for the previous year was published in January. Colchester Institute performed very well compared to other colleges. There was a notable improvement in English and maths progress scores, bringing the College close to the most recently available national averages, but there is still room for further improvement.

## 6.4. **UCC Validation Events**

The College has successfully validated new Honours Degrees in Health, Psychology and Social Studies and Computer Games with 3D Animation and Modelling.

## 6.5. **Key Performance Indicators**

Progress as at 6<sup>th</sup> February 2020 against selected high level performance targets approved by the Corporation Board in July 2019 was noted. In most cases progress was good. The target for HE enrolments will not be achieved and the forecast outturn position has been reduced to reflect this. The forecast outturns on PDR (Performance Development Review) completions and staff turnover had both been increased

## 7. **Risk Management**

### 7.1. **Corporate Risk Register**

CIC/20/1/4, Corporate Risk Register (Strategic Risks) last updated 10 February 2020, was received and presented by the Executive Vice Principal: Finance and Corporate Development.

A poor outcome from external quality review (QAA, Ofsted, ITE, Other) has moved to the top of the register following the downgrading of the risks associated with the Braintree masterplan. The inherent risk evaluation for this key risk will be reviewed once the report on the QAA Review held in November 2019 is received. The focus of the task and finish actions are now largely around apprenticeships.

Governors asked what the specific risks were in respect of apprenticeships. It was reported that the focus was on two areas:

- (i) ensuring that the paperwork is in order in the event of an ESFA (Education and Skills Funding Agency) audit of apprenticeships, and that the College is able to upload to the ILR return (and evidence) the exact number of hours each apprentice is doing off the job; and
- (ii) improving achievement rates. Apprenticeships achievement rates under the new Frameworks are not as high as they were under Standards because it is more difficult to get learners through the End Point Assessment.

The Chair reported that the FEC Team had expressed concerns about the College's assumptions in respect of the apprenticeship levy and non-levy funding. It was reported that the College has increased apprenticeship provision over the last ten years from 150 starts to 700 starts last year and is looking to continue this upward trajectory to meet the needs of local employers. Given the Government has put a hold on the non-levy funding allocation the College will have to grow its levy provision in order to achieve higher income targets in the future. The forward plan assumes the levy income will grow by 15% and that the non-levy allocation will probably shrink. Given the local area largely comprises small companies, the College has to look further afield and is currently working with larger levy paying employers in Norwich, Hertfordshire and London, bringing it into competition with other colleges.

Arising from the discussion it was noted that the BBC had reported the previous day that unused levy funding was now being passed back to the Government and will be used to fund non-levy payers.

## 7.2. **Governance Risk Register**

CIC/20/1/5, Governance Risk Register, was received and accepted. The Chair of the Audit and Compliance Committee, who was instrumental in bringing this item forward, presented the register, outlining the key risks, current controls and mitigating actions, and planned actions. Some of the risks identified in the register reflected comments in the most recent letter from the FE Commissioner (6 February 2020) to chairs and principals of Further Education and sixth form college corporations on the main causes of problems in colleges in Formal Intervention. This is the first time risks specific to the Board have been articulated and Governors were invited to comment and add to the document so that it becomes a living document that supports the move from good to excellent. The Governance risk register will become part of the College risk management process and feed into the overall Corporate Risk Register. The governance risk register will be reviewed at each meeting of the Remuneration and Search Committee.

## 8. **Reports from Committees**

### 8.1. **Curriculum and Quality Committee**

In the absence of the Committee Chair the Principal gave an oral report on the main items considered by the Curriculum and Quality Committee at its meeting on 29<sup>th</sup> January 2020.

#### 8.1.1. **Ofsted Monitoring Visit**

The Committee had considered the Ofsted Monitoring Visit report, and were particularly interested in what the College was doing to address two issues identified as areas for improvement.

One of the issues identified was that staff are not good at correcting learners' written English, particularly in Construction areas. Ofsted were of the view that in some cases this is to do with the confidence or ability of the teachers themselves to identify and correct errors in students' written work. The College has identified some actions around adopting core competencies to address this.

The other action is around how well teachers communicate with students the options available to them at the end of their programme. This was a theme throughout the two day visit. Inspectors were interested in how well students were able to understand and articulate the way in which the activities they are engaged with in the classroom will lead

into future learning and support them in achieving and succeeding in their destination. The Central Careers Service is working with staff across the College on this area.

#### 8.1.2. **Current Performance including in year Progress**

The Committee had received written updates on current performance for each of the four provision types (Education Programmes for Young People; Adult Learning Programmes; Apprenticeships; and Vulnerable Learners).

For all indicators (retention, attendance, progress) current performance on Education Programmes for Young People (the largest area of provisions) is as good as or better than at the same point last year.

The Committee had been interested to learn what the College was doing differently this year in respect of English and maths. The work last year to move students from a Grade 3 to 4 had been successful therefore this work has been expanded to a larger group of students this year. The students that will benefit the most from this activity have been identified and participation will be on a mandatory rather than voluntary basis.

Changes to the curriculum and other interventions, particularly around ESOL, are supporting improvements in learning outcomes for Adult Learning Programmes.

There is only one category of vulnerable learner (students who had previously been in care) where predicted achievements rates are lower than the predicted achievement rates for the College overall. The number of students in this group is small (seven learners). Governors welcomed the much closer monitoring of vulnerable groups and the work that goes into enhancing their performance and asked to hear more about the support they receive, particularly care leavers, at a future meeting. It was agreed to schedule this as a pre-Board briefing.

#### 8.1.3. **Teaching and Learning Observations**

The mid-year PDR (Performance Development Review) process for teaching staff has a key focus on teaching and learning. Depending on what was identified in the initial PDR and observation in the autumn term Area Heads have been invited to carry out a second observation to see whether actions and development activities are having an impact. This is the first time that a second round of observations has been carried out in year. In some cases staff are being asked to self-assess and in others, if the kind of development undertaken can be evaluated, a second observation is taking place.

#### 8.1.4. **Student Survey**

The window for completion of the Teaching and Learning Survey 2019-20 had just closed so limited information was available for the Committee meeting. The number of students completing the survey (about 3000) was similar to the previous year. Two questions received slightly lower scores than in the prior year, but were still 90%+. The Committee will receive a full analysis at its next meeting

#### 8.1.5. **Progress against Post Inspection Action Plan**

CIC/20/1/7, Update on Progress against Post Inspection Action Plan 19/20, was received and noted.

#### 8.1.6. **Annual Report to the Board**

CIC/20/1/8, Curriculum and Quality Committee Annual Report to the Board 2018-19, was received and noted.

## 8.2. Resources Committee

CIC/20/1/9, Minutes of the Resources Committee meeting held on 23<sup>rd</sup> January 2020, was received and presented by the Committee Chair Richard Wainwright.

### 8.2.1. Sickness Absence

Governors' attention was drawn to the level of staff sickness, which is higher than the sector average, the cost to the College, and the level of absence due to stress or for reasons that could be stress related. The Principal reported that it appears that the majority of the stress related absence involves a small number of staff who have been off for a very long time and the College needs to look at whether it is doing enough through the occupational health service to help these staff get back to work. The Senior Leadership Team will be looking at the data at a meeting scheduled for the following week and agreeing action plans.

The Resources Committee had focussed on the reasons for absence. There are a large number of categories which a Manager can select from. As well as stress and mental health, options include virus and chest infections etc which are known to be associated with poor mental health. Work is needed to understand the core data. Governors were mindful that staff may not be willing to acknowledge that they have been off work because of stress and might put forward another reason for absence, and discussed how the College could cultivate a culture where this type of problem is openly discussed. It was suggested that the College looks at best practice elsewhere.

It was noted that the new Education Inspection Framework has a greater focus on staff (staff wellbeing and support and staff development) than previous inspection frameworks and Inspectors may use sickness absence data in drawing conclusions.

Governors asked if there was any pattern in the absence data, such as staff in the same role. There were no particular trends emerging from the data looked at so far. Absences are across teaching and support roles and at different levels of seniority.

Governors asked about staff wellbeing initiatives. The College has signed up to the AoC (Association of Colleges) Wellbeing Charter and is working with Essex County Council and PROVIDE. Workplace Health Champions have been trained in both physical and mental health and sessions have been delivered on stress management. The recently appointed Learning and Development Manager has a keen interest in this area and is driving forward initiatives. The Wellbeing Group, chaired by the Principal, also meets regularly.

A Governor asked if there was any benefit in having a champion for mental health issues on the Board. It was agreed to consider this further.

It was reported that the Internal Audit Service had carried out a review of mental health and wellbeing at the College and their findings would be considered by the Audit and Compliance at its next meeting. This might inform future discussion.

### 8.2.2. HR and Payroll Systems Replacement

It was reported that the College Executive had not proceeded with the purchase of the new HR and Payroll System due to further cost escalation. The College is looking at other options including an upgrade to the existing system.

### 8.2.3. Management Report and Accounts– December 2019 [Period 5]

CIC/20/1/10, Management Report and Accounts – December 2019 [Period 5], was received and presented by the Executive Vice Principal: Finance and Corporate Development. Governors were reminded that the College suffered a £100k reduction in the full year forecast position in December 2018, and a similar trend is appearing this year. A number of

cost pressures are coming through and the College is struggling to reach its target on some income lines. HE part time income is £300k below target, which has been offset by increased HE sub-contracting income. In December 2018 the College benefited from £0.5m savings on the salary lines as a result of recruitment drift. Those savings are not being seen this year. More posts have been filled as a result of initiatives put forward by the HR Department, and there are additional costs on the agency and part time hourly paid staff lines. The Senior Leadership Team is look at actions to ensure that the year-end budgeted position is achieved.

The main risk to the cash flow has reduced following the exchange of relocation agreements with both mobile phone mast providers at the Braintree Campus. This enabled a further instalment (50%) of the purchase price to be received in January. Arrangements are in place for the second mast to be removed by 28<sup>th</sup> February 2020 (the satisfaction date). The balance of the purchase price (£945k) will then become payable in the first week of March. It was confirmed that although the Whitehall Finance Facility is available to the College, subject to prior approval of the Board, it is not included in the cash forecast.

The schedule of aged debtors and creditors was considered. There were no concerns to bring to the attention of the Board. All invoices are being paid with the agreed terms.

#### 8.2.4. **Update on Capital Projects**

It was reported that the new building at the Braintree Campus was officially opened on 20<sup>th</sup> January 2020. The College still retains part of B Block (connected to the NHS Surgery) Recommendations for the future of B Block will be brought to the Board in due course.

The scaffolding around South Wing at the Colchester Campus will be dismantled by Easter with occupation of the new floor planned for April.

#### 8.2.5. **Lennartz Appeal Hearing**

The Appeal was heard in the Upper Tier tribunal on 28<sup>th</sup> and 29<sup>th</sup> January 2020 and the outcome is expected to be known by early March. The QC representing the College was very optimistic of a positive result. The College could potentially receive a VAT refund of up to £2m if the appeal is successful.

### 8.3. **Remuneration and Search Committee**

CIC/20/1/11, Minutes of the Remuneration and Search Committee meeting held on 29<sup>th</sup> January 2020, was received and presented by the Committee Chair Richard Wainwright.

The Committee has approved a new induction programme for Governors, which will be circulated to all Board members. It has also been agreed that Richard Wainwright will act as a 'buddy' or mentor for all newly appointed Governors. The purpose of the role is to act as a point of contact and sounding board for newly appointed Governors and supplement the advice and support provided by the Clerk and the Chair.

Irene Kettle left the meeting for another appointment

### 9. **Date of Next Meetings**

The next meeting of the Corporation Board is on Wednesday, 29<sup>th</sup> April 2020 at 10.00am. The meeting will be preceded with a board briefing at 9.30am and followed by lunch in the Balkerne Room.

## 10. **Any Other Urgent Business**

### 10.1. **Raising Awareness of the Work of the Corporation Board**

The Chair reported that he had asked the support staff Governor to undertake some research on staff expectations in respect of Governors. Feedback suggests that there is a general lack of awareness amongst staff about what Governors actually do. It was therefore suggested that the Clerk sends out occasional emails to update staff on what the Board is doing and how Governors are contributing to the College. Governors welcomed the idea of communicating with staff, but felt that staff were unlikely to read an email. It was agreed that short YouTube clips of a Governor taking about their background and the contribution they bring to the Board would have more of an impact. This could be developed as a student project.

A Member asked about Governor participation in staff meetings. The Corporation Chair meets annually with members of the College Management Group to update them on what the Board has done over the previous year and looking forward. The Corporation Chair is also involved in the Wellbeing Day at which employee achievements are recognised, but does not talk about governance matters.

Peter Cook left the meeting

## 11. **Board Appointments**

The Corporation Chair outlined the background and experience of three individuals who were being recommended for appointment by the Remuneration and Search Committee. It was agreed to appoint:

- 11.1. Irene Kettle as an Independent Member and member of the Audit and Compliance Committee for a four year term of office with effect from 20 February 2020.
- 11.2. Peter Cook as an Independent Member and member of the Resources Committee for a four year term of office with effect from 19 February 2020.
- 11.3. Steve Blake as a co-opted member of the Resources Committee for a four year term of office with effect from 20 February 2020.