

Colchester Institute Corporation

**Minutes of a Meeting of the Corporation Board
held on 14th December 2023
at the Colchester Campus and on Teams**

Present:

Kevin Prince, *in the Chair*
Alison Andreas
Stephanie Bettinson
Lisa Blake
Peter Cook
Chris Donovan

Irene Kettle
Brenda Rich
Benjamin Smith
Dawn Swainson
Tim Triffitt
Caroline Williams

In Attendance:

Maeve Borges
Gary Horne
Hazel Paton

Vice Principal: Student and Information Services
Deputy Chief Executive
Clerk to the Governors

Observers

Simon Attwood
Marco Iciek
Sally Messenger

Pre Board Briefing

The Meeting was preceded with a Board briefing on Employer Engagement and Stakeholder Informed Curriculum. The Principal introduced the item, explaining why this is important, what is done centrally, and what is tracked at course and area level. Five Departmental Heads then gave the Board a brief overview of what they do in their curriculum delivery area.

- (i) Christopher Coe, Head of Wood Occupations and Associated Trades, summarised what had been done in his area so far. This included:
- Asking key employers to review all the work booklets and to help design all new tasks to be more lifelike.
 - Asking employers to look at skills and behaviours including time keeping. Employers have put up posters in workshops setting out what they are looking for in their employees. These are reviewed termly.
 - Involving employers in setting and marking tasks. The contextualisation of real-world jobs is beneficial to the learners and coming in to talk to the students helps employers track the skills, knowledge and behaviours in their future workforce.
 - Skills Build competition – three students entered last year.
 - Guest lecturers
 - Volunteering projects
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- (ii) Aaron Parkes, Head of Professional Apprenticeships, reported that:
- For older apprenticeship standards which had not been reviewed for some time, employers had been asked if the knowledge, skills and behaviours were still those needed by their employees. This feedback was invaluable because a lot of new skills and behaviours were needed, particularly at lower levels in Customer Service and Administration. That feedback has been integrated into the current offer.

- There was a lot of early stakeholder engagement before starting a Level 5 Operations Manager apprenticeship at Norfolk County Council. The delivery needed to be adapted because the employer wanted to focus on hybrid working and wanted a greater focus on coaching and mentoring as part of their strategic plan.
 - ESNEFT (East Suffolk and North Essex NHS Foundation Trust) was looking to introduce a coaching culture within its organisation and approached the College to find out how they could deliver that. ESNEFT wanted to focus on the underpinning knowledge of coaching and mentoring to take into the workplace. The employer also came in to do guest sessions.
 - The SNEE (Suffolk and North East Essex) Integrated Care System could not recruit into GP surgeries. A training programme was developed to develop existing staff and recruit people. To address a skills gap in how to provide a service in patient care additional units such as medical administration were added to the programme.
- (iii) Iain Jacobs, Business Delivery Manager, Construction and Engineering, reported that:
- the College had been working with the Port of Felixstowe and Tesco for the last twelve months. The programmes had been designed to meet the employer's needs, with the employer deciding the units and modules they wanted to take from Level 3 through to Level 6. This led to shared resources which were given to the College for their training, feeding into full time learner courses.
 - The College has been able to offer new things as a result of this investment. Examples of the new technologies the College had been asked to incorporate into its delivery were noted.
 - The information that the lecturers bring back is fed into the team, and the team change their delivery based on that feedback.
 - Employers are asking the College to do more things to support learners at a lower level and deliver things outside the apprenticeship standard.
- (iv) Ian Minor, Head of Engineering, Manufacturing and Construction, provided examples of stakeholder engagement in his area. This included:
- Long conversations with employers about the basic skills that students need.
 - Employers now developing stretch and challenge.
 - Full time students going on to an apprenticeship with the Port of Felixstowe as a direct result of feedback from employers.
 - Market place event where employers go the classes and then meet with students. While the employers are at the College they are taken round the workshops to see if the equipment is reflective of the workplace.
 - Involvement in skills competitions
 - Speaking to employers about awards for students at the end of the year.
- (v) Suzanne Kinsey, Head of Health and Social Care, Science and ESOL reported that:
- Health and Social Care has a really good relationship with ESNEFT.
 - A lecturer from UEA, who was also on the admission board for social work, came in last July to talk about the skills needs for going to an HE provider.
 - Assignment briefs have been adapted. ESNEFT were providing information for case studies.
 - Staff had been sent to St Helena Hospice for training on end of life palliative care
 - An oral health campaign for care home managers had been held, with presentations from the College's dental nurses.
 - Following a dental employer event this year a new cohort was starting in February 2024 to meet the employer need for a mid year start.
 - Science is a hard area to get students into the workplace and get student visits. Examples of the focus this term, and visits that had taken place were noted. The science cohort is small with c100 students.

Arising from the discussion:

- Governors commented on the passion and enthusiasm of the Area Heads which came through from everyone and welcomed the constant evolution and continuous improvement.
- A Governor asked if these events would come up on the College's social media, and recommended keeping a record for the next Inspection.
- In response to a question on what the Board could do to help the response was anything where they can do volunteering work for the students. An example was given of getting an accountant to come in to talk to the students about doing their own tax returns. The Head of Professional Apprenticeships said they were trying to bring in more outside speakers to share their experiences at senior level with Level 7 HR and Management students and would welcome help with that.
- It was reported that when employers ask what we want of them they are told that we want real tasks and for the employer to come in and assess – that is what is meaningful for the students.

The Area Heads were thanked for their presentation.

Simon Attwood, Marco Iciek, Sally Messenger, Benjamin Smith and Tim Triffitt were welcomed to the meeting.

1. **Apologies for absence**

Apologies for absence were received from Richard Block, Thomas Empson and Jasmin Patel.

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

None.

3. **Agreement to Starred Agenda Items**

Governors were invited to indicate any items which they wished to star for discussion or question. Items that had not been starred were noted and/or approved without discussion.

4. **Membership Matters**

The Board APPROVED the appointments of:

- 4.1. Tim Triffitt as a Student Governor, nominated and elected by the further education students, for a term of office 14.12.23 to 31.07.25.
- 4.2. Benjamin Smith as a Student Governor, nominated and elected by the higher education students, for a term of office 14.12.23 to 31.07.25.

5. **Minutes**

The Minutes of the meeting held on 5th October 2023 (CIC/23/7/1) were received and approved as an accurate record. The Chair signed the minute book.

6. **Action Sheet and Matters arising from the Minutes**

CIC/23/7/2, Corporation Board Action Sheet, was received and noted.

7. **Report and Financial Statements 31 July 2023**

7.1. **Report and Financial Statements**

CIC/23/7/3, Report and Financial Statements Year Ended 31 July 2023, was received and presented by the Deputy Chief Executive.

Governors' attention was drawn to the Statement of Income and Expenditure and the £447k operating deficit for the year. As forecast and reported during the year, this was largely due to a reduction in HE income and the cost pressures associated with higher inflation, particularly energy costs. The College had achieved Financial Health grade Good in the prior two years and needed a surplus in excess of £300k to retain Good Financial Health in 2022/23. A restructuring process during the year meant the

College started 2023-24 with lower staff costs. A higher FE funding allocation had also been received this year.

It was reported that the College had generated c£1m from operating activity during the year prior to capital expenditure. Cash in the bank at the end of July was £3m.

It was reported that the Report and Financial Statements had been considered in detail by the Finance and Resources and Audit and Risk Committees and were recommended for approval. As a result of feedback from the Audit and Risk Committee the narrative had been updated to make it more positive about what the College had delivered during the year.

The Board APPROVED the Report and Financial Statements Year Ended 31 July 2023.

7.2. Letter of Representation

CIC/23/7/4, Letter of Representation, was received, considered and APPROVED. The Chair and Principal and Chief Executive were authorised to sign the Letter of Representation on behalf of the Board.

7.3. Audit Findings Report

CIC/23/7/5, External Auditor's Audit Findings Report to the Audit and Risk Committee, was received and noted. The Chair of the Audit and Risk Committee reported that the Committee had been pleased to receive the report, which gave the College a clean bill of health. There had been an opportunity to question the External Auditor in the meeting, and in private without senior management present, and there was nothing of concern to bring to the attention of the Board.

A Member noted that three audit risks in the risk matrix had been identified as significant and asked if that was a generic risk rating or specific to Colchester Institute. It was reported that that was the auditor's perceived risk and did not change from the audit planning letter. Governors were reminded that this was the first year of the external audit engagement, and the External Auditors had a different perspective to risk than the previous auditors, who had been in post since Incorporation in 1993. The Chair of the Audit and Risk Committee reported that there is a presumption in the auditing Standards that fraud risk in revenue recognition and management override are significant fraud risks and those risks will be included for every organisation every year. Related Party Transactions is an area of sensitivity which the Auditors would be expected to look at.

7.4. Report on Going Concern

CIC/23/7/6, Report on Going Concern produced for the Audit and Risk Committee and the External Auditors, was received and considered. The Deputy Chief Executive summarised the key points, drawing the Board's attention to the current year performance at Period 3 (October 2023) and the projected full year forecast surplus of £187k, which would bring the College back to Good Financial Health and give headroom on the two loan covenants of over £1m. Governors' attention was also drawn to the pre-budget forecast for the following year and modelling within the paper which shows Colchester Institute is a going concern.

8. Chair's Action/Announcement

8.1. CIC/23/7/7, Application of the Seal of the Corporation, was received and noted.

8.2. The Chair reported that he had been involved in the University of East Anglia (UEA) Institutional Revalidation meetings earlier that week and congratulated HE staff on the positive feedback that had been received from UEA.

8.3. The Chair reported that he had attended the Leading from the Middle programme feedback sessions earlier that week. The Chair commented on the enthusiasm of the 12 middle managers whose presentations he had seen and said that the presentations were excellent.

8.4. It was reported that the Clerk to the Governors had tendered her resignation and would be leaving the College at Easter. An advert for her replacement would go out before Christmas.

9. **Strategic Plan – One Year Action Plan**

9.1. **Update on Strategic Plan One Year Action Plan**

CIC/23/7/8, Update on Strategic Plan Goals – November/December 2023, was received and presented by the Principal. It was reported that six of the ten Goals had been reviewed by the Curriculum and Quality Committee in November, and the remaining four by the Finance and Resources Committee in December. The Goals had been written three years ago, and the paper gave an indication of the likelihood of each success indicator being achieved by the end of the period of the Plan in summer 2024. It was reported that the College was closer to achieving the finance and resources indicators than the curriculum indicators, which were based on pre-Covid performance and had been set before the extent of the impact of Covid on educational outcomes was known.

Governors noted the revised achievement rate for FE students and asked if the new targets had been built into the budget forecast for the current year. It was confirmed that this projected achievement had been taken into account when the budget was set.

Governors noted that the success indicator of an increase in enrolments at the Braintree campus had not been achieved and were advised that the Braintree campus could be discussed at the strategic planning day.

9.2. **Special Focus on Goal 8 (Braintree campus)**

CIC/23/7/9, Strategic Plan – Deep Dive into Goal 8, was received and presented by the Principal. The three success indicators had been rag-rated. In relation to the likelihood of being achieved by July 2024, the most concerning of the success indicators was student enrolments. The Principal reported that the College was getting closer to the target of 25% of all enrolments being adults, but it was disappointing that it had not managed an 11% increase in learner numbers each year.

It was reported that a secondary school eleven miles from the campus was consulting on a significant expansion to its sixth form. The College needs to be offering the programmes that local schools cannot offer, rather than more classroom-based programmes. Enrolments at the campus were increasing in Carpentry and Joinery, Brickwork, Electrical and Digital Media. It was reported that the College has very good relationships with local engineering employers. The challenge was in finding the students.

This would be considered further at the Strategic Planning Day.

10. **Report from the Curriculum and Quality Committee**

The Chair of the Curriculum and Quality Committee presented her written report (CIC/23/7/12).

10.1.1. **Self-Assessment Report 2022-23 and Quality Improvement Plan 2023-24**

CIC/23/7/13, Self-Assessment Report (SAR) 2022-23 and Quality Improvement Plan (QIP) 2023-24, was received and considered. The Chair of the Curriculum and Quality Committee highlighted the areas which had been picked up by the Committee and which she was pleased to see had been addressed in the SAR/QIP.

The Board APPROVED the Self-Assessment Report 2022-23 and Quality Improvement Plan 2023-24.

10.1.2. **Policy Review**

It was reported that the Curriculum and Quality Committee had approved:

- UCC Student Protection Plan 2023-24

- UCC Quality Assurance Policy
- Criminal Conviction and DBS policy
- For recommendation to the Board, Freedom of Speech Code of Practice and External Speakers Protocol.

CIC/23/7/14, Freedom of Speech Code of Practice and External Speakers Protocol, was received, considered and APPROVED.

10.1.3. **Teaching Excellence Framework**

It was reported that the Committee had been disappointed to learn that Colchester Institute had been graded as Requires Improvement having previously been graded Silver for the Teaching Excellence Framework (TEF) but had accepted the explanations of the Senior Leadership. The Principal reported that the TEF quality mark was not well named, because it focussed on many aspects of the student experience and student outcomes rather than teaching excellence. Every HE provider with more than 500 students that qualify goes through the TEF at the same time. Most of the judgements were made on the basis of data collected between 2015 and 2021. During that time Colchester Institute had quite a large subcontract arrangement with a national provider for Higher Nationals in Business and Management. The sub-contractor was a widening participation provider that did not have outstanding achievement rates because a lot of its students moved away or returned home during their time with them. After two years the College took the decision to move away from the arrangement because of concerns about quality aspects. The data from those students, which was statistically significant, impacted the TEF outcome. The outcome was also impacted by some significant resourcing concerns that had been raised by students in their feedback, including following the cyber-attack, and also around the resources available to them for engineering programmes. These have since been addressed. It was reported that under the TEF assessment it is very difficult to get above Requires Improvement if results are two points below the national average. Colchester Institute was 16 points below for resources, and was too far from the national average for one or two other aspects.

It was reported that the Curriculum and Quality Committee had also received a paper on the National Student Survey (NSS) results 2023, which showed a significant improvement on the previous year for six of the seven areas that students assessed. Unfortunately the TEF reflects an historical picture, not the much better recent results, and there will not be an opportunity to get a revised grading until 2027. The impact on student recruitment was not thought to be an issue as students at Colchester Institute wish to study locally.

It was reported that the Committee can see an improving picture and the recommendations provided by Leaders would drive that improvement. The TEF outcome had been discussed during the institutional revalidation and addressed very quickly.

Caroline Williams left the meeting

11. **Safeguarding**

11.1. **Safeguarding Report**

CIC/23/7/10, Safeguarding Report, was received and presented by the Vice Principal: Student and Information Services. For the benefit of new Governors, the Vice Principal explained that the report discusses what Colchester Institute does to meet its statutory responsibilities as a College, particularly around recruiting staff, to ensure it is a safe study space for everyone.

It was reported that one of the key areas of concern at the Curriculum and Quality Committee was the data showing that the College was not currently meeting its targets for mandatory staff training. The Vice Principal reported that there had been a significant push to improve compliance rates following that meeting and that the College was now meeting its targets. It was reported that it was very

difficult to achieve 100% because of the lag with new staff. Also, one of the training providers only provides the College with a monthly report on compliance. A similar push to get staff to confirm that they had read and understand 'Keeping Children Safe in Education' had also increased compliance levels. It was reported that there would be dedicated time for all staff, regardless of their role, to undertake mandatory training during the Learning and Development Day on 2nd January 2024. The new Learning and Development Officer, due to start in January, would maintain the momentum on training.

Governors questioned the one-month delay in the reporting of training compliance. It was reported that this was in respect of the additional training through an external online provider. HR colleagues had been pushing for more regular updates but it was not something that could be provided. This would be reviewed at contract renewal.

It was reported that the main themes for student safeguarding were around supporting students with their mental health and wellbeing, potential self-harm, bullying and harassment, and sexual abuse.

It was reported that the Safeguarding and Wellbeing Team was currently short of staff. Interviews were being held the following week for a new post in the Team.

The Corporation Chair was aware that the College Leadership and Management Group had been reminded of the importance of new staff appointments going through the right procedure before they can teach and asked if there were any concerns in this area. The Vice Principal confirmed that this was not a big area of concern. All managers were being retrained on their responsibilities under safer recruitment. About 90% of managers had been trained to date, and at least one person on every interview panel has to have had training. There are always pressures, particularly for staff in a delivery role, but no person can start until at least one of the two references and an enhanced DBS or a risk assessment has been received.

11.2. **Safeguarding Policy**

CIC/23/7/11, Safeguarding Policy, was received, considered and APPROVED. It was reported that the policy is updated annually to reflect changes in Keeping Children Safe in Education, which is updated annually. The updates this year were minor, mostly changes to titles and adjusting the order in the policy. There was nothing significant to bring to the attention of the Board.

12. **Reports from Committees**

12.1. **Audit and Risk Committee**

The Chair of the Audit and Risk Committee gave an oral report on the Committee meeting held on 5th December 2023. It was reported that the Committee had:

- Received the Report and Financial Statements and the External Auditors report on the accounts. The Committee had acknowledged that despite the financial performance reported being a deficit there were no surprises, and the outturn was as had been forecast and reported to the Board, indicating effective governance.
- Provided feedback on the annual report, which they felt was focussed more on the College's challenges than its achievements. The Chair was pleased to see that these had been addressed in the accounts approved by the Board.
- Received an Internal Audit follow up on the review of recruitment and training, which had received a limited assurance opinion. The Committee had been pleased to note that the Executive had responded very quickly and that all the recommendations had been addressed.
- Received and accepted an updated Internal Plan 2023/24. The Committee had previously requested a review of the student experience, which had now been incorporated into the plan.
- Approved the Value for Money Policy and the Fraud Policy. It had also reviewed the scheme of delegation for the approval of policies and, subject to bringing the CCTV Policy to the Audit and Risk Committee, were recommending it for approval.

- Held private discussions with the auditors. No concerns had been raised and the Committee was pleased to note that a good relationship has been established with the new auditors. The Internal Auditor reported that they continue to enjoy effective relationships with the College.

The Board received and noted:

- CIC/23/7/16, Internal Audit Annual Report 2022-23
- CIC/23/7/17, Audit and Risk Committee Annual Report to the Board 2022-23
- Regularity Self-Assessment
- Health and Safety Committee Annual Report

Tim Triffitt left the meeting

12.2. Finance and Resources Committee

12.2.1. Report from Committee Chair

CIC/23/7/20, Report from the Chair of the Finance and Resources Committee on the meeting held on 4th December 2023, was received and noted.

12.2.2. Monthly Management Report

CIC/23/7/2, Management Report and Accounts October 2023 [Period 3], was received and noted.

12.2.3. Update on Property Matters

The Deputy Chief Executive gave an oral update on property matters. It was reported that the focus was still on spending the capital transformation funding provided last year over a three year period to update the condition of the campus. A schedule of work which includes upgrades to the fire alarms, fire door replacements, and some internal refurbishment in B Block, was going through the procurement phase.

A Governor asked for further information on the Statement on Modern Slavery and Human Trafficking, which had been approved by the Committee. It was reported that there is a statutory requirement for the Statement to be updated annually and posted on the website within six months of the financial year end. Except for minor changes to reflect changes to titles, the statement for year end 31 July 2023 was the same as the previous year. It is a statement of how the College takes steps to ensure that there is no modern slavery or human trafficking in its own business and its supply chains.

12.3. Governance, Remuneration and Search Committee

The Chair of the Governance, Remuneration and Search Committee gave an oral report on the Committee meeting held on 29th November 2023.

12.3.1. Governance Self-Assessment 2022-23

CIC/23/7/25, Governance Self-Assessment 2022-23, was received and approved.

12.3.2. Code of Good Governance for English Colleges

CIC/23/7/26, Code of Good Governance for English Colleges - assessment of compliance 2022-23, was received and noted.

12.3.3. Annual Report to the Board

CIC/23/7/27, Governance, Remuneration and Search Committee Annual Report 2022-23, was received and noted. The focus of the Committee in the previous year had been on succession planning.

13. Review of scheme of delegation – approval of policies

CIC/23/7/28, Review of scheme of delegation – approval of policies, was received and APPROVED.

14. **Review of Effectiveness of Meeting**

The effectiveness of the meeting was discussed. It was agreed that the papers were much more succinct, but there were still too many.

15. **Date of Next Meeting**

Thursday, 29th February 2024 at 4.30pm at the Colchester Campus. The meeting will be preceded with a Board briefing at 4.00pm.

16. **Any Other Urgent Business**

There were no items.

Part II

These minutes are not confidential, but the supporting papers are confidential.

Simon Attwood, Marco Iciek and Sally Messenger left the meeting.

17. **Membership Matters**

The Board received the CVs for prospective Board/Co-opted members (CIC/23/7/29, 30, 31 and 32) and on the recommendation of the Governance, Remuneration and Search Committee APPROVED:

17.1. The appointment of Simon Attwood as an Independent Governor for a four year term of office with effect from 01 January 2024.

17.2. The appointment of Marco Iciek as an Independent Governor for a four year term of office with effect from 01 January 2024.

17.3. The appointment of Sally Messenger as an Independent Governor for a four year term of office with effect from 01 January 2024.

17.4. The appointment of Sally Conner as a co-opted member of the Finance and Resources Committee for a four year term of office with effect from 01 January 2024.

17.5. The re-appointment of Peter Cook as an Independent Member for the period 19/02/2024 to 31/07/2024.

17.6. The re-appointment of Steve Blake as a Co-opted Member of the Finance and Resources Committee for a four year term of office with effect from 20/02/2024.

18. **Part II Minutes**

The Part II Minutes of the Special Corporation Board meeting held on 4th December 2023 (CIC/23/7/33) were received and approved as an accurate record. The Chair signed the minute book.