

THE FURTHER EDUCATION CORPORATION OF MIDDLESBROUGH COLLEGE

CONFIRMED MINUTES OF THE GOVERNING BODY MEETING OF 15 JULY 2021

PRESENT: R Davies (CG and Chair), R Anderson (CG), M Ellis (Staff Governor), M Gaze (CG), J Golightly (CG), M Laidler (CG), Z Lewis (Principal/Chief Executive), P Lynn (CG), M McClintock (CG), S Mirsalehi (CG), D Still (Staff Governor), I Wright (CG).

OFFICERS: J Chance (VP), M Coles (Interim VP), G Cumiskey (DP), Z Foster (Clerk), C Kipling (VP), K Parkinson (ED), S Marshall (ED), J Steel (VP), M Telling (Group Director Business Engagement and Partnerships).

KEY: CG College Governor EM External Member DP Deputy Principal
VP Vice Principal Clerk to the Corporation ED Executive Director

1. Apologies for Absence – R Davies

H Ashton (CG), A Coleman-Cooke (CG), C Cooney (CG), L Holdsworth (CG), S Lane (CG), P Sharp (CG), P Studd (CG).

2. Declarations of Interest – R Davies

R Anderson declared an interest should LSIPs be discussed.

3. Minutes and Appointments – R Davies

3.1 Appointment of Business Support Staff Governor – R Davies

The Governing Body **approved** the appointment of M Ellis as Staff Governor (Business Support) as of 15 July 2021 for a four-year term and that he would join the Corporate Services Committee

R Davies welcomed M Ellis (Staff Governor) to his first meeting.

3.2 Unconfirmed Minutes of Meeting of 22.03.2021

3.3 Unconfirmed Minutes of Development Meeting of 19.04.2021

3.4 Unconfirmed Minutes of Strategic Planning Meeting Part 1 of 08.05.2021

3.5 Unconfirmed Minutes of Strategic Planning Meeting Part 2 of 24.05.2021

All minutes (items 3.2-3.5) were **approved** as correct records.

4. Matters Arising – remaining actions due for confirmation in Autumn term 2021.

5. Strategic Overview

5.1 Principal/Chief Executive's Presentation - Z Lewis drew attention to key aspects of the presentation attached to the papers (which had been presented at the virtual staff conference on 9 July 2021) including:

- the strategic plan (triangle) 2021-2023
- the external environment specifically the Government led FE white paper (including new funding and accountability measures) which was currently going through the Lords
- an update on the Local Skills Improvement Plan (LSIP) bid led by the NE Chamber of Commerce which had recently been approved as a pilot for the Tees Valley.
- an update on the successful bid for the Strategic Development Fund (SDF) led by Teeswork in which the College were part of the Consortium
- Adult Education Devolution allocations which had included some growth
- College involvement in the Ofsted pilot (1 of 5 Colleges) for Curriculum Intent which would not be reported upon formally

- TTE bid update including the next phase planning
- additional updates including: financial health position and changes to the measures; applications; revenue priorities including capital investments and teaching and learning; FE sustainability road map updates; and the 2021-2025 Digital Transformation Strategy including the launch of the MC Device Strategy
- Curriculum including: ITE recently published report/action plan and national picture on recent inspections (TES article); positive validation re TTE monitoring visit; changes to leadership structure with inclusion of a Senior Leadership Teaching Team (SLTT) and additions to SLT
- Taking Teaching Higher Strategy in detail with a joint focus on CPD and a robust quality assurance system which would feed into Standards Committee. Z Lewis outlined the new underpinning evidence base and the additional strengthening of the teaching team with four new heads of Teaching and Learning and twenty-two mentors to support staff
- The five priorities for 2021-2022 were fully detailed
- One Team – including Covid guidance (Item 5.2); Employee Assistance Programme (EAP) usage; new appraisal and updated CPD for 2021-22.

5.2 Draft Covid Guidance from 19 July 2021

Z Lewis gave the background to the guidance and reasoning for early introduction.

Governors discussed the plan and were supportive of the approach though mindful that advice could change ahead of the new academic year. Further discussion included: the requirement for masks; ongoing College requirements in relation to socially distancing etc.; national guidance and implementation more widely; the views of staff and students; and ongoing flexibility within College guidance as appropriate.

The Governing Body **approved** the Covid Guidance to take effect across the College from 19 July 2021.

5.3 Strategic Plan including KPI Update

J Chance gave a brief update on all KPIs and updated the Committee on the National Student Survey (HE). He alerted governors to the addition of more detailed destination data to 2021-22 KPIs.

6. Student Experience

6.1 Standards Recommendations – M Gaze reported that there were no formal recommendations to be brought to the Governing Body from the meeting of 17 May 2021 and she gave a brief overview of that meeting.

M Gaze gave a verbal update from the meeting of 12 July 2021 which had included: ITE inspection update and action planning; improved granular destination data; Apprenticeships; and the recent TTE monitoring visit outcome.

6.2 Curriculum Update – G Cumiskey gave a brief overview of his written report focusing on: ITE re-inspection (April 2022); an update on international future work; and an update on the qualification reform at Level 3 and the College response/planning.

6.3 Curriculum Intent 2021 – Z Lewis drew attention to key aspects of the revised document including: background and reasoning; STEM; realignment to priority sectors and mapping with provision types; and destinations (both generally, Covid related and future).

Governor questions and discussion included: Destination outcomes this year for leavers and lack of accurate local and national comparators; the importance of destinations if future funding became outcome led and the complexities of such as system and how the College might respond; the timing of destination data and tracking/comparison issues beyond that point; the local situation in relation to leavers and the College's position within that; and discussion and clarifications re outputs and outcomes.

The Governing Body **approved** the Curriculum Intent 2021 document.

6.4 QUIP Update

J Chance gave an update on the six main actions within the QUIP and confirmed those actions which would continue into the following year's QUIP (3-4 out of the 6).

6.5 Safeguarding Update – J Steel updated Governors on the current safeguarding concerns and disclosures. She also drew attention to the Ofsted Review of Sexual Abuse in Schools and Colleges and resulting update to Ofsted practice and statutory guidance which would be a key priority for the team.

6.6 Student Voice 2020-2021

R Davies congratulated the student governors on an excellent report. J Steel added that the student governors and wider Student Union team had done a good job over the year, particularly with the difficulties of lockdown.

It was confirmed that S Mudd would take on the lead student governor position for 2021-22 with a second student governor being appointed during the first half of the autumn term.

7. Corporate Updates

7.1 Corporate Services Recommendations – R Davies gave a brief review of the meeting. He drew attention to the approval given by the Committee for the further one off bonus payment to staff for July 2021 which had been delegated to the Committee by the Board on 17 December 2020.

Governors' had a detailed discussion of the borrowing interest rate preference (floating) and the underpinning rationale particularly in relation to future inflation and potential impact on financial health. It was confirmed that ongoing careful monitoring, good relations with the bank and options for flexibility remained and the Corporate Services Committee annually considered the Treasury Management report which gave a natural opportunity to review.

After consideration the Governing Body **approved:**

- the Revised Five Year Financial Plan and assumptions and the 2021 / 2022 Revenue Budget as detailed in Appendix 1 of the Plan.
- Resolution to approve the Santander Revolving Credit Facility Extension for a further period of 12 months to 31 July 2022, *[Information Redacted]*
 - Facility extension to 31 July 2022
 - Option to extend for a further period of 12 months to 31 July 2023
 - Facility reduced from £7m to £4m
 - Interest rate cost to remain at the same level, 1.6% plus margin
 - Arrangement fee of 0.25%, £10,000 (fee to be net off against future amendment or facility agreement fee)
 - Non-utilisation fee 0.25% (per existing terms)
 - The College will meet the legal fees associated with the negotiation, quoted at £4,500 plus VAT.

The Board noted that it had properly delegated the review of the final form amendment and restatement agreement, amendments to the original facilities agreement dated 27 March 2014 and the terms of the revised facilities from Santander UK plc, together with the Officer's Certificate as required by that amendment and restatement agreement, ("the Santander Documents") and the Santander Documents were presented to the Corporate Services Committee on behalf of the Board. *[Information Redacted]*

- Fees Policy 2021-22
- The list of OCP Providers for the 2021 / 2022 Academic Year subject to satisfactory due diligence.

7.2 The Five Year Financial Plan was discussed and approved under 7.1 above.

7.3 Audit and Risk Recommendations – I Wright reported briefly on the meeting and outlined the key recommendations from the Committee.

After due consideration, the Governing Body **approved**:

- The Internal Audit Strategy 2021/2022 – 2023/2024, including the Internal Audit Plan for 2021-2022
- The revised Terms of Reference for the Audit and Risk Committee (Appendix 1)
- The External Audit Strategy to 31 July 2021 (incorporating the 2020/2021 Financial Statements and the 2020/2021 Regularity Audit) and the External Audit fee, as detailed in the report.
- The Risk Management Plan 2021-22 (Appendix 2)

7.4 Management Accounts (May 2021) – C Kipling detailed the current strong financial position.

7.5 Marketing and Communications Update – J Steel drew attention to the successful Year 10 Discovery Days; gave an update on applications from the local authority and further work in schools (including transition activities) by the schools team.

7.6 Subcontractors Update – J Chance gave a summary of the progress of the College's subcontracting partners against contract values both in and out of area.

As per the Corporate Services Recommendations in 7.1 **approval was confirmed** for subcontractor provision for 2021/2022 academic year.

7.7 Health and Safety Term 2 Update – S Marshall gave an update on work within the team including Covid – testing/isolation/future plans for a continuing test centre and changes within the Health and Safety team over the summer.

Governor discussion focused on Health and Safety in light of Covid and of increased awareness, value and compliance of Health and Safety across the College.

7.8 Equality, Diversity and Inclusion End of Year Update – K Parkinson gave a brief update on the action plan which had gone to the last Equality and Diversity Committee in July.

Governors were updated on the plans for staff training on equality and diversity currently being reviewed as part of the mandatory training requirements. It was confirmed that consideration of the legal responsibilities for Governors would form part of their future training.

8. Governance

8.1 Search and Governance Recommendations

The Training Plan 2021-22 was **approved** by the Governing Body.

The future use of a link governor visit proforma was noted.

8.2 Governance Update – Z Foster gave a brief overview of governance since the last report including: use of the College Seal; terms of reference confirmation; plans to review the terms of reference early in the autumn term for use for the forthcoming academic year; sector wide governance related issues and membership, training and meeting updates.

After due consideration, the Governing Body **approved**:

- the retrospective use of the College Seal
- that Terms of Reference for the Committees have been met and fit for purpose

9. College Policies and Procedures

The following policies and procedures were presented, considered and **approved** by the Governing Body as per the annual cycle and in preparation for the academic year 2021-2022:

9.1 Disability Statement

9.2 Equal Pay Statement

9.3 Equality Statement and Policy

9.4 Health, Safety and Welfare Policy. Changes were noted within the following areas: Roles and Responsibilities, Arrangements, Appendix 1 – Allied Arrangements, Appendix 2 – Health, Safety and Welfare Committee Structure, Appendix 3 – Legal Register

9.5 Student Disciplinary Policy

9.6 Fees Policy 2021-2022

9.7 Subcontracting Fees and Charging Policy 2021-2022 – Whilst no changes had been made for 2021 / 2022, it was noted that there would be an impact from 2022-3 onwards, with subcontracting in any given funding line only being able to exceed 25% with express ESFA permission.

9.8 Subcontracting Procedures

10. Date and Time of Meetings in Term 1 2021-2022

10.1 Governing Body Strategic Planning – Tuesday 14th September 2021 1-5pm

10.2 Governing Body (Ordinary) Meeting – Monday 18th October 2021 5-8pm

10.3 Governing Body SARs Validation Meetings – Friday 5th and Monday 8th November 2021

10.4 Governing Body (Ordinary) Meeting – Thursday 16th December 2021 5-8pm

11. Matters for Publication - No restricted matters were identified

12. Any other Urgent Business

- R Davies thanked SLT and all staff at the College for their fantastic work over the past year. He also thanked all governors for their work and efforts
- R Davies thanked C Kipling for her service to the College and the Governing Body and, on behalf of the Governing Body, wished her great success at Darlington College

13. Reserved Matters – none taken

The meeting ended at 6.55pm