

**MINUTES OF THE CORPORATION MEETING 152
HELD ON 26 SEPTEMBER 2019**

Present: Paul Britton (Principal), Paul Davis, Kevin Hiron, Dina Lewis, Mark Lucid, Mark Moore, Jane Price, Steve Sellers, Phil Taylor (Vice-Chair), John Wilson (Chair), Philip Wright.

In attendance: Fiona Bagchi (Clerk to the Corporation), Jamie Davies (Assistant Principal), Chris Herring (Assistant Principal), Julie Peaks (Deputy Principal) Tony Wilmot (Director of Finance).

152.1 Apologies for absence

Apologies were received from the following Corporation members: Emma Albeck, Patrick Cavanagh, Ruth Dönmez, John Gilleard, Jackie Goodman, John Shipley.

Apologies were received from the following senior management team (SMT) members: Jenny Anderson (HR Manager).

152.2 Declaration of interests

Standing declaration from the Principal, Paul Britton: trustee of the Yorkshire & the Humber Co-operative Learning Trust (YHCLT).

Minutes & matters arising

152.3 Minutes of meeting 151 (11.7.19), incl. confidential minutes

The minutes of Corporation meeting 151 (11.7.19), including the confidential minutes, were approved.

152.4 Matters arising from the above minutes & action table

(Matters Arising, below, are numbered according to their position in the action points table appended to the end of the previous minutes. The reference to the item where the action can be found in the previous minutes is given in brackets at the end of the action).

- 1 The July 2019 Corporation meeting had appointed Jennifer Greenwood and Samuel Richards as Student members of the Corporation from 1 Sept. 2019. It was noted that the latter had informed the Clerk that he would not be taking up the appointment and the former was unable to attend the current meeting due to work commitments.
2. Jackie Goodman had been re-appointed in the ordinary Corporation member category from 2 Sept. 2019, as agreed.
- 3 Vacancies for Parent Corporation members had advertised at the new Parents and Flyers events, with 3 expressions of interest received to date.
- 4 Ruth Dönmez had been re-appointed in the ordinary Corporation member category from 1 Sept. 2019.
- 5 The May 2019 Corporation minutes had been amended, as agreed.
- 6 A report on the updating of the Corporation member forms was on the agenda.

7 College e-mail addresses would be sent to all Corporation members following resolution of a password issue.

Action: Clerk

8 Future approval of bursary & free FE meals policy statement had been delegated to the F&GP Committee from Sept. 2019. The Committee's standing agenda item list had been amended accordingly and was on the agenda.

9 Specified confidential minutes had been released from confidentiality, as agreed.

10 A report on the Venn Partnership Limited accounts was on the agenda.

11 The July 2019 Corporation meeting had agreed that a letter on the College's letterhead, signed by an authorised signatory would also need to be presented to the Venn Partnership Limited informing it of the Member/ Corporation's resolution concerning its authorised representative (i.e. John Wilson) who would attend Venn partnership Ltd AGMs/GMs/ other meetings but the authorised signatory had not been agreed.

The Corporation confirmed that the Clerk should be the authorised signatory with respect to the above letter.

Action: Clerk

12 The Director of Finance had amended a typographical error on Corporation noted that page 4 of the 2019-20 supporting budgets commentary, as agreed.

13 In addition to submitting the approved 3-year financial plan to the ESFA in July 2019, the ESFA also wanted colleges to submit an updated plan in Jan. 2020, which would be based on actual student numbers at the autumn 2019 census date. The Corporation noted that this would require an additional spring term Corporation meeting but that the Jan. 2020 deadline had yet to be confirmed.

Action: Clerk

[Confidential minute].

14 The commentary to the three-year Financial Plan for the years ending 31 July 2019 to 2021, including the financial objectives & Pls & 3-year financial plan, had been approved by the Corporation and submitted to the ESFA by the required deadline of 31 July 2019, with the following presentational amendment: the grant for TPS employer contribution costs to be netted off against staff costs.

1 *[Action from confidential minutes].*

2 *[Action from confidential minutes].*

152.5 Regular review of confidential minutes

The review of confidential minutes was deferred.

Action: Clerk

152.10 Presentation: exam results overview 2019

It was agreed that agenda item 152.10 should be considered at this point on the

agenda.

Julie Peaks (Deputy Principal) gave a presentation on examination results, which were considered. the following headline results for 2018/19 were noted.

17-19	16-18
<p><u>A levels:</u> 99.7% pass rate 83.4 retention (2year) ALPS 3 (QI), 3 (T-score) 53 % A*-B</p> <p><u>Vocational:</u> 100% pass rate on all L3 courses 93% retention ALPS 2 (QI), 2 (T-score) ED: 80% D*D*D*</p>	<p><u>A levels:</u> 99% pass rate 76.1% retention (2year) ALPS 4 (QI), 3 (T-score) 48.1% A*-B</p> <p><u>Vocational:</u> 100% pass rate on all L3 c 92% retention ALPS 3 (QI), 2 (T-score) ED: 79% D*D*D*</p>

Members noted in discussion that the ALPS value-added 3-year T score thermometer compared the A level performance of students at one educational institution with institutions nationally, with an ALPS grade 3 score (excellent) being in the Red zone and scores of 6-9 (the Blue zone) being less than satisfactory or lower.

Members noted:

- A Level subjects with ALPS value-added T scores placing them in the top 25% or better of institutions nationally e.g. Art, Graphics, Photography, Biology, Physics, and Sociology and Dance;
- 4 subjects at grade 4 (top 40% or better), 10 A Level subjects with T grades of 5 (Satisfactory - Good), 2 subjects with very small cohorts at grade 7 [*confidential minute*].

Members noted:

- Almost all BTEC subjects had ALPS value-added T scores placing them in the top 25% or better of institutions nationally.

Members considered the ALPS whole College picture, noting that 60% of the College's courses were in the top 40% nationally.

[*Confidential minute*].

Members considered the 2019 grades 9-4/A-C outcomes at GSCE, noting that the overall average of 60% (2017/18: 64.8%).

Members noted 2018 outcomes for other qualifications, noting in particular: the Criminology certificate (240 entries), which had a 98.2% pass rate (47.5% high grades); the Criminology diploma (132 entries), which had a 100% pass rate (26% high grades); the Extended Project Qualification (EPQ) (55 entries) had a 100% pass rate (98% high grades); Core Maths (6 entries) had a 100% pass rate.

Level 2 BTEC Award and Diploma in Health & Social Care both had a 100% pass rate, the Business diploma and corticated had, respectively, an 88% and a 70% pass rate.

Members noted with reference to the report on student destinations that in 2019: 69.5% of leavers had progressed to HE (551 of 792 students), with none going to Oxbridge (2018: 8), 11 to study medicine/veterinary sciences/ dentistry, 117 to Russell Group universities, 16% going onto employment or an apprenticeship, 4% taking a gap year, 3% taking the Art Foundation Diploma and 5% of destinations recorded as 'other'.

It was noted in response concerning the College's Oxbridge success rate in 2018/19, that there was a significant number of Oxbridge applicants in 2019/20 and the College would ensure that they received appropriate support.

Members noted the outcomes slide for subjects requiring improvement with reference to their ALPs 2018 score, noting that all had improved by at least one ALPS grade (4 improving by 2 grades and 1 [confidential minute] by 4 grades from 8 to 4), with 2 exceptions [confidential minute].

[Confidential minute].

It was noted in response to members' questions as to whether departments had access to other departments' performance metrics to facilitate the sharing of best practice, that information could be shared through the College's Arca system and through the QIP, with all outcomes publicly available within the College including Learner Voice scores.

It was noted in response to the accuracy of students' minimum expected grades (MEG) that this was similar to 2018 i.e. predictions were accurate by one grade. The College used MEGs to underline their high expectations of students.

It was noted in response to members' questions that there was a positive staff culture in respect of improvement, with both pass rates and retention considered important. The Principal reported, with reference to the strategic plan KPI report, that academic progress was 0.16 (and might be higher with re-marks) against a target of 0.4 [confidential minute].

The Corporation noted that the College was currently reviewing performance across all curriculum areas and agreed that the Chair of the Corporation should write to thank those that had made improvements.

Action: Chair

Members considered slides on the College's improvement process for 2019/20, which included weekly, half-termly and termly meetings, noting 3 courses under [confidential minute]. In addition Jamie Davies would be conducting 'Deep Dives' in 9 departments. The College's staff performance management process was reviewed.

Members noted that the College's focus for 2019/20 would be:

- Continuing the hard work – in all areas – teaching and support
- Improving the number of A*
- Identifying gaps in achievement in each course and put measures in place to close those gaps
- Oxbridge

The Corporation received the 2019 exam results overview.

(Julie Peaks left the meeting).

Strategic planning & SMT reports

152.6 & 152.7 Principal's report & strategic KPI report

The Principal, Paul Britton, presented his report for Sept 2019 on the College's strategic plan aims, together with the key performance indicator dashboard, which were considered.

The Principal highlighted student achievement, which had also been considered during the presentation on 2019 examination results, and recruitment for 2019, reporting that the College was approaching capacity, with the atmosphere positive and purposeful.

It was noted in response to members' questions concerning whether the significant increase in enrolments for 2019/20 related to demographic changes that there had been a

number of factors contributing to this including improved retention in 2018/19 and improved progression from Year 1 to Year 2, good marketing, school liaison and a commitment to converting applications to enrolments.

(i) A culture of the highest aspirations for all, a community of learning with a commitment to excellence and care

The Principal reported that: rather than looking at individual team performance, the reviews of 2018/19 had focused on collective targets such as staff satisfaction, overall retention of students and the aggregated progress of students; there were clear expectations about shared responsibility for upholding standards around the behaviour of students and how they were supported.

(ii) Deliver exceptional teaching, learning, assessment and support that ensure outstanding outcomes and destinations for our students

It was noted that the discussion of the above objective, together with the report on academic outcomes in the strategic KPI report, had been considered earlier on the agenda as part of the examinations results overview 2019.

(iii) A curriculum offer that is attractive to students, provides exceptional development for work and further study and meets the needs of the regional and national economy

The Principal reported on the development of the College's curriculum offer, highlighting, in particular, the development of the College's T level plans.

(iv) Provide a safe environment for learning

The Principal reported that he had used initial meetings in 2019/20 to highlight the shared responsibility of all staff to ensure that the campus was safe and student behaviour appropriate, noting that behaviour, in particular lanyard compliance, to date was positive.

The Principal reported that, following a recent security review of the College estate, potential bids for Education & Skills Funding Agency (ESFA) College Improvement Fund (CIF) funding was being developed. It was noted in response to members' questions that the purpose of the review had been to develop and enhance security.

(v) Sound management of resources to allow future investment

The Principal reported that: the announced increase of about £188 per student and the commitment to cover the increase in pension costs was significant in relation to 2020/21; finances, however, remained tight for 2019/20, with the College have seen a significant increase in student numbers which, under the ESFA's lagged funding system would not receive funding until 2020/21; pay negotiations were ongoing; finances would continue to be carefully monitored,

(vi) An outward looking stance, keen to work in collaboration to transform life chances for young people

The Principal noted that collaboration would be considered as part of the agenda item on the Strategic Opportunities Action Plan.

The Principal reported that: overall he was pleased with the progress made in 2018/19, which was reflected in some strong student outcomes by students, and had told all the team that this is the year in which the College would deliver exceptional performance.

The Corporation received the Principal's report for Sept. 2019.

152.8 Strategic opportunities plan

The Principal presented the confidential strategic opportunities plan, which was discussed.

[Confidential minute].

The Corporation considered the College's strategic opportunities plan, noting that it was proposed that a Corporation strategic planning event should be held in spring

2020, at which the strategic opportunities plan could be considered in more detail, was proposed.

Action: Clerk

152.9 Enrolment report

Jamie Davies (Assistant Principal) gave a report on the 2019 enrolment process.

Members noted that:

- A paperless process had been successfully introduced for 2019, led by Alex Eslor (Registrar) and developed in-house by Antoine Robinson (Digital Technologies Manager);
- The new system improved the enrolment process for students while allowing live reporting on enrolments and improved quality of the information that was stored;
- Following changes announced by the Department for Education (DfE) during summer 2019 in relation to the ESFA funding status of the Level 3 QCF Applied General qualifications, a decision was made during enrolment week to move all BTEC students to 2-year study programmes, which had an impact on the coding and enrolments of these courses, resulting in some delays in the enrolment process.

John Wilson, Chair of the Corporation, reported that he had attended during enrolment week and the process had appeared professional and efficient. The professionalism and hard work of both teaching and support staff during enrolment week was commended.

Jamie Davies confirmed that: headline enrolment figures following enrolment week were in line with expectations, although there had been a few schools where enrolment patterns were not as predicted based on past trends; *[confidential minute]*.

It was noted in response to members' questions that some of the variances noted in the report could be as a result of changes to school demography, lower school outcomes, school sixth forms retaining students and/or some schools not permitting the College access to its students for marketing purposes; there had been a significant decline in the conversion of applications to enrolments across creative subjects (e.g. visual arts, music and theatre studies), with it being noted that some schools locally appeared to be moving away from small subjects e.g. music; the College was considering where to focus marketing and school liaison for 2020/21; the College's Student Crew and the Student Executive were present at Open Evenings and were the best advocates for the College; wall displays used at Open Evenings, which highlighted student successes, also included details of students' former schools, with the consent of the students concerned.

Jamie Davies reported that curriculum planning had been successfully managed, with average class size (not including EPQ or tutorial) being 21.3.

Once again, our staff, both support and teaching, were excellent during enrolment week, ensuring that students were on appropriate programmes, that there were representatives available late into the afternoons/early evening, and that difficult discussions were handled professionally

Headline Numbers

- Overall recruitment up from 2,053 to 2,207 at start
- 1,126 (1,121) new students enrolled at the college over the enrolment period
- Pipeline growth from Y1 to Y2 accounts for our overall growth
- We have 52 students who are restarts/repeat students (based on being in the same tutor level as 2017/18)

152.10 Presentation: exam results overview 2019

It was noted that the above presentation had been given earlier on the agenda.

152.11 Updated Safeguarding Policy

It was noted that:

- The College's *Safeguarding & Child Protection Policy* was approved by the Corporation;
- The College's *Safeguarding & Child Protection Policy* had been comprehensively revised during autumn term 2018, taking into account revised guidance on safeguarding issued by the Dept. for Education i.e. *Keeping Children Safe in Education*, Sept. 2018;
- The revised policy had been approved by the Corporation in Dec. 2018;
- The Department for Education (DfE) published a revised version of *Keeping Children Safe in Education* in June 2019, effective from Sept. 2019. Changes include: new paragraphs on serious violence; upskirting (now a criminal offence); Departmental advice on teaching students to stay safe online;
- The DfE's revised guidance was available at:
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>.

Chris Herring (Assistant Principal) reported that the College had updated its *Safeguarding & Child Protection Policy*, taking account of the revised DfE guidance in force from Sept. 2019, and was recommending the policy's approval by the Corporation. A protocol drafted by the College's HR Manager, Jenny Anderson, for admitting visitors to the site, which it was proposed should be included as an appendix to the policy was presented.

The Corporation approved the College's updated Safeguarding & Child Protection Policy, with amendment of minor typographical errors and the addition of a protocol for admitting visitors to the site as an appendix to the policy.

Action: CH

Committee reports

152.12 Finance & General Purposes (F&GP) Committee

(i) Student numbers & funding report

John Wilson, as Chair of the F&GP Committee, reported that the Committee received a student numbers and funding report at each meeting and was presenting the Sept. 2019 report to the Corporation for information.

The Corporation considered the College's overall results at Level 3 for 2018/19 compared to the NARTS (National Achievement Rates Tables) benchmarks for 2017/18, noting that achievement was retention x pass rate.

Members noted that:

- The introduction of linear A levels nationally appeared to have resulted in falls in the 2017/18 Level 3 NARTS results for retention and achievement i.e. retention rate 87.7% (2016/17: 92.5%); pass rate 95.7% (2016/17: 94.8%); achievement rate 83.9% (2016/17: 87.7%);
- The College's 2018/19 Level 3 retention rate was, at 87.2%, just below the 2017/18 NARTS retention rate and, at 99.4% and 86.7% respectively, above the 2017/18 NARTS pass and achievement rates;
- At Level 2, retention for 2018/19 was, at 89.9%, very close to the 2017/18 NARTS benchmark of 90%, although slightly lower than the College's 2017/18 retention rate of 91.1%;
- Achievement at Level 2 was, at 88.1% for 2018/19, slightly lower than the College achievement rate for 2017/18 of 89.5% but was above the 2017/18 NARTS benchmark of 85.2%;
- The College's 2018/19 Level 2 pass rate was, at 97.9%, slightly lower than the

College pass rate for 2017/18 of 98.2% but was above the 2017/18 NARTS benchmark of 94.7%.

The Committee received the Sept. 2019 student numbers and funding report, noting with reference to student numbers, that the first ESFA census date for most students would be mid-October 2019.

(ii) Management accounts for 31 July 2019

John Wilson reported that the F&GP Committee considered the management accounts at each meeting, with the management accounts for the 12 months ended 31 July 2019 considered at the Committee's Sept. 2019. John Wilson invited the Director of Finance, Tony Wilmot, to speak to the accounts, which were considered

Members noted that:

- The operating surplus as shown in the management accounts for the year ended July 2019 was £36.0k compared with a forecast in the June 2019 management accounts of £62K and a budgeted surplus of £115k;
- The net deficit for the month of July 2019 was £37.7k compared to a budget surplus of £9.6k, mainly due to significant heating system repairs and a decision to bring some long-term maintenance forward to 2018/19;
- Increased utility costs of £40k had also been a significant factor in relation to the reduced operating surplus for 2018/19.

The Director of Finance reported that: the Sept. 2019 F&GP Committee meeting had agreed that the College's variable rate contract with the East Riding of Yorkshire Council procurement consortium for gas and electricity supply should not be re-newed for a further 4-year term from Sept. 2020 and had agreed that 2 brokers should be approached concerning a 4-year fixed price contract in order to reduce costs and aid budgeting; the College was also looking at ways to improve energy efficiency e.g. LED lighting.

Members noted that:

- Significant variances in relation to trading income, ESFA income, pay and non-pay expenditure were as previously reported during 2018/19;
- There had been no significant change to the balance sheet;
- With reference to the 3 key ratios that were utilised in the calculation of the College Financial Health rating that the College's indicative Health rating was 'Requires Improvement';
- With reference to the rolling cash flow which covered the 13 month period from July 2019 to August 2020, cash balances were healthy but would, as usual due to the ESFA grant payment profile, reach their lowest point in March;
- The capital report showed £233k of current year additions, both invoiced and committed, mainly in the areas of IT and Minibus purchases.

The Director of Finance confirmed that: the annual financial statements had been drafted and would include a net increase in the College's share of the overall East Riding Pension Fund deficit from £281k at 31 July 2018 to £605k at 31 July 2019; the treatment of Venn income and subscriptions would be discussed with the auditors, who would shortly be in College to carry out the year-end audit.

The Corporation received the management accounts for the 12 months ended 31 July 2019, noting an operating surplus of £36k prior to Financial Reporting Standard (FRS) 102 pension adjustments.

(iii) Report on bank covenant testing as of 31 July 2019

The Corporation received a report from the Director of Finance on bank covenant testing as of 31 July 2019, noting that all covenant ratios had been met with the waiver in place in respect of the Barclays debt servicing ratio.

(v) Overseas student tuition fees 2020-21

John Wilson reported that the F&GP Committee was recommending that the Overseas student tuition fees approved by the Corporation for 2019/20 of £6,000 p.a. (plus £1,000 for one to one tuition in English) should remain unchanged for 2020/21.

It was noted that: under section 19 of the Articles of Government, the Corporation was responsible for setting the policy on tuition fees; approval of tuition fees may be delegated by the Corporation but the Corporation had delegated the approval of Home student tuition fees to the F&GP Committee but had reserved the responsibility for approving overseas tuition fees to itself; while the Corporation was responsible under Article 3 for ensuring the College's solvency, which was a non delegable responsibility, income received from fee paying Home and Overseas students was considered too small to affect solvency.

The Corporation approved the F&GP Committee's recommendation on Overseas student fees for 2020/21 and agreed to delegate future approval of Overseas student fees to the F&GP Committee.

Action: Clerk

Student agenda item

152.13

(i) Student item

The Clerk reported that:

- Under the Education Act 1994, section 22(1), the Corporation was responsible for approving the Student Association constitution and reviewing it at least every 5 years;
- The Student Association constitution had last been amended and approved by the Corporation, on the recommendation of the Student Association Executive and the Corporation's Student Committee, in May 2017;
- The Student Association Executive President/Student Corporation member had informed the Clerk that the Student members of the Corporation would like to discuss the possibility of increasing the number of Executive Officers;
- Increasing the number of Executive Officers would require amendment of the Student Association Constitution, which would require Corporation approval.

The Corporation noted, however, that Student Association Executive President/Student Corporation member had been unable to attend the current meeting to present the above proposal, due to work commitments.

The Corporation agreed in principle the possibility of increasing the number of Executive Officers on the Student Association Executive, subject to receiving written confirmation of the changes proposed to the Student Association Constitution.

Action: Clerk/Student Exec.

Jamie Davies (Assistant Principal) reported that he would be working with Chloe Whitaker who had replaced Victoria Richardson as Staff Advisor to the Student Association, thanking Victoria Richardson for her work with the Student Association Executive. Members discussed ways of encouraging student attendance at Corporation meetings. The provision of opportunities for Corporation members to meet with students was also discussed and it was agreed that a Corporation and Student Association Executive 'Meet and Greet' should be arranged before the Dec. 2019 Corporation meeting.

Action: JAD

Venn Partnership matters

152.14

(i) Venn Partnership matters report

It was noted that the College was a corporate Member of the Venn Partnership Limited, with the other corporate Members being Franklin, John Leggott, Scarborough, and Wilberforce Sixth Form Colleges. Further information on the College's membership of the company and the roles and responsibilities of Members and Directors was received, noting that the 5 Directors appointed by the Members were the Principals of the 5 Venn colleges.

Financial statements for the period to 31 Dec. 2018

It was noted that:

- The Venn Partnership Directors' responsibilities included approval of the company's annual financial statements, with the financial statements for the period to 31 Dec. 2018 approved by the Board of Directors at a meeting of the Board held on 21 June 2019 for circulation to the Members and for filing with Companies House by 22 Sept. 2019;
- The Venn Partnership Limited had not traded since incorporation and the annual financial statements were therefore those of a dormant company;
- The Members' responsibilities included receipt of the financial statements;
- An unsigned version of the above accounts had been presented to the Corporation at its July 2019 meeting.

The Director of Finance reported in response to members' questions that: while the Venn Board of Directors were meeting and other activities had taken place (e.g. meetings of the various groups of college staff e.g. the Principals' group, Vice-Principals group, the Finance Directors group etc), it had not traded between incorporation and 31 Dec. 2018 and was therefore regarded as a dormant company; the corporate Members had since paid subscriptions to the Venn Partnership Limited, which had incurred expenses, i.e. it had been trading, which would be reflected in the accounts for the period ending 31 Dec. 2019; from 2019, the College's Director of Finance had provided financial support to the Venn Partnership Limited e.g. formulation of the accounts for the period to 31 Dec. 2018, Company's House online filing

(Mark Lucid left the meeting).

The Corporation received the signed version of the Venn Partnership Limited's financial statements for the period to 31 Dec. 2018, for information, noting that they had been filed with Companies House.

[Confidential minute].

Documents/links from outside bodies

152.15

(i) Documents/links from outside bodies

(i) DfE Keeping Children Safe in Education (Sept. 2019)

The Corporation received for information and reference a link to the Department for Education's (DfE's) Keeping Children Safe in Education (Sept. 2019) guidance and Keeping Children Safe in Education. Part one: information for all school and college staff (Sept. 2019), which had been discussed earlier on the agenda.

(ii) AoC Remuneration Code

It was noted that the Dec. 2018 Remuneration Committee had considered the Association of Colleges (AoC) draft *The Colleges Senior Post Holder Remuneration Code (the Code)*, noting that a final version was expected in 2019. The Corporation received the final version of the AoC Code and considered whether it should be adopted. It was noted that the AoC Code was designed to encourage colleges to commit to transparency in the reporting of senior post-holder remuneration.

The Corporation resolved to adopt the Association of Colleges (AoC) The Colleges' Senior Post-holder Remuneration Code (2019), agreeing that reporting practice against the code should be reviewed annually by the Corporation's Remuneration Committee, with a recommendation on the first report and statement against the Code to be presented to the Corporation's Dec. 2019 meeting.

Action: Clerk

Governance matters(i) Corporation attendance in 2018/19

The Corporation noted that Corporation attendance in 2018/19 had been 71% against an approved target of 75%.

(ii) Corporation & committee vacancy update(a) Update on Parent & ordinary Corporation member vacancies

The Clerk reported that:

- Following the ending of Ruth Dönmez's term of office as a Parent member of the Corporation on 31 Aug. 2019 and her appointment as a Corporation member in the ordinary category from 1 Sept. 2019, there had been a vacancy for a Parent member from 1 Sept. 2019;
- To allow the parents of new First Year students to apply for the Parent member vacancy, the vacancy was being advertised in autumn term 2019 e.g. the Chair of the Corporation, John Wilson, had advertised the vacancies at the Flyers and new parents' evenings (18-19 Sept. 2019);
- Kevin Hiron had recently notified the Clerk that he would be standing down as a Parent member from Dec. 2019, due to relocation, and a second vacancy would therefore arise from Jan. 2020;
- John Shipley's current term of office as a Corporation member in the ordinary category would end on 28 Sept. 2019 and he was not seeking re-appointment.

The Corporation received a report on parent and ordinary Corporation member vacancies.

(b) Committee vacancies

Two vacancies on each of the following committees were noted: the Audit Committee; the F&GP Committee; the Personnel Committee. With reference to the vacancy on the Audit Committee, it was noted that the person appointed could either be a full Corporation member or an external co-opted member but under the Audit Committee's terms of reference could not also be a member of the Corporation's Finance & General Purposes (F&GP) Committee.

Steve Sellers expressed an interest in joining the Audit Committee.

Action: Clerk

The Corporation received a report on current and forthcoming Corporation vacancies and on current committee vacancies. Corporation members who were interested in joining any of the committees listed were invited to contact the Clerk to the Corporation.

(iii) External appointments

The Principal reported, for information, that Local Enterprise Partnership (LEP) was searching for a new Board member.

(iv) Skills audit, register of interests, financial year-end declaration forms

The Clerk would contact members concerning the need to update their skills audit forms, register of interest/declaration forms.

(v) Corporation self-assessment questionnaire

As reported at the July 2019 Corporation meeting, the Search & Governance Committee's Governance Working Group was considering governance practice.

The Corporation noted that a new Corporation self-assessment questionnaire would shortly be sent to members for completion, with the outcome to be reviewed by the Governance Working Group.

Action: Clerk

(vi) Annual review of (a) Corporation & committee standing agenda items & committee terms of reference, (b) Corporation standing orders & (c) Corporation Code of Conduct
The Clerk reported that no changes were being proposed to the Corporation's Standing Orders or Code of Conduct; Corporation's committees reviewed their terms of reference and standing agenda item lists annually and were making recommendations on proposed changes to Corporation.

The Corporation agreed proposed changes to committee terms of reference and standing agenda item lists, agreeing that in future each committee should approve its own annual standing agenda item list with reference to its remit as set out in the terms of reference approved by the Corporation.

The Corporation agreed its standing agenda item list for 2019/20, noting that it was possible that the continuing work of the Governance Working Group and the outcome of Corporation's 2018/19 self-assessment might result in further changes being recommended to the Corporation during the year.

Action: Clerk

Committee meetings: minutes/summary notes

152.17 ***It was noted that committee meetings/summary notes would be placed on Moodle.***

Final agenda items

152.18 **Any other business**

There was no other business.

152.19 **How will items considered at the meeting have an impact on learners?**

The Corporation noted that plans for academic enhancement and improvement considered earlier on the agenda were designed to have a positive impact on learners.

152.20 **Risk management – items identified at the meeting**

No new items of risk had been identified at the meeting.

152.21 **Forthcoming College events**

The following forthcoming College events were noted:

(i) Open Evenings Thurs. 24 Oct. & 14 Nov. 2019, 5.30-8.00pm (ii) Open Morning, Sat. 2 Dec. 2019, 9.00am - 12.00 noon, (iii) Christmas dance show, Tues.3 Dec. 2019 (time to be confirmed), (iv) Christmas concert, Mon. 9 Dec. 2019 (time to be confirmed).

152.22 **Dates of 2019/20 Corporation & Committee meetings**

The Corporation noted a report from the Governance Working Group meeting held on 25 June 2019, received at the July 2019 Corporation meeting, had noted that the College had a total of 30+ meetings against a sector average of 18-19 meetings annually, noting that this was, in part, as a result of the Corporation having more committees than the average, which allowed for more detailed review of reports, but had also led to some duplication of monitoring e.g. the same reports being reviewed by both a committee and the Corporation.

Best practice in financial monitoring was considered, with it being noted that, whilst the FE

Commissioner recommended the existence of a finance committee as best practice, under the Articles of Government the Corporation was responsible for 'the effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets' and 'approving annual estimates of income and expenditure' (Article 3(1)(c) & (d)), which were non-delegable responsibilities. Monthly management accounts were currently monitored by the F&GP Committee, with the monthly management accounts also being presented to the Corporation in months when the latter meets, which sometimes resulted in duplication. Whilst recommending that corporations should have finance committees, the FE Commissioner also recommended that monthly management accounts should be sent to all Corporation members.

The Corporation received the schedule of Corporation and Committee meetings in 2019/20, noting that the agenda of the March 2020 F&GP Committee and the March 2020 Corporation meeting showed significant duplication e.g. both were due to receive the monthly management accounts, a monthly covenant report, and details of the College's ESFA funding allocation for 2020-21.

The Corporation agreed to cancel the Corporation and for F&GP Committee meetings scheduled for 24 and 31 March 2020, respectively, and to replace them with a Corporation meeting on 31 March 2020.

Action: Clerk

152.23 Date of next Corporation meeting

It was noted that the Corporation was next due to meet on Thurs. 12 Dec. 2019 at 5.00pm.

Fiona Bagchi
Clerk to the Corporation

**MINUTES OF THE CORPORATION MEETING 153
HELD ON 12 DECEMBER 2019**

Present: Corporation members: Emma Albeck, Paul Britton (Principal), Paul Davis, Ruth Dönmez, Tony Douglass, Kevin Hiron, John Gilleard, Jackie Goodman, Mark Lucid, Aaliyah Johnson Mudd, Cai Revell, Jane Price, Phil Taylor (Vice-Chair), John Wilson (Chair), Philip Wright.

In attendance: Fiona Bagchi (Clerk to the Corporation), Chris Herring (Assistant Principal), Julie Peaks (Deputy Principal) Tony Wilmot (Director of Finance).

Observers attending as part of the College's Aspiring Leaders programme:
[confidential minute].

153.1 Apologies for absence

Apologies were received from the following Corporation members: Patrick Cavanagh, Dina Lewis, Mark Moore, Steve Nix, Steve Sellers.

Apologies were received from the following senior management team (SMT) members: Jenny Anderson (HR Manager), Jamie Davies (Assistant Principal).

153.2 Declaration of interests Part I

Staff members whose attendance as observers under the College's Aspiring Leaders programme was due to be considered by the Corporation and candidates whose appointment as Corporation member was to be considered at agenda item 153.3 left the meeting.

The Clerk reported that under section 16 of the Articles of Government the Corporation was responsible for deciding any question as to whether a person should be allowed to attend any of its meetings where that person was not a Corporation member, the Clerk or the Principal.

The Corporation agreed that 4 staff members who were members of the College's Aspiring Leaders programme could attend the meeting as observers.

Governance matters: Part I

153.3 Search & Governance Committee (SGC) reports/recommendations on Corporation appointments

(i) Appointment of Student Corporation members

John Wilson as Chair of the Search & Governance Committee (SGC) reported that: the Nov. 2019 meeting of the SGC had noted that the Student Association Executive (the Executive) members nominated/ considered for appointment to the Corporation at the Corporation's Sept. 2019 meeting had resigned from the Executive and had not taken up their appointment as Corporation members; the Committee had noted that Cai Revell (current President of the Executive) and Aaliyah Johnson Mudd (current Vice-President of the Executive) had been nominated by the Executive as Student Corporation members.

The Corporation agreed to appoint, subject to meeting the eligibility criteria, of Cai Revell as a Student member of the Corporation from 12 Dec. 2019 for 4 years or until he left the College, whichever was the sooner.

The Corporation agreed to appoint, subject to meeting the eligibility criteria, of Aaliyah Johnson Mudd as a Student member of the Corporation from 12 Dec. 2019 for

4 years or until she left the College, whichever was the sooner.

(ii) Appointment of Corporation members in the Parent & ordinary Corporation member categories.

John Wilson as Chair of the SGC reported that: the Nov. 2019 meeting of the SGC had noted that there were currently vacancies for one Corporation member in the ordinary category and one Parent member of the Corporation with a second vacancy for a Parent member of the Corporation arising in Jan. 2020; a report on the interviews with Parent member candidates had been presented to the Committee, together with brief biographical information and a report from the Clerk on checks required to be undertaken to ensure that candidates were 'fit and proper persons' to be appointed i.e. not disqualified; the Committee had noted that new Corporation members would also be required to confirm their eligibility to be appointed by completing a register of interests and eligibility statement form and agreeing to Disclosure & Barring Service (DBS) checks; the Committee noted that parents could be appointed in either the Parent Corporation member category or in the ordinary Corporation member category.

The Corporation agreed, on the recommendation of the Search & Governance Committee, to appoint, subject to meeting the eligibility criteria including a satisfactory DBS check, of Tony Douglass in the Parent member category from 12 Dec. 2019 for 4 years or until the end of the academic year in which his child left the College, whichever was the sooner.

Action: Clerk

The Corporation agreed, on the recommendation of the Search & Governance Committee, to appoint, subject to meeting the eligibility criteria including a satisfactory DBS check, of Steven Nix in the ordinary Corporation member category from 12 Dec. 2019 for 4 years.

Action: Clerk

153.4 Declaration of interests Part II: general declarations

There were no declarations of interests.

Minutes & matters arising

153.5 Minutes of meeting 152 (26.9.19), incl. confidential minutes

The minutes of meeting 152 held on 26.9.19, including the confidential minutes were approved.

153.6 Matters arising/action table

(Matters Arising, below, are numbered according to their position in the action points table appended to the end of the previous minutes. The reference to the item where the action can be found in the previous minutes is given in brackets at the end of the action).

- 1 College e-mail addresses to be sent to all Corporation members following resolution of a password issue.

Action: Clerk

- 2 Agreed that a letter on the College's letterhead, signed by an authorised signatory would also need to be presented to the Venn Partnership Ltd company before the meeting(s) informing it of the Member/ Corporation's resolution concerning its authorised representative who would attend Venn partnership Ltd AGMs/GMs/ other meetings.

Action: Clerk

- 3 In addition to submitting the approved 3-year financial plan to the ESFA in July 2019, the ESFA also wanted colleges to submit an updated plan in Jan. 2020, which would be based on actual student numbers at the autumn 2019 census date i.e. an additional Corporation meeting would need to be held in Feb. 2020.

- 4 Review of confidential Corporation minutes was deferred to Feb. 2020.
Action: Clerk
- 5 The Chair had written to thank staff who had made improvements.
- 6 The Corporation strategic planning event would be held on Tues. 24 Mar. 2020 at Lazaats, 2.00-7.00pm.
- 7 The approved revised safeguarding policy was in force.
- 8 Approval of overseas tuition fees had been delegated to the F&GP from Sept. 2020.
Action: Clerk
- 9 The action relating to revisions to the Student Association Constitution had not been taken further to date due to the appointment of a new Student Association Executive President and Vice-President.
Action: Clerk
- 10 A Student Association Executive 'Meet & Greet' had been held before the Dec. 2019 Corporation meeting.
- 11 Steve Sellers had expressed an interest in joining the Audit Committee from March 2020.
Action: Clerk
- 12 The Governance self-assessment questionnaire summary analysis was on the agenda.
- 13 Corporation's standing agenda item list for 2019/20 had been agreed but it had been noted that it might change as a result of their work of Governance Working Group.
- 14 The Corporation and F&GP Committee meetings originally scheduled for Mar. 2020 had been cancelled and replaced with a Corporation strategic planning event on 24 Mar. 2020

Committee reports/recommendations

153.7 *Audit Committee*

(i) Audit Committee Report 2018/19 (incl. internal audit report, financial statements audit findings report, risk register, regularity engagement report)

John Gilleard, as Chair of the Audit Committee, presented the Audit Committee's Annual Report for 2018/19 to the Corporation and the Principal as Accounting Officer, which had been approved at the Committee's Dec. 2019 meeting, drawing attention to the individual sections of the report and to the appendices to the report i.e. internal audit report, financial statements audit findings report, the full risk register, regularity engagement report.

Members noted, with reference to the financial statements audit findings report from the College financial statements and regularity reporting accountant, RSM UK Audit LLP, the useful emerging issues section at Appendix B to RSM's report.

The Corporation noted the Audit Committee's opinion as stated in its report i.e. that: 'Based on the reports of and discussions with both the internal auditors and the financial statements and regularity auditors, together with our own enquiries, the Audit Committee's opinion is: that reliance can be placed upon the adequacy and effectiveness of Wyke Sixth Form College Corporation's assurance arrangements, its framework of governance, risk management and control processes for the effective and efficient use of resources, solvency and the safeguarding of assets; that the Corporation's responsibilities, included in the annual financial statements, have been satisfactorily discharged'.

The Corporation received the Audit Committee's annual report for 2018/19 and approved its submission to the College's funding/regulatory body the Education & Skills Funding Agency (ESFA).

(ii) Letters of representation

John Gilleard reported that the Audit Committee had considered the attached letters of representation at its Dec. 2019 meeting and were recommending them to the Corporation for approval and signing.

The Corporation approved, on the recommendation of the Audit Committee, for signing by the Chair of the Corporation and the Principal as Accounting Officer, letters of representation to the College' external auditors and regularity reporting accountant, RSM UK Audit LLP.

Action: Chair/PAB/TW

(iii) Internal auditor re-appointment/audit plan 2019/20

John Gilleard presented the Audit Committee's recommendation on the re-appointment of the internal auditors and approval of the internal audit plan 2019/20. It was noted that, the Audit Committee's terms of reference included the following requirement 'to advise the Corporation on what assurance framework to have in place, and from where the assurances over the effective operation of the systems of control will come' and 'to consider and advise the Corporation on the annual audit plans for the IAS (*internal audit service*) (where appointed)'.

Members noted that Audit Committee's Oct. 2019 meeting had: considered re-appointment of the College's internal auditors, AuditOne, following a review of their performance during 2018/19; reviewed the draft internal audit plan for 2019/20, noting verbal confirmation received at the Committee's Oct. 2019 meeting that the dual fee rate included in the 2018/19 plan would continue to apply for 2019/20.

The Corporation approved, on the recommendation of the Audit Committee, the re-appointment of AuditOne as internal auditors for the 2019/20 internal audit and the internal audit plan 2019/20, noting the statement from AuditOne concerning fees made at the Committee's Oct. 2019 meeting i.e. that fees for 2019/20 would be unchanged from 2018/19.

(iv) Revised risk management policy

John Gilleard presented the Audit Committee's recommendation on minor updating amendments to the College's risk management policy, including an amendment to clarify that risks in the full risk register with a points score of 12 or above were added to the College's strategic risk register and to include a reference to the College's Critical Response & Business Continuity Plan in the Related Documents section of the policy.

The Corporation approved, on the recommendation of the Audit Committee, minor updating changes to the College's risk management policy.

153.8 **Finance & General Purposes (F&GP) Committee**

(i) Student numbers & funding report

John Wilson, as Chair of the F&GP Committee, reported that a student numbers & funding report was considered at each Finance & General Purposes (F&GP) Committee meeting, with the report for Dec. 2019 considered at the Committee's Dec. 2019 meeting, which was being presented to the Corporation for information.

Members noted that:

- The first Individualised Learner Return (ILR) (F04) return of 2019/20 had been sent to the College's funding/regulatory body the Education & Skills Funding Agency (ESFA) and would form the baseline for the lagged number calculation for the funding for the 2020/21 academic year;
- The College had seen an increase in the number of individual students enrolled and on programme for 2019/20 i.e. in excess of the 2,010 students for which the College had been funded by the ESFA for 2019/20;

- *[Confidential minute]*.

It was noted that, under the ESFA's lagged funding system, colleges were funded during the current year for the number of students which they had at the date of the previous year's census i.e. student numbers at the date of the autumn term 2019 census would determine the funding received by the College for 2020/21. The Chair reported that where retention was poor, funding received could be reduced by the application of the ESFA's retention factor formula.

The Chair drew members' attention to the fact that retention' was used in 2 different ways in College reports presented to the Corporation i.e. 'retention' meaning the number of individual students enrolled; 'retention' calculated with reference to enrolments to qualifications (rather than to numbers of individual students enrolled) i.e. retention as defined in the ESFA's Qualification Achievement Rate (QAR) reports, which were referred to in the College's Self-Assessment Report (SAR) to be considered later on the agenda.

Members reviewed the retention tables attached to the report showing the analysis of individual student retention from enrolment and from census date i.e. (from 6 weeks after enrolment), noting that these were positive but that it was currently too early in the year to discern any trend. The emphasis placed by the College on ensuring that students were enrolled on the right programme for them, as an aid to retention, was noted in discussion.

It was noted in response to members' questions that, while the greater part of the College's income came from ESFA funding, the College also had a small number of fee-paying overseas students i.e. 5 overseas students in 2019/20.

The Committee received the College's Dec. 2019 student numbers and funding report for information.

(ii) Management accounts for Oct. 2019

John Wilson, as Chair of the F&GP Committee, reported that the management accounts were considered at each Finance & General Purposes (F&GP) Committee meeting, with the Oct. 2019 accounts, which were considered at the F&GP Committee Dec. 2019 meeting, being presented to the Corporation for information and review. John Wilson invited the Director of Finance to present the accounts.

Members noted that:

- The net surplus to October 2019 had been £25k ahead of budget despite significant premises repair costs in October 2019;
- All other variances were reasonable, with significant variances referred to in the commentary accompanying the accounts;
- The operating margin was 2% of income for the period;
- There were strong cash levels *[confidential minute]*;
- Capital spend to date of £75k had all been grant funded;
- The College's cash flow forecast showed a strong position with funding receipts from August 2020 taking into account increases in student numbers and per student funding;
- The College's ESFA Financial Health grading of 'Requires Improvement' was as expected although the Director of Finance expected this to improve *[confidential minute]* in 2020/21 taking into account additional ESFA funding to be received from Aug. 2020.

With reference to income, it was noted that ESFA recurrent income was in line with expectations, trading income was above budget expectations and included fees for 5 overseas students (with income from overseas students having been prudently assumed to be nil when the budget was approved) plus fees from 2 adult students; Educational Health Care Plans (EHCP) funding was being received from Hull City and East Riding of Yorkshire Councils and was expected to be in the region of £117k. It was noted in response to members' questions that EHCP funding was received to fund the support costs of students with additional needs. The Director of Finance drew attention to a typing error in the commentary accompanying the management i.e. the section on trading income should

record that catering income year to date was above budget by '£9k' compensated for by direct costs being above budget by £9k.

The Corporation reviewed and received the management accounts for Oct. 2019.

(iii) Annual pension report: East Riding Pension Fund

John Wilson, as Chair of the F&GP Committee, reported that the F&GP Committee received, during the autumn term, an annual report on the East Rising Pension Fund (ERPF), with the report considered at the Committee's Nov. 2019 meeting being presented to the Corporation for information.

It was noted that: the College's employees belonged to two principal post-employment benefit plans i.e. the Teachers' Pension Scheme England and Wales (TPS) for academic and related staff and the East Riding Pension Fund (ERPF) for non-teaching staff, which was managed by East Riding of Yorkshire Council; both were multi-employer defined-benefit plans.

Members noted that the report stated that 'there has been a net increase in the College's share of the overall scheme deficit from £281k as at 31 July 2018 to £605k at 31 July 2019'.

The Corporation received, for information, the East Riding Pension Fund report on the actuarial valuation for FRS 102 (Financial Reporting Standard 102) purposes as at 31 July 2019.

(iv) Reconciliation financial statements to management accounts

John Wilson, as Chair of the F&GP Committee, reported that a reconciliation of the financial statement to the July 2019 management accounts had been considered at the Committee's Dec. 2019 meeting and was being presented to the Corporation for information. The following typographical error was noted in the report, which should have stated on the first page that the 'surplus' (rather than the 'deficit') for the year as per the management accounts was £37k, noting that this had been corrected in the version of the report e-mailed to members.

The Corporation received, for information, a reconciliation of the July 2019 management accounts to the financial statements for the financial year to 31 July 2019, which had also been considered by the F&GP Committee at its Dec. 2019 meeting.

(v) Annual Report & Financial Statements for financial year ended 31.7.19, incl. review of accounting policies

John Wilson, as Chair of the F&GP Committee, reported that: the College's draft annual report and financial statements for the year ended 31 July 2019 had been considered by the Corporation's Audit Committee and its Finance & General Purposes (F&GP) Committee at their final autumn term meetings; the final version of the College's draft annual report and financial statements for the year ended 31 July 2019 were being presented to the Corporation together with the F&GP Committee's recommendation that they should be approved.

Members noted that:

- Minor typographical amendments had made review by F&GP Committee and Audit Committee members of the draft version e-mailed to members prior to the Dec. 2019 F&GP and Audit Committee meetings, with additional minor amendments made following review by Audit Committee members at the Audit Committee meeting held on 2 Dec. 2019 and in response to recommendations from Richard Lewis of the College external auditors RSM UK Audit LLP (RSM) e.g. the addition at Note 6 to the accounts (Staff costs and key management personnel remuneration) of information on the former Principal's remuneration;
- The amended final draft had been e-mailed to Corporation members for review.

The Corporation noted that:

- The annual report and financial statements had been received by the Audit Committee to inform the Committee's review of the financial statements auditors' audit findings report and to consider the final regularity audit opinion, the statements on corporate governance, responsibilities of members of the Corporation and the system

of internal control; the annual report and financial statements for the year ended 31 July 2019 had been considered at the Audit Committee's meeting on 2 Dec. 2019, together with the audit findings report from financial statements auditors and regularity reporting accountant, RSM UK Audit LLP, with it being noted that the auditors anticipated issuing an unqualified audit opinion;

- The Audit Committee's advice to the Corporation and the Principal as Accounting Officer was that the College had adequate and effective assurance arrangements and framework for governance, risk management and control processes for the effective and efficient use of resources, solvency of the institution and the safeguarding of its assets.

Corporation members noted, in reviewing the annual report and financial statements for the year ended 31 July 2019 that the College has declared an operating deficit of £157,000 (2017/18 surplus £140,000) after charging depreciation of £735,000 (2017/18: £777,000).

Members noted and agreed the positive statements of going concern, corporate governance and internal control, the responsibilities of the members of the Corporation and the statement on the College's regularity, propriety and compliance with funding body terms and conditions. With reference to the Corporation's intention to make a positive statement on the College's regularity, propriety and compliance with funding body terms and conditions, the use of the word 'able' in the penultimate paragraph of the statement was queried.

Action: Director of Finance/Clerk

It was noted that, the F&GP Committee when reviewing the College's draft annual report & financial statements for the year ended 31 July 2019 at its Dec. 2019 meeting had also reviewed the principal accounting policies used in the preparation of the financial statements (see Note 1 to the financial statements), noting that the external auditor's audit findings report had stated that they considered them to be appropriate.

The Corporation approved the College's annual report & financial statements for the year ended 31 July 2019, on the recommendation of the F&GP Committee, for signing by the Chair of the Corporation and the Principal and for submission to the external auditors for signing.

Action: Chair/Principal/Director of Finance

The Corporation agreed that the approved and signed annual report & financial statements for the year ended 31 July 2019 should be submitted to the College's funding body, the Education & Skills Funding Agency (ESFA), by the required deadline of 31 Dec. 2019.

Action: Director of Finance

(vi) Recommendations from Audit Findings report

John Wilson, as Chair of the F&GP Committee, presented 2 internal control recommendations arising from the external auditors' Audit Findings Report, which had been considered at the Audit Committee and the F&GP Committee's Dec. 2019 meetings i.e. a recommendation relating to the need for novel expenditure to be approved by the Corporation and a recommendation arising from the fact that the College's procurement policy did not explicitly mention the link between conflicts of interest when assessing procurement.

(a) Christmas party expenditure

The Corporation considered the external auditors' recommendation that novel expenditure should be approved by the Corporation (made with specific reference to the College's subsidy of the 2018 staff Christmas party), with reference to a recommendation from the Dec. F&GP Committee on approval of a proposed College subsidy for the 2019 staff Christmas party, noting that staff attending the party would each pay £15 and that the proposed subsidy was lower than the amount due to be received through ticket sales [*confidential minute*].

John Wilson, as Chair of the F&GP Committee, also noted that, in addition to the external auditors' recommendation concerning novel expenditure, it was appropriate in this case for the Corporation to consider the proposed expenditure for approval rather than approval being given by the Principal, as the latter as a staff member would also benefit from any subsidy of

the event.

Members noted that factors to be taken into account when approving expenditure should include: taking into account the fact that the College was an exempt charity whose beneficiaries were its students; taking into account the fact that any expenditure should be in accordance with the terms and conditions under which funding was provided to the College by the government through the Education & Skills Funding Agency (ESFA), including the College's funding agreement with the ESFA; the Corporation's non-delegable responsibility for ensuring the solvency of the College and the safeguarding of its assets, as detailed in the Articles of Government. Members also noted the value of the staff Christmas in team-building and of the proposed subsidy in ensuring that tickets for the event were affordable for staff.

The Corporation agreed to subsidise the 2019 staff Christmas party [confidential minute].

Action: Director of Finance

(b) Procurement & register of interests

The Corporation noted:

- With reference to the management response to the recommendation relating to procurement and conflicts of interests, an amendment to the College's Financial Regulations proposed by the Director of Finance, would be included in the revised Financial Regulations, which were due to be considered by the F&GP Committee in Jan. 2020 for recommendation to the Corporation;
- The F&GP Committee had also agreed at its Dec. 2019 meeting that declarations of interests should, in future, be added as a standing item to any College's tender opening ceremony documentation and that written evidence relating to the tender opening ceremony should record whether those involved had declared any interests.

The Corporation noted a report on action proposed in relation to a recommendation relating to improvement of the College's processes concerning declarations of interest in relation to procurement, noting that revised Financial Regulations would be presented to the Corporation for approval following review at the Jan. 2020 F&GP Committee meeting.

Action: Director of Finance

(vii) ESFA confirmation of financial health category & dashboard

John Wilson, as Chair of the F&GP Committee, reported that: the Education & Skills Funding Agency (ESFA) issued a letter annually confirming the College's financial health grade with reference to the College's 3-year financial plan submitted to the ESFA in the previous July; the financial health grades used by the ESFA in 2018/19 and to date were Outstanding, Good, Requires Improvement (formerly Satisfactory) and Inadequate; the ESFA also issued a financial dashboard annually which provided a report on the College's financial results, forecasting, health and resilience over several years and allowed comparison with other sixth form colleges; the ESFA letter dated 23 Oct. 2019 confirming the College's financial health grade the ESFA financial dashboard had been considered at the Nov. 2019 F&GP Committee meeting and were being presented to the Corporation for information.

Members noted that: the ESFA letter dated 23 Oct. 2019 confirmed (with reference to the 3-year financial plan approved at the Corporation's July 2019 meeting) that the College's financial health grade was Requires Improvement for 2018/19 and 2019/20; the dashboard recorded the College's results for the financial years 2015/16 to 2017/18 and forecast results for the financial years 2018/19 to 2020/21, comparing the College's results with the results of other sixth form colleges e.g. just over 60% of sixth form colleges were shown in the report as having a financial health grade of Outstanding or Good in 2018/19 (2017/18: 80%).

It was noted in discussion of the dashboard that the forecast results shown in the report for 2020/21 did not include the additional funding relating to increased student numbers in 2019/20, which the College was due to receive under the ESFA's lagged funding system, nor the increase in per student funding announced by the government.

The Corporation received, for information, an ESFA letter dated 23 Oct. 2019

confirming the College's financial health grade and the ESFA financial dashboard.

(viii) Energy supply contracts - F&GP report

John Wilson, as Chair of the F&GP Committee reported that the Sept. and Nov. 2019 F&GP Committee meetings had considered how to achieve value for money in relation to the College's electricity and gas contracts e.g. by seeking 4-year fully fixed inclusive contracts replacing from Oct. 2020 the College's current 4-year variable price contract [*confidential minute*] which would expire in Sept. 2020. John Wilson invited the Director of Finance, Tony Wilmot to present an update on the Committee's report.

Members noted that:

- The Nov. 2019 meeting of the F&GP Committee had agreed that brokers Lumina Energy (which was wholly owned by Kent County Council) should be engaged to undertake a review of the energy supply markets and to supply the College with pricing options for consideration and agreement for both electricity and gas supply on the basis of 4 year fully fixed inclusive contracts;
- The F&GP Committee had considered, at its Dec. 2019 meeting, the results of the procurement exercise undertaken by Lumina noting that fixing at the quoted prices for the supply of electricity from Scottish & Southern Energy would be approximately 2.6% higher than the College's 2018/19 expenditure but that the unit rates with the College's current supplier had increased by approximately 8% from Oct. 2019 based on the average rate for 2018/19 and, being a variable rate deal, could be expected to increase during any 4-year contract from Sept. 2020 [*confidential minute*];
- The Committee had therefore agreed that Lumina Energy should be instructed to arrange contracts for the provision of electricity and gas from Scottish & Southern Energy with such contracts being fixed for 4 years and coming into effect from 1 Oct. 2020;
- The main purpose of accepting fully fixed inclusive pricing for a defined period had been to obtain certainty in relation to budgeting.

The Director of Finance reported that the 4-year fixed deal offered by Scottish & Southern Energy, which had been considered at the F&GP Committee's Dec. 2019 meeting had been withdrawn but a similar 3-year fixed deal from Scottish & Southern Energy had been accepted.

It was noted in response to members' questions that: Lumina Energy could provide advice on energy efficiency; the College was considering the possibility of installing LED lights using a grant from a Department for Education backed interest-free loan under the Salix Energy Efficiency Loan Scheme (SEELS); the College had previously considered installing solar panels on the sports hall but, at a cost of £170k, this was currently unaffordable; the fixed electricity deal with Scottish & Southern Energy was not based on exclusively green sources of energy and, while such deals were available, they would not have provided the savings sought.

The Corporation received for information, a report on the acceptance of a contract for the provision of electricity and gas from Scottish & Southern Energy fixed for 4 years and coming into effect from 1 Oct. 2020.

153.9 Curriculum & Quality (C&Q) Committee

(i) College's Self-Assessment Report (SAR) 2018/19 & Quality Improvement Plan (QIP)

Jackie Goodman, as Chair of the C&Q Committee, reported that: the College produced a Self-Assessment Report (SAR) annually, together with a Quality Improvement Plan, with the report based on the areas considered and grades used by Ofsted at inspection under its Education Inspection Framework (EIF); members of the C&Q Committee had attended the College's SAR grade moderation meeting in Oct. 2019, with the process being considered robust; the SAR and QIP had been considered in detail at the C&Q Committee's Nov. 2019 meeting. The Principal was invited to present the SAR and QIP.

The Principal presented the SAR and QIP, drawing attention to the individual sections of the report i.e. the College context, curriculum, overall College grading including effectiveness grade, headline performance measures, progress against the 2018/19 QIP, the quality of

education, behaviour and attitudes, personal development, leadership and management, QIP 2019/20, areas for improvement and development, curriculum grading and ALPS strategic overview reports.

Members noted that the SAR 2018/19 recorded an overall effectiveness grade of 2 (Good), quality of education and leadership & management has also been graded as 2 (Good) and Behaviour & Attitudes and Personal Development had been graded as 1 (Outstanding) i.e. with reference to the overall College grading, the College had self-assessed the provision as Good with many Outstanding features i.e.

Overall Effectiveness	2
Quality of Education	Behaviour and Attitudes
2	1
Personal Development	Leadership and Management
1	2

The Principal reported that, under Ofsted's new Education Inspection Framework (EIF), quality of education made up 50% of the overall effectiveness grade.

Members noted the reasons, on page 12 of the report, why the College did not consider it was yet Outstanding and the 5 key areas in the QIP to secure improvements which would make the College Outstanding [*confidential minute*].

Members noted that the report recorded that safeguarding was effective.

The Corporation resolved to ratify, on the recommendation of the C&Q Committee, to consider the College's approved 2018/19 Self-Assessment Report & Quality Improvement Plan.

(ii) Quality strategy proposal

The Clerk reported that: under Article 3(1)(b) of the Articles of Government, the Corporation was responsible for 'approving the quality strategy of the institution'; when the requirement to approve the institution's quality strategy had been first introduced for sixth form colleges, the College had defined the *Policy for the Improvement of Performance in Learning* as its quality strategy and the policy had subsequently approved/revised by the Corporation on the recommendation of the C&Q Committee; approval of the College's quality strategy was a delegable responsibility under the Articles of Government but had not been delegated by the Corporation to date e.g. the Corporation could delegate the responsibility to the Principal or a Corporation committee.

Jackie Goodman, as Chair of the C&Q Committee, reported that the Committee's Nov. 2019 meeting had considered a proposal that the College's quality calendar better represented the College's quality strategy.

The Corporation agreed, on the recommendation of the C&Q Committee, that the document to be approved from 2019/20 with reference to Article 3(1)(b) should be the College's quality calendar.

The Corporation agreed to delegate approval of the quality calendar to the Principal, agreeing that the approved calendar should be presented to the C&Q Committee for review at least annually i.e. during the autumn term.

Action: Principal/Clerk

153.10 *Personnel (Persl) Committee*

(i) Verbal update on 2019/20 teaching & support staff pay awards

Phil Taylor, as Chair of the Personnel Committee, stated that a report on the 2019/20 teaching & support staff pay awards had been presented to the Oct. 2019 Personnel Committee meeting, inviting the Principal to provide an update to the meeting.

The Principal reported that the teaching and support staff pay negotiations were ongoing at a national level and had been discussed at the recent SFCA conference [*confidential minute*]; in addition to pay negotiations, national negotiations on modernising the support staff pay structure were continuing; the Corporation had made provision, when approving the 2019/20 budget, for a pay award of up to 2%.

The Committee received an update on the 2019/20 staff pay award.

153.11 Student agenda item

(i) Student item/Student Association accounts 2018/19

It was noted that the Student Association accounts for 2018/19 would be presented to the Feb. 2020 meeting of the Corporation for approval.

Action: Director of Finance/Clerk

(ii) Student Association Executive activities

Student Corporation member and Student Association Executive President, Cai Revell, and Student Corporation member and Student Association Executive Vice-President, Aaliyah Johnson-Mudd, gave an update on activities being planned by the Executive (the Exec.) including ways to improve the student experience of RAG week and the establishment of an eco-group to look at environmental issues (e.g. to look at single use plastic cutlery), ensuring that all water fountains were in working order and encouraging students to use them.

The Corporation received a report on Student Association matters.

Governance matters: Part II

153.12 Corporation attendance year to date, reports on use of seal & Chair's action

(i) Corporation attendance year to date

The Clerk reported that Corporation attendance 2019/20 year to date was 63% (10/16 members) against a target of 75%.

(ii) Report on use of the Corporation seal since the last meeting

The Clerk reported that there had been no use of the seal since the last meeting of the Corporation.

(iii) Report on Chair of Corporation's action taken since the last meeting

The Clerk presented an extract from the Corporation's Standing Orders stating the circumstances in which the Chair (or Vice Chair in the absence of the Chair) was empowered to act between meetings on behalf of Corporation, noting that there had been no use of Chair's action since the report given at the September 2019 meeting of the Corporation.

(iv) Committee matters:(a) vacancies & (b) terms of reference

The Corporation received a report on committee vacancies, noting that Corporation members who were interested in joining any of the committees listed had been invited to contact the Clerk to the Corporation.

The Corporation approved minor updating amendments to the Audit Committee and Remuneration Committee terms of reference, on the recommendation of the Audit Committee and the Remuneration Committee respectively.

Action: Clerk

(v) Amendment to Corporation Privacy Notice

The Clerk gave a report on a proposed amendment to the Corporation Privacy Notice i.e. that the Corporation member Privacy Notice should be amended to state that information might

be shared with bankers as well as central government, regulatory bodies and auditors to enable the College's bankers to fulfil their responsibilities under the Proceeds of Crime Act, the Prevention of Terrorism Act, Money Laundering Regulations and/or any other relevant legislation.

The Corporation approved the proposed amendment to the Corporation privacy statement.

Action: Clerk

(vi) SGC Governance Working Group report: summary Corporation self-assessment questionnaire analysis 2018/19

John Wilson, as Chair of the Search & Governance Committee (SGC) Governance Working Group, reported that: Corporation members had completed an online questionnaire in Oct. 2019 on governance effectiveness, which had been set up in QDP, the online survey system used by the College for staff, student and parent surveys; the Governance Working Group had reviewed the analysis tables arising from the survey at their Oct. 2019, receiving also a list of comments made by those completing the questionnaire; the results of the survey were generally positive, with most responses in the Agree to Partly Agree ranges; where responses were less positive or indicate uncertainty on the part of respondents, the Governance Working Group would formulate an action plan; John Wilson, as Chair, would also formulate a presentation on governance matters for review by the Governance Working Group in spring 2020, with a view to a discussion of governance matters being undertaken at the Corporation's strategic planning event on 24 March 2020.

The Corporation received the summary Corporation self-assessment questionnaire analysis 2018/19 for information and received an update on work being undertaken by the Governance Working Group.

(vii) Update on Venn report presented to Sept. 2019 meeting

John Wilson, as Chair of the Corporation, gave an update on Venn Partnership Limited matters [*confidential minute*].

The Corporation received an update on Venn Partnership Limited matters.

Documents/links from outside bodies

153.13 (i) Education & Skills Funding Agency (ESFA) Integrated Financial Management for Colleges (IFMC) & Financial Planning Handbook briefing note

The Clerk reported that, under its standing agenda item list, the Corporation received, for information, relevant funding agency circulars and new regulations and/or documents, if any, from other external bodies at each meeting.

ESFA IFMC & Financial Planning Handbook briefing

Members noted:

- A briefing note, e-mailed on 26 Nov. 2019, from the Head of Prevention (Provider Market Oversight) at the Education & Skills Agency (ESFA) on the introduction of the ESFA's Integrated Financial Management for Colleges (IFMC) from Jan. 2020 and the publication of a revised, second edition of the ESFA Financial Planning Handbook (2019), noting, with reference to the IFMC, that 'The model aims to bring together the existing financial returns from colleges while providing enough financial information to understand the current and forecast financial position of colleges';
- The ESFA's Financial Planning Handbook v.2 (2019) stated that the IFMC return consolidated into one return, 4 previous financial returns i.e. the Dec. finance record return (which will be submitted to the ESFA for the last time in Dec. 2019), the July financial plan return, the cashflow against debt serving return and the cashflow template introduced earlier in 2019. Para. 20 of the Financial Planning Handbook v.2 (2019) stated that the IFMC must be approved by the Corporation and signed by the Principal as Accounting Officer.
- In 2019/20, the deadline for colleges to submit the IFMC return to the ESFA was 28 Feb. 2020 and from 2020/21, the submission date would be 31 Jan. annually;
- Colleges would still be required to submit audited annual financial statements, the external auditor's audit findings report and the Audit Committee's annual report by 31

Dec. annually.

The Corporation received, for information, an ESFA briefing note on the introduction of the Integrated Financial Management for Colleges (IFMC) from Jan. 2020, noting that the first return was due to be submitted to the EASFA by 28 Feb. 2020, following Corporation approval. It was noted that there was no Corporation meeting scheduled for Feb. 2020 but that the F&GP Committee meeting scheduled for Tues. 25 Feb. 2020 could be replaced by a Corporation meeting.

Action: Clerk

The Corporation agreed that, from 2020/21, a Jan. Corporation meeting should be scheduled annually to enable the approved IFMC return to be submitted to the ESFA by the deadline of 31 Jan.

Action: Clerk

Principal's report, incl. strategic planning & Venn Partnership matters

153.14 Principal's report

The Principal presented his report for Dec. 2019 on the most urgent current strategic objectives, which had been sent to Corporation member together with the following attachments: KPI dashboard, Student Activity Report, SFCA briefing (Spending Round 2019: what it means for 16 to 19 education) and an e-mailed briefing 'Big news on funding', a Venn Partnership Ltd Governors' briefing for autumn 2019.

The Corporation agreed that observers attending as part of the College's Aspiring Leaders programme should leave the meeting before the Corporation considered the Venn Partnership Ltd Governors' briefing.

The Principal reported that: the format of his Dec. 2019 report differed from that of previous reports i.e. by being focussed on the most pressing of the strategic objectives that were considered particularly relevant at the current time; the College's updated Strategic Opportunities Action Plan would be presented to the Strategic Planning event on 24 Mar. 2020.

Action: Principal

Key performance indicator (KPI) dashboard

The Principal presented the key performance indicator (KPI) dashboard, which provided a numerical overview of how the College was performing against its strategic objectives. Members noted, in particular, that retention was, as predicted, significantly up on the previous year.

Objective 3. A curriculum offer that is attractive to students, provides exceptional development for work and further study and meets the needs of the regional and national economy

The Principal presented, in this context, the Student Activity Report, compiled by the Principal's PA, Jeanette Webster, highlighting the significant range of enrichment experienced by the College's students and the commitment of staff who provided it.

Objective 5. Sound management of resources to allow future investment

The Principal reported that the College had modeled the impact of the spending review on the College, noting that the College was expecting a funding increase in the region of £1.4m in 2020/21, taking into account increased core funding, additional funding under the ESFA's lagged funding system (reflecting the increase in student numbers in 2019/20), increased funding for High Value courses, and the government's spending review commitment to covering increased College pension contributions until March 2021.

It was noted in response to members' questions that the College was not expecting to increase its student population in 2020/21 as 2,150 students represented capacity for the College's current estate i.e. no significant increases in costs related to more teaching hours were expected in 2020/21.

Members discussed the best way to use increased funding, including possible changes to the College's estate if the College wished to continue to grow (e.g. increased accommodation, including student social spaces), possible greater use of digital learning in response to space issues, paying down the College debt (which could contribute to an improved ESFA Financial Health assessment grade). The need to ensure that any spending was linked to agreed strategic objectives was emphasised by members in discussion and the use of the Corporation's Mar. 2020 strategic planning event was noted in this context, including presentation of the updated Strategic Opportunities Action Plan which had been considered in spring 2019. It was noted in consideration of the College's debt that the College currently paid down £300k of debt annually and that increased per student funding was currently guaranteed for one year only.

6. An outward looking stance, keen to work in collaboration to transform life chances for young people

It was noted that discussion of collaboration with other Venn Partnership Ltd colleges would be considered later on the agenda.

John Wilson, as Chair of the Corporation, thanked staff observers who had been attending the meeting as part of the College's Aspiring Leaders programme and hoped that they had found the experience useful.

(The observers (i.e. Kirsty Cooper (Assistant Finance Manager), Toni Knight (Head of A Level & BTEC PE), Jo Clemas (Teacher Computing), Sarah Thackray (Teacher of Physics & Science)) left the meeting).

[Confidential minute].

John Wilson, as Chair of the Corporation, noted that the current meeting was Kevin Hirons' last meeting as a Parent member and thanked him for his contribution to the work of the Corporation. (Kevin Hirons left the meeting).

The Corporation received the Principal's report for Dec. 2019, noting that there would be an opportunity to discuss in more depth the strategic issues raised at the Corporation strategic planning event to be held in Mar. 2020.

Committee meetings: minutes & summary notes

153.15 Committee meeting minutes & summary notes

It was noted that the above would be placed on the Corporation section of Moodle.

Final agenda items

153.16 Any other business

There was no other business not already on the agenda.

153.17 How will items considered at the meeting have an impact on learners?

The Corporation noted, in particular, the impact of financial and quality items considered at the meeting on learners.

153.18 Risk management – items identified at the meeting

No new items of risk were items identified at the meeting.

153.19 Date of spring term meetings

The following Corporation meeting dates were noted: Special Corporation meeting on Tues. 25 Feb. 2020 at 5.00pm; Corporation strategic planning event, Tues. 24 Mar. 2020, 2.00-7.00pm.

Action: Clerk

Forthcoming College events

The following College events were noted: Christmas drinks for staff & Corporation members on Fri. 20 Dec. 2019, 1100 am - 12:00 noon; Awards Evening, Tues. 7 Jan. 2020; Open Evening on Thurs. 23 Jan. at 5.30 pm; Open Morning, Sat. 29 Feb. 2020, 9.00am to 12.00 noon; College Production: 'Here we go again – Mamma Mia!', Thurs. 5 & Fri. 6 Mar. 2020 at 7.00 pm and Sat. 7 Mar. 2020 at 2.00 pm.

153.20 Reserved Business agenda

In line with the Corporation's established practice, staff and student members were asked to leave the meeting before consideration of the Reserved Business agenda: Emma Albeck (Support Staff Corporation member), Chris Herring (Assistant Principal), Aaliyah Johnson Mudd (Student Corporation member), Mark Lucid (Teaching Staff Corporation member), Cai Revell (Student Corporation member), Julie Peaks (Vice Principal), Tony Wilmot (Director of Finance).

Fiona Bagchi
Clerk to the Corporation



**MINUTES OF
EXTRAORDINARY CORPORATION MEETING 155
HELD ON THURSDAY 5 MAY 2020 BY VIDEO-CONFERENCING**

Present: Corporation members: Emma Albeck, Paul Britton (Principal), Pat Cavanagh, Paul Davis, Tony Douglass, Jackie Goodman, John Gilleard, Aaliyah Johnson-Mudd, Mark Lucid, Mark Moore, Jane Price, Cai Revell, Phil Taylor (Vice-Chair), John Wilson (Chair), Philip Wright.

In attendance: Fiona Bagchi (Clerk to the Corporation), Jamie Davies (Assistant Principal), Chris Herring (Assistant Principal), Julie Peaks (Deputy Principal) Tony Wilmot (Director of Finance).

Items to note

156.1 Apologies for absence

Apologies were received from the following Corporation members: Dina Lewis, Ruth Dönmez, Steve Sellers.

156.2 Declaration of interests

The following standing declarations were noted: Paul Britton was a trustee and Pat Cavanagh an employee of the Yorkshire & Humber Co-operative Learning Trust; Julie Peaks related party declaration concerning the Principal of Wilberforce Sixth Form College.

156.3 As the meeting is an extraordinary meeting, the minutes are not due to be considered

It was noted that as the meeting was an extraordinary meeting, the minutes are not due to be considered.

Items for information

Principal's report

156.4 Principal's report for Apr. 2020

The Principal, Paul Britton, presented his report for April 2020, which was considered.

It was noted that: the Principal's detailed report included a timeline of the college's response to the covid-19 pandemic from 26 February 2020, including the SMT decision to close the College's building to staff and students and move to remote learning and working from the end of the week commencing 16 March 2020, which coincided with the Government's announcement on the closure of schools on 19 March 2020; an update to students, parents and staff with details for monitoring remote working for all students via Ontrack was sent out on 26 March, with further updates later sent to students on plans for work over the Easter break; on 3 April, Ofqual announced plans for the cancellation of summer assessments for GCSEs and A levels, which was communicated to students, parents and staff, with a later Ofqual announcement on how vocational qualifications would be awarded in 2020.

Members noted that the report also included detailed sections on morale, the response to remote learning (with which staff and students had engaged positively), the cancellation of summer assessments, the impact on current students and the financial impact and a section on next steps.

It was noted in response to members' questions, that the College was awaiting government guidance on when school and colleges should re-open.

Members noted that the Information Pack accompanying the agenda included a list of compliments from parents and students on the College's approach to remote learning and the student activities report compiled by the Principal's PA, Jeanette Webster, which were received and noted.

The Corporation received the Principal's report for May 2020, thanking the College staff for their positive response to the challenge of remote learning and working.

Finance matters

156.5 Management accounts (Mar. 2020)

(Jenny Anderson joined the meeting).

John Wilson reported that the Corporation's Finance & General Purposes (F&GP) Committee reviews the College's management accounts at each scheduled meeting, with the management accounts to 31 March 2020 considered at the April 2020 meeting of the F&GP Committee.

Members noted the following key matters included in the management accounts:

- Net surplus to March 2020 was £29k ahead of budget despite significant premises' costs having been incurred.
- EHCP funding had been agreed at £118k against a budget of £38k
- All other variances reasonable with significant variances were referred to in the report.
- Pay awards when agreed were expected to be within provision being made.
- Operating margin 1.64% of income for the period.
- Cash levels at lowest point of year in March, and further reduced due to trip refunds and early supplier payments prior to College buildings closure.
- Capital spend to date of £124k with £81k being grant funded.
- Financial Health grading moved to "Requires improvement" caused by decrease in forecast surplus.
- Cash flow forecast showed strong position with funding receipts and costs updated to align with IFMC submission.
- Additional section had been added in the detailed report to cover financial impact of COVID-19 closure on the year end forecast.

It was noted in response to members' questions that: grant funding would continue to be paid as scheduled for 2019/20 and the College was aware of its grant allocation for 2020/21 under the ESFA's lagged funding system; the College was continuing to pay all contracted staff.

The Corporation reviewed and received the management accounts for March 2020.

156.6 Bank covenant testing report (Mar. 2020)

John Wilson, as Chair of the F&GP Committee, invited the Director of Finance to present the College's bank covenant testing report for Mar. 2020, which had been considered at the F&GP Committee's Apr. 2020 meeting, noting that the report was prepared to assure the Corporation that all banking covenants were being met and no breach of any

individual covenant was forecast.

The Corporation reviewed and received the College's bank covenant testing report for Mar. 2020, noting that all banking covenants were being met and, based on forecast ratios, there was no immediate need to consider any waiver of covenant limits.

Items for discussion and/or decision/approval

Strategic planning: items for discussion

156.7 Wyke strategic planning presentation

156.8 Updated strategic planning scenarios

156.9 T levels presentation

It was noted that: under the Article 3 of the Instrument & Articles of Government, the Corporation was responsible for 'the determination and periodic review of the educational character and mission of the institution and the oversight of its activities' and 'publishing arrangements for obtaining the views of staff and students on the determination and periodic review of the educational character and mission of the institution and the oversight of its activities' and 'the effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets'; the Principal was responsible for 'making proposals to the Corporation about the educational character and mission of the institution and implementing the decisions of the Corporation' and 'the determination of the institution's academic and other activities.

The Corporation received and discussed in detail strategic planning and T Levels presentations from the Principal and updated strategic planning scenarios from the Director of Finance, noting that an earlier version had been due to be considered at the cancelled March 2020 Corporation meeting/strategic planning event.

Members discussed in particular with reference to the Principal strategic planning presentation T Levels as a key strategic options, demographic trends, and the funding environment.

Members noted in discussion that:

- Engagement with T levels involved significant curriculum development but should ensure the College against reform of its current vocational qualification suite;
- 16-19 funding had improved, although there was now some uncertainty. because of the Covid-19 pandemic, as to whether further increases would result from any Government Comprehensive Spending Review undertaken in autumn 2020;
- The region was at the start of a period of significant demographic growth that would remain throughout the 3-5 year period of the College's next strategic plan, with increased opportunities for the capital funds required to provide the spaces the college would require but this opportunity would require the college to taken on further debt, which would need to be considered with reference to cash flow and bank covenants;
- With reference to educational technology (EdTech), the College considered that it needed to continue to work on developing the systems it currently had before considering more radical ways of delivering efficiencies.

Members noted with reference to expected demographic changes that the College could maintain current student numbers (the steady state option) or agree a strategy of growth in student numbers whilst maintaining quality and reputation.

The Corporation noted the College's view of the current development of EdTech in the College but noted also in this context the potential for the further development of blended

learning both as a response to the possibility of future disruption arising from the Covid-19 pandemic and as a possible way of dealing with an expected increase in student numbers due to demographic change.

With reference to the updated strategic planning scenarios, it was noted that: the recommendation of the senior management was that the College should grow in a controlled manner in the short term with progression of phase one of the site development; a modest level of growth in student numbers would, to a certain extent, meet increased demand whilst not compromising the quality of delivery; future Government announcements on the long-term funding of the sector would be considered in terms of the feasibility of further site developments; in all instances the reputation of being an outstanding provider and the long-term financial stability of the College would be paramount.

The need for additional teaching and social spaces at current student numbers was noted in discussion with the student members of the Corporation and it was noted that the opportunity to apply for additional capital funding in relation to T Levels would be considered at agenda item 156.10.

The Corporation completed its review of strategic options, concluding that there was a clear need in the local area for increased student places and agreeing that, as the largest sixth form college provider with a reputation for quality, Wyke, would offer the best option for these future students provided that this could be done without compromising quality.

Action: Principal

Strategic planning: item for discussion/approval

156.10

Property strategy & future borrowing

It was noted that: the Corporation's responsibilities under Article 3(1)(c) of the Articles of Government were 'the effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets'; the Corporation was therefore responsible for approving the College's property strategy.

Due to the Covid-19 pandemic, the Department for Education (DfE) had announced the extension of the deadline for colleges to submit T Levels capital fund bids (to support 2021 delivery) from 30 April 2020 to midday on 26 June 2020, noting that it was unlikely to be in a position to announce the successful wave 2 projects until October 2020 and that there may therefore be some flexibility on the September 2021 completion date where this is justified.

Extracts from the Government guidance concerning evidence of Corporation approvals required to be submitted with the bid had been included with the agenda for information, with full details see: <https://www.gov.uk/government/publications/t-levels-capital-fund>

Members noted that: a detailed property strategy for approval by the Corporation was being developed; the College's existing brief accommodation strategy statement, which was last approved by the Corporation in Dec. 2015, stated that the College 'has a high ratio of borrowing compared to the income. As a result, any further changes to the accommodation will need to be through the use of devolved capital funding, sponsorship, the accumulation of reserves or capital grants from the EFA'; this prohibition on borrowing was now an issue because access to the DfE's T levels capital fund required match funding by the College which would require the College to borrow if a bid to the fund were to be approved by the Corporation and the bid were to be successful.

Members noted the RIBA Stage 2 cost plan report for a T levels capital fund bid from

consultants, AA Projects Ltd, prepared in support of a proposed T levels capital bid by the College.

The Corporation agreed in principle approval that the College should submit a bid to the DfE's T levels capital fund for accommodation changes to support T levels provision/growth in student numbers.

The Corporation agreed that the existing prohibition on borrowing to fund the College's accommodation strategy should be removed from the College's existing brief accommodation strategy statement to allow the College to borrow if a bid to the DfE's T levels capital fund were to be formally approved by the Corporation and the bid were to be successful, which would require the Corporation to match funding provided by the DfE.

Action: Clerk

Corporation agreed that proposals on formal approval by the Corporation of a bid to the DfE's T levels capital fund and details of any loan to be taken out to provide match funding should be presented to a Corporation meeting to be held in early June 2020.

Action: Clerk

Item for information

156.11 Report on Chair's action

The Clerk reported that: under the Corporation's Standing Orders, where Chair's action was taken, a report was made to the next scheduled meeting of the Corporation; as the next scheduled meeting of the Corporation on 19 May 2020 had been cancelled, a report is being made to the Special Corporation meeting to be held on 5 May 2020.

The Clerk reported that:

- There had been 2 occasions when John Wilson, as Chair of Corporation, has taken Chair's action since the last meeting of the Corporation:
- April 2020: a Covid-19 addendum had been added to the College's Safeguarding & Child Protection Policy under Chair's action on the recommendation of the College's Designated Safeguarding Lead (DSL) and following review of the proposed addendum by the Chair of the Personnel Committee/Corporation Safeguarding Lead.
- April 2020: a payment of £5 per staff member had been authorised, on the recommendation of the Principal, to enable staff to purchase Easter eggs as a token of appreciation of the work undertaken in response to the College closure due to Covid-19, including the implementation of new working arrangements for staff and students, and as a replacement for the hot cross buns which would normally be provided by the College for staff on the last day of the spring term.

The Corporation received a report on Chair's action taken since the Corporation's Feb. 2020 meeting.

Final agenda items

156.12 Any other business

There was no other business not already on the agenda.

156.13 How will items considered at the meeting have an impact on learners?

It was noted that strategic planning options would affect the future direction of the

College which would have an impact on learners.

156.14 Risk management – items identified at the meeting

No new risks were identified during the meeting.

156.15 Date(s) of next meeting(s)

It was noted that the Corporation was next due to meet as follows: (i) extraordinary meeting in early June 2020 (date & time to be agreed) & (ii) scheduled meeting on Thurs. 9 July 2020 at 5.00pm.

Fiona Bagchi
Clerk to the Corporation



**MINUTES OF
EXTRAORDINARY CORPORATION MEETING 156
HELD ON THURSDAY 21 MAY 2020 BY VIDEO-CONFERENCING**

Present: Corporation members: Emma Albeck, Paul Davis, Tony Douglass, Jackie Goodman, John Gilleard, Aaliyah Johnson-Mudd, Dina Lewis, Mark Lucid, Mark Moore, Jane Price, Cai Revell, Steve Sellers, Phil Taylor (Vice-Chair), John Wilson (Chair)

In attendance: Clerk: Fiona Bagchi (Clerk to the Corporation)
Senior managers: Jenny Anderson (HR Manager), Jamie Davies (Assistant Principal), Chris Herring (Assistant Principal), Julie Peaks (Deputy Principal), Tony Wilmot (Director of Finance).

Items to note

155.1 Apologies for absence

Apologies for absence were received from the following Corporation members: Paul Britton (Principal), Ruth Dönmez, Pat Cavanagh, Philip Wright.

155.2 Declaration of interests

There were no declaration of interests.

155.3 As the meeting is an extraordinary meeting, minutes are not due to be considered

It was noted that, as the meeting was an extraordinary meeting, the minutes were not due to be considered.

Items for information Part I

155.4 DfE guidance on governance & Covid-19

The Corporation received relevant extracts from guidance issued by the Department for Education (DfE) to sixth form colleges between 11 - 14 May 2020, which stated that the Government was asking colleges to supplement remote education with some face to face support for Year 12 students (i.e. the College's Year 1 students) from 1 June 2020.

It was noted that full guidance was available at:

<https://www.gov.uk/government/publications/closure-of-educational-settings-information-for-parents-and-carers/reopening-schools-and-other-educational-settings-from-1-june>

<https://www.gov.uk/government/publications/coronavirus-covid-19-implementing-protective-measures-in-education-and-childcare-settings/coronavirus-covid-19-implementing-protective-measures-in-education-and-childcare-settings>

<https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-further-education-provision/maintaining-education-and-skills-training-provision-further-education-providers>

The Corporation also received, in the Information Pack accompanying the agenda, the

Health and Safety Executive (HSE) guidance *Leading Health & Safety at Work* (June 2013), noting the Corporation's overall responsibility for health and safety.

The Corporation received and noted links and extracts from relevant DfE guidance on governance and Covid-19, with particular reference to the College's plans to re-open the College, which were due to be considered at agenda items 155.5 and 155.6.

Items for approval

Planning for some student attendance from June 2020

155.5

Wyke Sixth Form College plan for re-opening

155.6

Generic and bespoke risk assessments

The College's generic risk assessment for re-opening the College during Covid-19 and the bespoke risk assessments for cleaners, premises staff and first aiders were received and considered, together with a narrative from the Deputy Principal, Julie Peaks, concerning proposed plans for the initial re-opening of the College site to staff and students, including a list of next steps, and a paper to support the proposed plans with reference to the actual numbers being invited into the College site on each day.

It was noted that role specific risk assessments had been produced to date for staff who might be working on site from 1 June 2020, with others currently being produced.

The Deputy Principal reported on the proposed schedule for the initial re-opening of the College site i.e.:

- The College site would remain closed for the weeks commencing 18 and 25 May 2020, with risk assessments for different roles being carried out during this time;
- Week commencing 1 June 2020 - the College site would remain closed to all students and staff, with the exception of certain staff teams e.g. cleaners, premises staff, minibus drivers who were able to attend the site safely and who would get the College ready to reopen;
- Week commencing 8 June 2020 - the College site would be open to a restricted number of staff and students.

The groups of students the College would be prioritising for some attendance on site were;

- Students who had not engaged in remote learning;
- Vulnerable students;
- Students who had not coped well with remote learning;
- Early entry applicants i.e. students who had an early entry Universities and Colleges Admissions Service (UCAS) application date of 15 October 2020 e.g. applicants for Oxbridge or for medicine, dentistry or veterinary science courses;
- Any students not fitting into one of the above categories would be invited onto the College site for a consultation meeting later in June, if they wished, probably using an on line booking system.

The Deputy Principal reported that:

- To keep staff and students as safe as possible, the College would keep a list of which staff and students were expected on site each day and a verbal signing in/out system would be in operation i.e. staff and students would not be permitted to 'drop in' to the site;
- Transport would not be provided for students but, if they would otherwise be unable to access the College site, a minibus would be provided, with a maximum of 3 students per minibus, a driver wearing a mask, and minibuses cleaned after

each use;

- The College was working out the safe maximum number of staff and students who could be on site, so that staff can continue to work as safely as possible, with reduced numbers in the building;
- The College was aware of which staff would be unable to work on site e.g. due to relevant health conditions or the health conditions of family members;
- The wider pastoral team were working out which students would be invited on site and how long;
- Once the above work had been completed, staffing would be allocated on a rota basis;
- Proposals were being shared, for comments, with regional Union representatives and staff, in addition to Corporation members;
- Once plans had been approved, staff would be informed, invitation letters sent to students and final registers collated.

Chris Herring, Assistant Principal (Student Experience), presented draft schedules supporting the above proposals with reference to the actual numbers being invited into the College site on each day, including tables showing: student groups/number of available places Identified; the delivery plan for each group; the staffing requirement for each group/week.

It was noted in response to members' questions that:

- The regime proposed included regular hand washing, frequent cleaning, 2m social distancing, and reduced mixing between groups;
- An isolation room would be provided for students or staff exhibiting possible symptoms of Covid-19 while on site, with safe transport home;
- First aiders (i.e. premises staff) would be provided with personal protective equipment (PPE) for use when dealing with a suspected Covid-19 case;
- With reference to the draft schedules showing student numbers being invited onto the College site on each day, it was noted that the numbers shown were the maximum possible number of students who would be invited and could attend safely on any day, with actual numbers expected to be lower as attendance on site was not compulsory and there were some overlaps between the different groups;
- There would be some students who would need programme amendments to enable them to progress to positive destinations in 2021 and some students, who had indicated that they would leave at the end of Year 1, who would be offered careers guidance;
- Students being invited in for careers guidance could receive such guidance remotely, if they preferred.
- Plans included proposals to invite students with Education, Health & Care Plans (EHCP) onto the College site twice over the 4 week period;
- Looked After Children (LAC) would also be invited into College and the College's safeguarding team was working with Hull City Council's social work team to identify whether students identified on the College's CPOMs safeguarding system as LAC or students with social workers were still in the social care system;
- With reference to the continuation of safeguarding work undertaken since the College site closed in March 2020, the College had continued to keep in contact with students who were considered high risk with reference to their safety and wellbeing, with external agencies contacted where appropriate;
- The parents of students who had not engaged with remote learning had been informed;
- The various reasons why students were not engaging with remote learning had been reviewed by the College's pastoral team;

- Access to technology did not appear to have been a barrier to remote learning e.g. with IT equipment purchased, where necessary, for bursary holders and bursary holders not over-represented in the group of students who were not engaging with remote learning;
- The number of staff who would be on the College site each day would depend on the number of students who accepted invitations to attend on site;
- Once the College plan had been approved, invitations would be sent to the various groups of students being prioritised, with the reason for the invitation being stated and the student asked to confirm whether they intended to accept it;
- Safeguards in place to allow for the safe return of students had been included in the safeguarding policy addendum to be considered at agenda item 155.9;
- Staggered arrival times for staff and students would be finalised when numbers attending were known;
- The College would review its re-opening plan daily for the first 2 weeks and make any amendments that experience suggested were required to achieve the overall aim of re-opening safely and effectively, with any changes in DfE guidance also taken into account;
- While there would only be one way to access the Oak Building during the initial re-opening period, all fire exits would be fully accessible;
- Floor markings (e.g. indicating where a one-way system was in operation) would be put in place week commencing 1 June in preparation for re-opening on 8 June 2020;
- While re-opening could not be risk free, the College's plans aimed to mitigate and minimise the risk;
- The academic year and remote learning would end for students on 30 June, with the provision of some online support over the summer holidays being considered;
- For applicants for 2020/21, the College was planning a virtual Wyke Start on 1 July 2020.

The Chair, John Wilson, asked the staff members of Corporation for their impression of the plan, noting that: the plan appeared to be comprehensive; staff had been kept informed of plans. The Deputy Principal reported that she had also written to the trade unions concerning the College's re-opening plans and was waiting to hear back from them.

Chris Herring (Assistant Principal (Student Experience) and DSL) reported in response to members' questions concerning whether the College was aware of students affected by the virus that:

- This would have been tracked through the College's CPOMs safeguarding system prior to lockdown;
- The DfE guidance issued on 18 May 2020 stated that colleges needed to ensure that they had full disclosure concerning students' health status so this would be included as a requirement in the letters being sent to students, with students being told to check their temperature being leaving for College and not to attend if they were unwell;
- With reference to how long staff and or students should self-isolate after feeling unwell, the HR Manger, Jenny Anderson, drew members' attention to relevant guidance on the government website,

Paul Davis, taking into account his own experience of operating a Covid-19 safe working environment, emphasised the importance of hand washing on entry to the site as a first line of defence against the virus, the importance of reducing staff contact points (e.g. shared coffee making facilities), the importance of ensuring that staff were aware how to put on and remove PPE safely if used, the value of perspex screens in certain contexts,

and the value of getting someone who has not been involved in putting the re-opening systems in place to test them.

It was noted in response to members' questions that:

- The provision of a coffee bar, which would have been a contact point of the type referred to above, had been included in the first version of the plan but it had been removed from the latest version, although staff and students would be able to access a drinking water tap in the Oak Building providing they washed their hands before using it, with arrangements also being made to ensure that the tap was regularly sanitised;
- A contractor had recently measured various places in the College for perspex screens e.g. in the main office, library, IT desk and catering desk;
- The only staff who would use PPE were premises staff acting as first aiders and the College would ensure that they had appropriate training in how to use it safely;
- The College could not prevent student wearing their own PPE but would emphasise the priority of hand washing;
- In response to members' questions concerning the sanitisation of doors and door handles, doors which were not fire doors could be propped open and cleaning staff would be cleaning throughout the day;
- It was still a requirement for the Government's 5 tests to be met before schools and college re-opened, noting with reference to a national Track & Trace system that the Prime Minister had stated that this should be available from 1 June 2020, although it was unlikely that the planned Track & Trace app would be available from that date.

The Corporation considered and approved the initial plan for re-opening the College, amended as noted above concerning hand washing on entry to the site.

Action: Deputy Principal

The Corporation reviewed and noted the generic and area specific risk assessments formulated to date.

155.7

Establishment of Covid-19 governance & leadership group

It was noted that the checklist issued as part of the guidance issued by the DfE on 14 May 2020 included the following guidance for corporations: 'Consider establishing a coronavirus governance and leadership group which meets regularly to monitor the board approved plan and consider any required adjustments and/or circumstances that may have arisen that require an immediate policy response. The group's membership, role and relationship to the full board should be agreed by the board, along with regular reporting protocols'.

The following statement in the notes to the above checklist was also noted; 'This group would monitor progress against the plan and be advised of decisions that may be required to be taken by the Principal and senior leadership team SLT. It should include the Head of Health and Safety and the designated safeguarding lead. The group needs to consider financial implications and direct as appropriate. Consider extending the role of the Health and Safety committee and their responsibility. Provide a clear line of accountability for decision making'.

Members noted that: overall responsibility for health & safety rested with the Corporation; the Corporation's Finance & General Purposes (F&GP) Committee received the minutes of the College's Health & Safety Committee's termly meetings and reviewed annually the Health & Safety Policy approved by the Corporation; the College's head of health and

safety was the Premises Manager, Alan Woodcock, and its designated safeguarding lead (DSL) was Chris Herring (Assistant Principal, Student Experience); risk assessments produced by the Premises Manager had already been considered and an update from the DSL on safeguarding and re-opening had been received and discussed by the full Corporation earlier on the agenda at agenda items 155.5 and 155.6; an update on the financial implications of the College's response to Covid-19, including building re-opening plans, was on the agenda for discussion by the full Corporation at agenda item 155.10.

Members noted that a governance and leadership group consisting of the Chair of the Corporation, the Vice-Chair of the Corporation, the Clerk to the Corporation and the Principal/Deputy Principal had been meeting weekly by video-conferencing since 10 April 2020.

The Corporation approved a Covid-19 Governance & Leadership Group consisting of the following members: John Wilson, as Chair of the Corporation; Phil Taylor, as the Vice-Chair of the Corporation; Corporation members, Paul Davis (Corporation member in the ordinary category) and Tony Douglass (Parent Corporation member); the Principal, Paul Britton, and the Deputy Principal, Julie Peaks; other staff members would be invited to the group's meetings as appropriate.

Action: Clerk

155.8 Venn group: proposed joint letter

Julie Peaks (Deputy Principal) presented a draft letter to parents jointly agreed by the principals of the 5 colleges of the Venn Partnership Limited (known as the Venn group) concerning plans to re-open the College in a limited way from 8 June 2020.

Members noted that: the letter stated that, in formulating plans for a limited reopening of the College, the safety of students, their families and staff had been paramount; pressure was not being put on students or their families to attend college at this time, although it was expected that all students would continue to engage with their teachers using the online learning systems provided; the situation and guidance was subject to change and parents would therefore be kept you informed about preparations for the re-opening of the College so that they could make an informed decision.

The Corporation considered and approved a letter to parents jointly agreed by the principals of the 5 colleges of the Venn Partnership Limited (known as the Venn group) concerning plans to re-open the College in a limited way from 8 June 2020, agreeing that the letter should be sent out on 22 May 2020 in the Principal's name.

Action: Deputy Principal

155.9 Revised addendum to the College's Safeguarding & Child Protection Policy

The Corporation noted that:

- In accordance with the guidance outlined in the Department for Education (DfE) *Keeping Children Safe in Education* (Sept. 2019), the College had a statutory obligation to ensure that students who attended the College were safeguarded as defined in relevant legislation;
- The Corporation had a legal responsibility to make sure that the College has policies and procedures in place so that appropriate action could be taken to safeguard and promote the welfare of children and young people;
- The Corporation had therefore approved the College's revised *Safeguarding & Child Protection Policy* on 26 Sept. 2019;
- The Corporation meeting held on 5 May 2020 had received a report that a Covid-19 addendum had been added to the policy under Chair of Corporation's action on 3 April 2020 on the recommendation of the College's Designated Safeguarding

Lead (DSL) and following review of the proposed addendum by the Chair of the Personnel Committee/Corporation Safeguarding Lead.

The College's Designated Safeguarding Lead (DSL), Chris Herring, reported that:

- He had now revised the addendum to the policy in line with more recent government guidance at: <https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers/coronavirus-covid-19-safeguarding-in-schools-colleges-and-other-providers> and with reference to information sent out by Hull City Council in relation to safeguarding.

The Corporation received and approved a revised addendum to the College's Safeguarding & Child Protection Policy

Items for information Part II

Finance matters

155.10 Financial implications of above plans

John Wilson, as Chair of the Corporation, invited the Director of Finance, Tony Wilmot, to report on the financial implications of the above plans.

Members noted that:

- Covid-19 expenditure previously discussed included IT and other mobile devices bought for students in receipt of bursary funding and some laptops, which would become part of the College's fixed asset register, had been purchased for staff members, some inexpensive 'phones on monthly contracts had also been brought for staff;
- With reference to the re-opening of the College, a contractor had been on site earlier in the day measuring areas where perspex screens would be installed;
- The Director of Finance currently expected the surplus for the year to be in the region of £165k.

The Corporation received a report on the financial implications of plans related to the College's Covid-19 response, including plans for the re-opening of the College.

155.11 Payment of 2019/20 teaching & support staff pay awards

John Wilson, as Chair of the Corporation reported that:

- The Corporation's agreed practice was that, where the nationally agreed teaching and/or support staff pay award negotiated by the National Joint Council (NJC) for sixth form colleges was within the provision made in the annual budget approved by the Corporation, the Chair of the Corporation could authorise payment of the award without seeking further approval from the Corporation;
- National agreement had been reached on the teaching staff payment for 2019/20 on 15 May 2020 and on the support staff pay award for 2019/20 on 18 May 2020 i.e. in both cases, agreement was reached on a 1.5% increase from 1 Sept. 2019 and a 1.25% increase from 1 April 2020.

The Corporation noted that, following confirmation from the Director of Finance, Tony Wilmot, that the proposed pay awards were within the 2% provision approved by the Corporation, the Chair of the Corporation had authorised the payment of the above awards.

Members noted that: details of the nationally agreed awards had been included, for information and reference, in the Information Pack accompanying the agenda, together with revised pay spines and pay rates, where applicable; the information on the support

staff pay award also showed a 2.5% pay award payable from 1 Jan. 2021 agreed as part of a 2 year deal; the Corporation was due to consider overall provision for the 2020/21 teaching and support staff pay award when considering the 2020/21 budget for approval at its July 2020 meeting.

The Corporation received, for information, a report on the payment of the teaching and support staff pay awards for 2019/20, noting also applicable revised pay spines and pay rates applicable.

Final agenda items

155.12 Any other business

There was no other business not already on the agenda.

155.13 How will items considered at the meeting have an impact on learners?

The following impact on learners was noted: plans were designed to help students catch up on learning.

155.14 Risk management – items identified at the meeting

The Corporation noted that the risk arising from Covid-19 was already included in the College's risk register, with the current meeting having considered risk management in preparation for the return of staff and students to College.

155.15 Date(s) of next meeting(s)

The dates of the following meetings were noted: (i) extraordinary meeting on 4 June 2020 at 5.00pm (to consider bid to ESFA for T Levels capital funding (ii) scheduled meeting on Thurs. 9 July 2020 at 5.00pm

Fiona Bagchi
Clerk to the Corporation

**MINUTES OF
EXTRAORDINARY CORPORATION MEETING 157
HELD ON THURSDAY 18 JUNE 2020 BY VIDEO-CONFERENCING**

Present: Corporation members: Emma Albeck, Paul Britton (Principal), Pat Cavanagh, Paul Davis, Tony Douglass, John Gilleard, Dina Lewis, Jackie Goodman, Mark Lucid, Mark Moore, Cai Revell, Jane Price, Steve Sellers, Phil Taylor (Vice-Chair), John Wilson (Chair)

In attendance: Clerk: Fiona Bagchi (Clerk to the Corporation)

Senior managers: Jenny Anderson (HR Manager), Jamie Davies (Assistant Principal), Chris Herring (Assistant Principal), Julie Peaks (Deputy Principal), Tony Wilmot (Director of Finance).

Items to note

157.1 Apologies for absence & declaration of interests

Apologies were received from Corporation members Ruth Dönmez, Aaliyah Johnson-Mudd.

John Wilson, Chair of the Corporation, declared an interest in agenda item 157.2 and left the meeting.

157.2 Membership matters: recommendations on Corporation appointments

Jane Price, as Vice-Chair of the Search & Governance Committee, reported that John Wilson's current 4-year term of office as a Corporation member in the ordinary category would end on 30 June 2020 and the Committee were recommending his re-appointment for a further 4-year term from 1 July 2020.

The Corporation agreed to re-appoint John Wilson as a Corporation member in the ordinary category for a 4-year term of office from 1 July 2020.

(John Wilson returned to the meeting).

157.3 As the meeting is an extraordinary meeting, the minutes are not due to be considered

It was noted that, as the meeting was an extraordinary meeting, the minutes were not due to be considered.

Items for information

Principal's report

157.4 Principal's report for May 2020: update on initial College re-opening

The Principal gave a verbal update on the initial re-opening of the College.

Members noted that:

- The aim of re-opening, as stated in the DfE guidance, was to offer support to remote learning, not to replace it;
- Government guidance concerning the date on which students in Year 12 (The College's Year 1) should return to College for some support to supplement remote learning had changed from 1 June to 15 June 2020, noting that the College had been planning to re-open from 8 June 2020;
- The College had prioritised meetings with students who had not engaged or not

- engaged well with remote learning and vulnerable students;
- Each students had been based at a workstation, with staff based in classrooms and called to students as necessary, standing 2m from students;
- Cleaners were working throughout the day and workstations were cleaned when staff and students left;
- Students who had an early entry Universities and Colleges Admissions Service (UCAS) application date of 15 October 2020, because they were applying to Oxbridge or for medicine, dentistry or veterinary science courses, had also been invited to the College to receive help, for example with, the preparation of personal statements;
- Year 1 students were being invited to consultation meetings in College from 22 June 2020, with consultation zones in the Theatre, Sports Hall and Canteen;
- If students were unable or unwilling to attend onsite, consultation meetings would be held using Teams calls;
- A second hand washing station had been installed to reduce queuing on arrival;
- An internet issue encountered during the current week had been resolved by JISC;
- A staff meeting had been held by Zoom and had included a review of re-opening arrangements, with a further staff meeting planned for the end of the current week using Microsoft Teams;
- Staff were sent a daily e-mail detailing any changes to the system.

John Wilson, as Chair of the Corporation, reported that he had been in College on 17 June 2020 and that staff he had spoken to had indicated that they felt safe and were pleased to be back in College. A Corporation member, whose child had been in College since re-opening, reported that they had also felt safe on site. Deputy Principal, Julie Peaks, who had overall responsibility for re-opening arrangements, thanked Corporation members, John Wilson and Paul Davis, who had visited the site to review arrangements prior to re-opening, and the Corporation members of the College's Covid-19 Governance and Leadership Group i.e. John Wilson, Phil Taylor, Paul Davis and Tony Douglass.

Members noted, in particular, the contribution of the cleaning and premises staff to the successful re-opening of the College, noting also the contribution of the College's minibus drivers who had helped with the site preparation and were now providing transport for students.

The Corporation thanked the College's cleaning, premises and minibus staff for the work they had done to make the re-opening of the College possible.

The Principal reported that the centre assessed grade process was coming to an end and, as Head of the Centre, he had approved all grades apart from those for AQA, where the College was awaiting a response from them.

The Corporation thanked all staff who had worked on student grades.

The Principal reported that:

- Wyke Start was going ahead remotely on 1 July 2020;
- The College's senior management team (SMT) would meet on 2 July 2020 to consider different scenarios for opening the College from autumn term 2020;
- The College had yet to decide how results for 2020 would be distributed to students.

The Corporation received a verbal update from the Principal on the re-opening of the College.

Finance matters Part I

157.5

Management accounts (Apr. 2020)

It was noted that, the as part of the responsibilities of the Corporation under Article 3 of

the Articles of Government for the solvency of the College, the Corporation regularly monitor the College's financial position and performance against approved budgets through the regular review of the College's monthly management accounts which included a cash flow forecast and balance sheet.

John Wilson, as Chair of the Corporation, invited the Director of Finance to present the management accounts for April 2020.

Members noted the following key matters arising from the management accounts:

- The net surplus to April 2020 was £56k ahead of budget despite significant premises' costs having been incurred;
- Education, Health & Care Plan (EHCP) funding had been agreed at £118k against a budget of £38k;
- All other variances were reasonable, with significant variances noted in the report;
- Pay awards would be paid in June and would be within the provision made in the budget;
- The operating margin was 1.93% of income for the period;
- Cash levels were, as expected, at their lowest in March 2020 and had been further reduced due to trip refunds and early supplier payments prior to the Covid-19 lockdown which had resulted in closure of the College buildings;
- There had been capital spend to date of £124k with £81k being grant funded;
- The College's Financial Health grading had moved to 'Good' following an increased forecast surplus;
- The cash flow forecast showed a strong position with funding receipts and costs updated to align with the College's Education & Skills Funding Agency (ESFA) Integrated Financial Management for Colleges (IFMC) submission, which had been approved by the Corporation in Feb. 2020;
- An additional section had been added to the narrative report to cover the financial impact on the year end forecast of the closure of the College buildings due to Covid-19.

In response to members' questions, it was noted: with reference to any refund of examinations fees, that it was currently expected that there could be a small rebate and/or credit against fees for 2020/21 from exam boards; with reference to liabilities relating to cancelled trips and visits, refunds had been received in full from travel companies, with one exception where an insurance claim had been made; in the case of the cancelled trip to Sorrento, the travel company was allowing the College to re-arrange by March 2021; all students had received refunds for cancelled trips and visits; with reference to professional costs relating to the College's estates bid, the ESFA had provided a grant of £20k for the purpose of preparing the bid.

The Corporation reviewed and received the management accounts for Apr. 2020.

157.6 Bank covenant testing report (Apr. 2020)

John Wilson, as Chair of the Corporation, invited the Director of Finance to present the College's bank covenant testing report for Apr. 2020, noting that the report was prepared to assure the Corporation that all banking covenants were being met and no breach of any individual covenant was forecast.

The Corporation reviewed and received the College's bank covenant testing report for Apr. 2020, noting that all banking covenants were being met and, based on forecast ratios, there was no immediate need to consider any waiver of covenant limits.

Items for approval/decision

Strategic planning

157.7 College strategic plan: extension to 2021

It was noted that under Article 3 of the Corporation's governing documents, the Instrument & Articles of Government, the Principal was responsible for making proposals

to the Corporation about the educational character and mission of the College and the Corporation was responsible for the determination and periodic review of the educational character and mission of the College.

The Principal reported that, due to the general uncertainty resulting from the ongoing Covid-19 pandemic, he was recommending that the Corporation should approve a one year's extension of the College's Strategic Plan 2018-20 to 2021, with some minor amendments to the strategic objectives section of the document i.e. at strategic objective 4 add to 'Provide a safe environment for learning' the phrase 'to include our response to the Coronavirus pandemic' and at strategic objective 5 add to 'Sound management of resources to allow future investment' the additional sentence 'Look to invest responsibly to meet the increased demand for 16 to 18 year old places in the Humber region over the next 5-10 years'.

The Corporation considered the Principal's proposal, with reference to specific areas of current uncertainty e.g. the effect of the pandemic on student numbers for autumn term 2020; what future funding might be available for sixth form colleges in any Government Comprehensive Spending Review which might take place in autumn 2020.

Members discussed the proposed additions to the plan, noting that investing responsibly to meet the increased demand for 16 to 18 year old places in the Humber region over the next 5-10 years included the College's proposed T levels capital bid application to part finance a proposed building extension to accommodate increased student numbers, which would be considered later on the agenda.

[Confidential minute].

Corporation members discussed the College's Strategic Plan with reference to developments outside education during the Covid-19 pandemic, with particular reference to the increasing use of technology by businesses, questioning in this context, whether the section in the Plan on educational technology (EdTech) should therefore be strengthened. The possible use of EdTech to meet increased demand from students aged 16-18 over the next 5-10 years was also noted, together with the concept of the whole student journey, rather than just learning, as a digital experience.

The Principal reported that the College saw the use of EdTech as a significant opportunity, with the College's EdTech strategy already referenced in the Plan in sections 2, 3 and 5 of the list of key actions for 2020-21, although it was not listed as a key strategic objective, which might be reviewed when the next 3-5 year Plan was being formulated. It was noted that use of remote learning since the closure of the College buildings due to the Covid-19 pandemic, while successful, had been to some extent reactive, with additional staff training, taking into account best practice within the College, due to take place before autumn term 2020.

The Corporation noted a report from the Principal that the 5 colleges of the Venn Partnership Ltd (known as the Venn group) had been discussing the joint development of remote learning, including the development of a collaborative bid for submission to the Department for Education (DfE) to obtain a grant to facilitate digital learning at the 5 Venn group colleges.

Corporation members considered Black Lives Matter as a recent movement which was also having a global impact, including in education where some institutions were working with students to review the curriculum in response. The Principal reported that the College could consider this with reference to section 1 of the list of key actions for 2020-21 i.e. 'Actively promote equality and diversity to ensure all students have equal access to exceptional education'.

It was noted in discussion of section 5 of the list of key actions for 2020-21, with particular reference to 'Ensure that our work takes sufficient consideration of environmental factors

and is sustainable over the medium term', the existing interest of the student body in environmental matters and the importance of involving students in the College's environmental discussions and plans.

The Corporation approved an extension of the current College Strategic Plan to 2021, with the updating amendments highlighted in the version of the document considered at the meeting.

Action: Principal

157.8 T levels capital bid application: background information & Corporation approvals checklist

It was noted that the Corporation's responsibilities under Article 3(1)(c) included 'the effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets' i.e. the Corporation's responsibilities included approving the College's property strategy.

Members noted that the Department for Education (DfE) *Guide to the T Level Capital Fund* (Feb. 2020 guide & update) had been included in the Information Pack accompanying the agenda, for information and reference and that the DfE deadline for colleges to submit T Levels capital fund bids (to support 2021 delivery) was midday on 26 June 2020.

Extracts from the Government guidance concerning evidence of Corporation approvals required to be submitted with the bid were considered with reference to the checklist prepared by the Clerk which summarised the DfE's requirements as they applied to the Corporation i.e. evidence of Corporation approval of the T levels capital funding application and of estates strategy agreed by the Corporation to be sent with project application; copy of project governance arrangements organogram showing that appropriate governance arrangements are in place for delivery of the project with clear reporting and responsibility lines to be sent with the application; Corporation minutes confirming approval of project (a grant offer letter will only be sent once a copy of the minutes has been received by the DfE). It was noted that the first 3 items on the checklist would be considered later on the agenda.

With reference to the Corporation minutes to be submitted with the application, it was noted that these should confirm: Corporation approval for submission of the bid, the value of the project and that the College had in place a loan offer from the bank which would meet the match funding requirement.

[Confidential minute].

The Corporation received and noted the relevant extracts from the DfE T levels capital fund application guidance and the Corporation checklist of DfE requirements, discussing them with reference to agenda items 157.9 - 157.12.

157.9 College summary estates strategy & strategic options appraisal

The Corporation considered the College summary estates strategy and strategic options appraisal documents, noting the detailed T Levels capital bid estates strategy documents from consultants, AA Projects Ltd, which had been included in the Information Pack accompanying the agenda.

The Corporation noted and agreed that the estates strategy and options appraisal showed that: the College was currently operating at capacity, with very little flexibility to accommodate additional learners without creating new teaching space; the planned introduction of T-Level provision would not be able to be accommodated without a substantial increase in teaching accommodation, together with a consequential increase in social space

The Corporation agreed, with reference to the College's strategic estates options

appraisal, that the proposed two-storey extension adjoining the College's Oak Building, at a total capital project cost of £2,951,296, was the most cost-effective solution to the issues outlined in the estates strategy and options appraisal, as detailed above.

157.10 Application to the DfE's T Levels capital fund

The Corporation considered the College's T Levels capital fund application, agreeing the text with the following minor typographical amendments: at sections 5.1.4, 7.7.1 and 7.8.2 any reference to the College's Finance and Resources Committee should be replaced with a reference to the College's Finance and General Purposes Committee.

Action: Director of Finance

The Corporation resolved to approve the submission of the College's T Levels capital fund application, noting that the total capital project cost was £2,951,296, with the T Level capital grant fund requested (building related costs and approved fee support) being £1,300,000 which constituted 44.05% of total T Levels capital project costs.

Action: Director of Finance

Finance matters Part II

157.11 Borrowing match funding in support of the above bid

The Corporation noted that, should the College's application to the T Levels capital fund be successful, match funding from the College would be required and that the College had received an offer from Barclays Bank of a term loan facility of £1,700,000, which would meet the match funding requirement.

Items for discussion

157.12 Discussion: ensuring appropriate governance arrangements, with clear reporting and responsibility lines

The Corporation discussed and agreed the project governance arrangements to be included with the College's application to the T Levels capital fund, agreeing that they included clear reporting and responsibility lines, including use of consultants AA Projects Ltd to provide a full project management service, and that the College's project sponsor would be the College's Premises Manager, who would report on project progress to the Corporation's Finance & General Purposes Committee and to the Corporation.

Final agenda items

157.13 Any other business

There was no other business not already on the agenda.

157.14 How will items considered at the meeting have an impact on learners?

The following impact on learners was noted: increased teaching and social space if the College's T Levels capital fund application was successful and the College was able to proceed with its building plans.

157.15 Risk management – items identified at the meeting

The following item of risk was noted: the need to review the College's risk register to ensure that it fully captured risk relating to student numbers and any mitigation.

157.16 Date of next meeting

It was noted that the next scheduled meeting of the Corporation would be held on

Thurs. 9 July 2020 at 5.00pm.

Fiona Bagchi
Clerk to the Corporation

**MINUTES OF
CORPORATION MEETING 158
HELD ON THURSDAY 9 JULY 2020 BY VIDEO-CONFERENCING**

Present: Corporation members: Emma Albeck, Paul Britton (Principal), Pat Cavanagh, Paul Davis, John Gilleard, Dina Lewis, Jackie Goodman, Mark Lucid, Mark Moore, Cai Revell, Jane Price, Phil Taylor (Vice-Chair), John Wilson (Chair)

In attendance: Clerk: Fiona Bagchi (Clerk to the Corporation)

Senior managers: Jenny Anderson (HR Manager), Jamie Davies (Assistant Principal), Chris Herring (Assistant Principal), Julie Peaks (Deputy Principal), Tony Wilmot (Director of Finance).

Items to note

158.1 Apologies for absence & declaration of interests

Apologies were received from Corporation members Ruth Dönmez, Tony Douglass, Aaliyah Johnson-Mudd, Steve Sellers.

Standing declarations of interest: Paul Britton (trustee Yorkshire & Humber Co-operative Learning Trust); Pat Cavanagh (employee Yorkshire & Humber Co-operative Learning Trust); Julie Peaks (related to Principal of Wilberforce Sixth Form College).

Items for approval

158.2 Minutes of previous meetings

The Corporation approved the minutes of the extraordinary meetings held on 5 May, 21 May and June 2020.

It was noted that the confidential Reserved Business minutes of the meeting held on 25 Feb. 2020 would be considered for approval later on the agenda and agreed that the non-confidential minutes should be considered at a subsequent meeting.

Action: Clerk

158.3 Matters arising & action tables from the above minutes

(Matters Arising, below, are numbered according to their position in the action points table appended to the end of the previous minutes. The reference to the item where the action can be found in the previous minutes is given in brackets at the end of the action).

Actions from meeting on 5 May 2020

1 The Principal would take forward the Corporation's decision on future student numbers when developing the College's strategic plan.

Action: Principal

2 The College's existing accommodation strategy statement had amended as agreed i.e. removing the prohibition on borrowing

3 The T levels capital fund bid approved by the Corporation at its meeting on 18 June 2020 had been submitted by the 26 June 2020 deadline.

Actions from meeting on 21 May 2020

- 1 The plan for the initial re-opening of the College had been implemented, including the implementation of hand washing on entry to the site.
- 2 The Covid-19 Governance & Leadership Group had met by Zoom on 29 May 2020 and 11 June 2020, with notes of the meetings attached as annexes to the Corporation minutes of 21 May 2020 and meetings ongoing.
- 3 The Venn Partnership Ltd letter concerning the re-opening of the College site from 8 June 2020 had been sent out, as agreed, in the Principal's name, to parents on 22 June 2020.

Actions from meeting on 18 June 2020

- 1 The College's Strategic Plan had been amended as agreed, with the period to which the plan applied extended to 2021.
- 2 The College's T Levels capital fund application had been amended, as agreed.
- 3 As noted above, the College's T Levels capital fund application was submitted by the deadline of 26 June 2020.

158.4 Regular review of confidential minutes

The review of confidential minutes was deferred to a later meeting.

Action: Clerk

158.5 Membership recommendations: Corporation appointments

(i) Vacancy for a Corporation member in the ordinary category

John Wilson, as Chair of the Corporation's Search & Governance (SGC) Committee reported that a Committee meeting held in July 2020 had considered the appointment of Mr Jeremy Hartley as a Corporation member in the ordinary category, noting that he had been interviewed by 3 members of the Committee i.e. John Wilson, Phil Taylor and Paul Britton. The Committee had noted that Mr Hartley, who was a qualified accountant, was currently Director of Finance at the University of Hull.

It was noted that the Corporation currently had 2 accountants (i.e. John Gilleard and Mark Moore), following Philip Wright's resignation from the Corporation in May 2020. The FE Commissioner recommendation was that corporations should have at least 2 accountants. John Gilleard, who is Chair of the Audit Committee, is the only accountant on the Audit Committee. Mark Moore is a member of and the only accountant on the F&GP Committee but has indicated that he would stand down as a member of the F&GP Committee at the end of 2019/20. Members of the Audit Committee may not also be members of the F&GP Committee and vice versa.

The Corporation agreed, on the recommendation of the Search & Governance Committee, to appoint of Jeremy Hartley as a Corporation member in the ordinary category for a period of 4 years from 9 July 2020, subject to his meeting the Corporation member eligibility criteria.

Action: Clerk

The Corporation agreed that, should Jeremy Hartley take up the above appointment to the Corporation, he should also be appointed as member of the

(ii) Current and forthcoming Corporation vacancies

It was noted that:

- There was currently a vacancy for a parent Corporation member, one expression of interest had been received and the vacancy would be advertised at the start of the autumn term to allow the parents of first year students to apply;
- The terms of office of Cai Revell and Aaliyah Johnson-Mudd as Student Corporation members were each due to end on 31 August 2020;
- The Student Corporation members were elected members of the Student Association Executive who were nominated to the Corporation by the Student Association Executive; the Student Association Executive would make nominations on Student Corporation member appointments to the Sept. 2020 meeting of the Corporation;
- There would be a vacancy for a Support Staff Corporation member from 12 July 2020 as Emma Albeck' would not be seeking re-appointment when her current term of office ended on 11 July 2020;
- Mark Lucid, who was currently the elected Teaching Staff Corporation member, would become an Assistant Principal and member of the College's senior management team (SMT) from 1 Sept. 2020 and had indicated that he would resign from the Corporation from that date;
- Nominations would be sought for the Support Staff and Teaching Staff member vacancies and an election held if more than one nomination was received.

(iii) Current & forthcoming vacancies on Corporation committees

The Corporation received a table showing current and forthcoming committee vacancies. It was noted that Tony Douglass had agreed to join the Audit Committee, which would ensure quoracy.

The Corporation agreed that membership of the F&GP Committee and the Personnel Committee should, in each case, be reduced from 6 members back to 5 members in line with the membership of other committees and the previous membership of these 2 committees.

Action: Clerk

The Chair of the Corporation, John Wilson, thanked Cai Revell and Aaliyah Johnson-Mudd for their contribution to the work of the corporation during 2019/20.

158.6 Election of Chair and Vice-Chair for 2020/21

The Clerk reported that under the Instrument of Government, elections for Chair and Vice Chair of Corporation take place at the last Corporation meeting of the academic year and that as only one nomination had been received for each role, those so nominated were deemed to have been elected unopposed.

John Wilson was elected Chair of the Corporation for 2020/21: proposed Phil Taylor, seconded Paul Britton.

Paul Davis was elected Vice-Chair of the Corporation for 2020/21: proposed John Wilson, seconded Paul Britton.

Items for information - Part I

158.7 *Principal's report*

158.8 **Principal's report for July 2020, including report on Venn matters**

The Principal, Paul Britton, presented his report for July 2020, which was discussed.

It was noted that the most recent government advice was available at:

<https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-further->

Members noted that:

- The College's senior management team (SMT) had produced 3 possible scenarios for opening in autumn term 2020 i.e. full re-opening, partial reopening that would see 50% of students on campus at any one time and the other 50% learning remotely, lockdown and full remote learning;
- In each of the scenarios, the College would be delivering a full timetable of taught lessons;
- Whether on site or remote, students would be registered for each individual class and a teacher would be present to teach the lesson;
- remote teaching would include a live element to each lesson;
- Under the College's plans, whatever the mode of delivery (face-to-face or remote) the timetable would not change and the College should be able to switch between the three different models at short notice, if required;
- Ensuring safety and minimising risk had been the first priority in all planning;
- As shown through the recent partial re-opening, the College would ensure that measures were in place to prevent any spread of infection and keep students and staff healthy and well;
- The College would continue to adapt the college campus to ensure that it met government guidance, which would also be taken into account when planning the College's transport offer.
- Plans would be developed and finalised over the summer.

Members commended the College on its successful online approach to Wyke Start, thanking Mark Lucid, John Hamlin and the other staff involved.

It was noted that the College's bid to the ESFA's Condition Improvement Fund (CIF) for safeguarding/site improvements had been approved, with work planned for spring term 2021.

Planned collaborative work between the Venn Partnership Limited colleges on their digital offer was noted.

[Confidential minute].

It was noted in response to members' questions that:

- The College would put in place structures to ensure that new and returning students would be able to be effective learners;
- Building relationships with new students during the first part of the autumn term would be key to ensuring effective remote learning, should this be necessary;
- The College would encourage staff and students to walk or cycle to College, where possible, to limit the use of public transport e.g. through advertising the Cycle to Work scheme for staff;
- Updated DfE guidance allowed educational institutions to use their own transport systems but there would be costs involved, for example, in making the buses used by the College purely private i.e. not available to members of the public;
- All 3 scenarios developed by the College, including the fully remote learning offer, met the ESFA's funding requirements;
- The College had been testing for relevant environmental risks which might arise from closure e.g. legionella.

With reference to examinations, it was noted that the College had submitted all its Centre Assessed Grades (CAGs) and was waiting to see what outcomes would result from any moderation using the national statistical algorithms.

The Corporation commended the College staff for their response to the significant challenges of lockdown, including remote working. The Principal report that the College had received a significant number of compliments from staff, students and parents on the arrangements, with concerns, where expressed, being addressed and no formal complaints received.

The Corporation received the Principal's report for July 2020.

158.9

Finance matters Part I

158.10

Management accounts (May 2020)

John Wilson, as Chair of the F&GP Committee, invited the Director of Finance to present the

management accounts for May 2020, which had been reviewed by the Corporation's Finance & General Purposes (F&GP) Committee at its June 2020 meeting on 23 June 2020 and which were being presented to the Corporation for information and review. Members noted that the key matters included in the attached management accounts were as follows:

- Net surplus to May 2020 is £74k ahead of budget despite significant premises' costs having been incurred.
- Education, Health & Care Plan (EHCP) funding had been agreed at £118k against a budget of £38k
- All other variances reasonable with significant variances referred to in the report.
- Pay awards when processed in June would be within provision being made.
- Operating margin 2.04% of income for the period.
- Capital spend to date of £126k with £81k being grant funded.
- Financial Health grading moved to 'Good' following increased forecast surplus.
- Cash flow forecast shows strong position with funding receipts and costs updated to align with draft budget figures.
- Additional section in the detailed report to cover financial impact of COVID-19 closure on the year end forecast.

It was noted in response to members' questions that the Director of Finance did not anticipate any change in outturn before 31 July 2020.

The Corporation considered and received the management accounts for May 2020.

158.11

Bank covenant testing report (May 2020)

John Wilson, as Chair of the F&GP Committee, invited the Director of Finance to present the bank covenant testing report for May 2020, which had been reviewed by the Corporation's Finance & General Purposes (F&GP) Committee at its June 2020 meeting and was being presented to the Corporation for information.

The Corporation noted that, as at May 2020, the Director of Finance had confirmed that all banking covenants were being met and that, based on forecast ratios there was no immediate need to consider any waiver of covenant limits.

Items for approval

Finance matters Part II

158.12

Budgets 2020/21

John Wilson, as Chair of the F&GP Committee, invited the Director of Finance to present the commentary on budgets for 2020/21, the detailed Income & Expenditure accounts and, cash flow statement.

It was noted that:

- The documents listed above had been reviewed by the Corporation's Finance & General Purposes (F&GP) Committee at its meeting on 23 June 2020, which had agreed that the commentary and accompanying documents should be

- recommended to the July 2020 Corporation for approval;
- Since the June 2020 F&GP Committee meeting the Director of Finance has updated the budgets document to take into account the recent announcement that the College's Condition Improvement Fund (CIF) bid for safeguarding/site security improvements has been approved, which had had a positive effect on the numbers considered at the June 2020 F&GP Committee meeting as depreciation on the security project costs were now substantially offset by grant release;
- Following further discussions with the Assistant Principal (Quality & Systems), examination costs in the attached version had also been reduced since the June 2020 F&GP Committee meeting;
- A third change since the June 2020 F&GP Committee meeting had been in respect of depreciation charges, having finalised the split of the planned capital spend, with the charges reduced with a higher proportion of spend being at lower depreciation rates than in the previous calculations;
- The overall effect was a final net surplus of £531k.

With reference to income, it was noted that:

- ESFA grants for 2020/21 were based on funding allocation details received, which took into account the higher student numbers at the October 2019 census date together with increased per student funding and additional funding for high value courses;
- Discretionary Bursary and Free Meals funding for 2020/21 from the ESFA was in line with 2019/20;
- It had been assumed that local authority Education & Health Care Plan (EHCP) funding would be similar to 2019/20, although actual funding would depend on the level of student need;
- It had been prudently assumed that there would be no overseas student fee income;
- Lettings income had been assumed at 2019/20 levels.

Members noted that:

- Following on from two years of extremely restrictive budgets, the increased per student funding and numbers allowed for a more investment based approach for 2020/21 e.g. investment in staffing and resources;
- Some contingencies had been built into the budget e.g. for repair costs;
- There would be scope to reduce expenditure should there be increased costs as a result of the Covid-19 pandemic (e.g. increased transport costs).

It was noted in response to members' questions that:

- Under the ESFA's lagged funding system, grant funding for 2021/22 would be known by the autumn term census date;
- Should student numbers be lower than expected, staffing needs could be reviewed and/or the Corporation could decide not to proceed with the T Levels capital grant bid;
- The apprentice levy had been calculated at £850 per month by the external payroll service used by the College;
- With reference to capital expenditure and the College's 4 year TechEd plan, it was noted that EdTEch would be discussed later on the agenda;
- With reference to the College's T Levels capital grant fund bid, the financial information submitted had been based on the Integrated Financial Management for Colleges (IFMC) return which had been submitted to the ESFA in January 2020, with the financial return to be considered later on the agenda a simplified return produced by the ESFA in response to the Covid-19 pandemic;
- With reference to increased staffing costs and the reduced surplus in the 2020/21 budget in the context of the affordability of the proposed bank loan to support the College's application for T-level capital grant funding, the Director of Finance reported that, should the College's application be successful, there would be a

number of factors which would need to be considered by the Corporation before deciding whether to accept the offer of a further loan.

The Corporation considered and approved the budgets 2020/21 commentary, which included detailed Income & Expenditure accounts together with a cash flow statement.

158.13 ESFA simplified financial return

It was noted that: historically the Corporation had approved a 3-year financial plan, including worst-case scenario, capital projects and budgets, with the financial health grade assessment for approval at its July meeting and for submission to the Education & Skills Funding Agency (ESFA) by 31 July; due to the Covid-19 pandemic, the ESFA had issued new templates for a simplified 2020-21 financial return to be submitted by colleges by 31 July 2020 following sign off by the College's Accounting Officer (the Principal) i.e. in the current circumstances, the ESFA was not requiring Corporation approval; the documents to be returned were a cashflow template, a financial health calculator, and a commentary.

Completed versions of the cashflow template and financial health calculator were considered, with the Director of Finance confirming that the numbers in the return were basically from the latest management accounts as far as this year's forecast results are concerned and then from the budgets. The sensitivity analysis section at 3a of the attached financial health calculator document was noted with reference to the potential impact of possible continuing restrictions in Sept. 2020. It was noted that a budgets 2020/21 supporting commentary had been considered at agenda item 12 above.

The Corporation considered the completed versions of the ESFA's financial health calculator and cashflow template, which had been approved by the Principal, as Accounting Officer, for submission to the ESFA by the deadline of 31 July 2020.

Action: Director of Finance

Audit matters

158.14 External audit plan

John Gilleard, as Chair of the Audit Committee, presented the external audit plan which had been considered at the Committee's June meeting for recommendation to the Corporation.

Members noted that the external audit plan for the year ending 31 July 2020 from the College's external auditors, RSM UK Audit LLP (RSM), included the financial statements audit and the regularity assurance engagement but in 2020 could also include one-off fee with regard to the implications of Covid-19 in respect of work required on management's assessment of the basis of preparation of the financial statements and disclosures and that, in addition, as the ESFA had yet to publish its Post-16 Audit Code of Practice RSM estimated that there could also be additional fees related to a change in regularity framework.

It was noted that the Audit Committee considered the proposed fees acceptable [confidential minute].

The Corporation approved the external audit plan for the year ending 31 July 2020, including fees, on the recommendation of the Audit Committee.

Items for information - Part II

Committee reports

158.15 C&Q Committee: EdTech report

It was noted that the Curriculum & Quality (C&Q) Committee which had met on 3 July 2020 had considered the College's updated Ed-Tech plan and report update from Assistant Principal, Jamie Davies and that the report was being presented to the Corporation for information.

Members noted that the report considered the current situation and next steps/actions, with the reference to the following headings: infrastructure; inside the classroom; outside the classroom; learning platforms; training and development; safety, security and PREVENT; administration.

It was noted in discussion that:

- The College had decided to use Microsoft Teams and Office 365, noting that being a Microsoft college had employability benefits for students;
- Training in Teams had been provided for staff, with a planned focus on remote/ blended learning as part of teaching, learning and assessment training in 2020/21;
- *[Confidential minute]*;
- The plan covered the short to medium term and consideration needed to be given to how the Corporation could support the College as it developed its EdTech plan for the longer term.

It was noted in response to members' questions that: schools use of technology varied e.g. from online homework to digital teaching; the College would continue to ensure that all students had access to appropriate IT equipment and internet access to enable them to benefit from remote/ blended learning.

The Corporation received and considered a report on EdTech.

158.16 F&GP Committee: health & safety (H&S) & environmental reporting

The Corporation noted its overall legal responsibility for H&S and received a report on recent discussions on health & safety and environmental reporting to the Corporation undertaken during 2019/20 by the Corporation's Search & Governance Committee's Governance Working Group and by the June 2020 meeting of the Finance & General Purposes (F&GP) Committee. Jamie Davies (Assistant Principal) reported that H&S would come under his remit as a member of the College's SMT from autumn 2020.

It was noted that the issue of the Corporation's overall responsibility for health & safety and the question of Corporation member liability has been a area of particular focus during the Covid-19 pandemic e.g. discussion at the Corporation meeting held on 21 May 2020, which considered government guidance, plans for re-opening the College and risk assessments and established the College's Covid-19 Governance & Leadership Group

The Corporation noted, for information, the proposed development during 2020/21 of an annual health & safety report and an annual environmental report to the Corporation. Reporting would include the development of a report against a checklist taken from the HSE Leading Health & Safety at Work (based on the HSE's Plan, Do, Check, Act approach).

Action: JAD/AW/Clerk

158.17 Personnel Committee: pay award 2020/21

Phil Taylor, as Chair of the Personnel Committee, reported that the 2020/21 pay award had been considered at the Committee's June 2020 meeting.

The Corporation noted the following report from the June Personnel Committee: as previously reported, a support staff pay award of 2.5% pay award payable from 1 Jan. 2021 had been agreed nationally as part of a 2 year deal; there was no update on teaching staff pay award negotiations for 2020/2.

The Corporation also noted that provision for a pay award in 2020/21 had been made when the Corporation approved the 2020/21 budget earlier on the agenda.

158.18 Personnel Committee: College's policy review report

Phil Taylor, as Chair of the Personnel Committee, reported that the above report had been considered at the Committee's June 2020 meeting.

The Corporation noted in discussion that:

- The Principal had commissioned a consultant to review College and Corporation (including Corporation committee) approved policies/procedures during summer term 2020;
- The June 2020 meeting of the Personnel Committee had considered a report from the consultant, together with an initial draft action plan formulated by the Principal's PA; recommendations in the report included improving consistency through use of a standardised policy template (including standardised equality impact assessment), listing policy responsibility according to staff roles rather than staff names, introducing a common naming policy for documents, put in place a test to be passed before a new policy is produced, include a trigger for policy reviews after significant events (e.g. after policy use) in addition to periodic reviews, publication of all policies in PDF format in the same place for internal use, consider creating separate documents for policy and operational guidance, introducing an integrated policy register;
- Specific recommendations included making the student admissions policy a Corporation policy, which was currently a requirement for schools and academies although not for statutory corporations; the recommendations would be taken forward in 2020/21, including policy review and approval by the Personnel Committee and/or recommendation to the Corporation, as appropriate.

Action: Clerk

It was noted in response to members' questions that: *[confidential minute]*; the consultant had sixth form college experience; use of the consultant had meant that it had been possible to benefit not only from an external view of the College's processes but to complete the process faster than would have been the case relying on an in-house review alone.

The Corporation received, for information, a report on the policy review report considered by the Personnel Committee at its June 2020 meeting on 29 June 2020.

158.19 Committee minutes

It was noted that committee minutes and papers would be available on Microsoft Teams.

Governance matters

158.20 Corporation attendance report 2019/20 to date

The Clerk reported that Corporation attendance 2019/20 year to date was 78% against a target of 75%.

158.21 Use of seal & Chair's action report

(i) Use of seal

The Clerk reported that there had been no use of the Corporation seal year to date.

(ii) Chair's action report

The Clerk reported that John Wilson, as Chair of the Corporation, has taken Chair's action on the following occasions since the last report to the Corporation:

- To ensure committee quoracy, Chair's action had been taken to appoint Jackie Goodman as a temporary member of the Audit Committee for the meeting held on 9 June 2020 and to appoint the Chair of the Corporation (i.e. John Wilson) as a temporary member of the Personnel Committee meetings held on 6 May and 29 June

- 2020 (although, in the event, on the latter occasion the meeting would have been quorate without the appointment of an additional member);
- On 27 June 2020, following e-mail consultation with Corporation members, John Wilson as Chair of the Corporation had signed, on behalf of the Corporation, a College Collaboration Fund (CCF) bid to the Department for Education (DfE) to obtain a grant to facilitate digital learning at the 5 Venn colleges i.e. at John Leggott, Franklin, Scarborough, Wilberforce (lead applicant college in CCF bid), and Wyke.

The Corporation received the Clerk's report on Chair's action taken since the last meeting.

158.22 Documents/links from external bodies

The following documents were received in the Information Pack:

- DfE: guidance on the re-opening of sixth form colleges (July 2020)
- ESFA: briefing note on simplified financial return (submission date 31 July 2020)
- College Accounts Direction for y.e. 31 July 2020
- CIF bid approval (safeguarding/site security improvements)

Equality & diversity matters

158.23 Student equality & diversity report 2019-20

Chris Herring (Assistant Principal) presented the College's equality and diversity report, including an update on the profile of the student population over the past three years, headline performance information from the 2018/19 academic year. It was noted that while had been included profile data up to the current academic year, performance data would remain lagged.

Members noted with reference to the student profile for the previous 3 years that:

- The College continued to recruit more female than male students, which had remained at 60%-40% for the past three years;
- The ethnic origin profile is predominantly White British, it has become more so year on year for the past three years.
- There are only a minority of students who are willing to declare their sexual orientation and/or religion.

Appendices showing breakdown of gender by school and subject level Gender performance breakdown 18-19 (ALPS) were also considered.

Members discussed possible reasons reason for the above gender profile, with reference to the College's curriculum offer, the gender profile of the schools it recruited from, the achievement of females at GCSE, and anecdotal evidence that female students were willing to travel further to attend college.

Members noted with reference to the performance breakdown 18-19 (A-Level) that:

- Students who completed did very well against national benchmarks regardless of their ethnic origin, gender, disability/health status, income band or prior achievement;
- Achievement had been negatively impacted due to the retention levels of certain groups e.g. retention was particularly low for Black students, Free School Meals (FSM) students and, more particularly, bottom income quartile students;
- Gender performance gaps were evident in all Arts based subjects, where females did better, and in English Language and Maths, where males did better.

It was noted in response to members' questions concerning the performance breakdown that:

- With reference to retention for Black students, the numbers were low overall and, following investigation, appeared not statistically significant;

- There was some cross-over between groups with low retention;
- Actions taken, in relation to bursary provision, had reduced the low retention rate for bottom income quartile students by half but more needed to be done to reduce this further;
- The bursary fund had been used to buy IT equipment for eligible students during lockdown to aid remote learning and appropriate action would be taken to ensure that new students for autumn 2020 had the IT equipment they needed to participate in remote learning.

Members noted with reference to the Sixth Sense graphs that these showed that:

- The College recruited more white students and fewer BME (*Black & Minority Ethnic*) students and more females and fewer males than other institutions nationally;
- The College recruited a lower proportion of bottom income students, FSM students and students with LLDD (*Learners with Learning Difficulties or Disabilities*) or Health conditions than other institutions nationally;
- All groups outperformed other institutions nationally in relation to progress.

Members agreed that it would be helpful for future reports to show recruitment by ethnicity with reference to the profile of the local population.

Action: CH

The Corporation receive the College's 2019-20 equality and diversity report.

Student agenda item

158.24 Student Corporation member agenda item

In response to members' questions, Student Corporation member, Cai Revell, reported that: his experience of remote learning had been positive.

Final agenda items

158.25 Any other business

There was no other business not already on the agenda.

158.26 How will items considered at the meeting have an impact on learners?

The significant impact of the pandemic on student activities had been discussed above.

158.27 Risk management – items identified at the meeting

The risk of lower than expected student numbers for 2020/21 had been discussed but was known which was already included on the College's risk register.

158.28 Date of next year's meetings

Dates for 2020/21 would be e-mailed to members.

Action: Clerk

158.29 Reserved Business agenda: items for approval

In line with the Corporation's established practice, staff and students, other than the Principal, left the meeting before consideration of the Reserved Business agenda.

Fiona Bagchi
Clerk to the Corporation