



AGENDA
REFERENCE

A1

CORPORATION/COMMITTEE PAPER

**Meeting of the Corporation
16 December 2020**

<i>TITLE</i>	Minutes of the previous meeting held on 28 October 2020
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<i>PURPOSE</i>	To receive, agree and approve the minutes of the previous meeting held on 28 October 2020
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<i>RECOMMENDATION</i>	Governors are requested to note the minutes and agree their accuracy
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<i>No. of pages in main paper</i>	8
<i>Appendices/Annexes</i>	None
<i>Financial Implications</i>	None
<i>Risk Implications</i>	Failure to follow agreed and proper practices
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MINUTES OF A MEETING OF THE BOARD OF LEICESTER COLLEGE CORPORATION

HELD ON 28 OCTOBER 2020 VIA TEAMS



Present: Jonathan Kerry (Chair) Zubair Limbada
Tim Gray Louisa Poole
Danielle Gillett Simon Meakin
Verity Hancock Caroline Tote
Brigitte Heller Tom Wilson
Andrew Hind

In Attendance: Louise Hazel Director of Governance and Policy
Shabir Ismail Deputy Principal
David Jackson Director of Student Services and Marketing
(Item 7)
Della Sewell Director of HR
Tina Thorpe Vice Principal
Kully Sandhu Vice Principal

1 DECLARATIONS OF INTERESTS

- 1.1 The following declarations of interest were made:
- Jonathan Kerry and Tom Wilson item 9 (reference to St Philip's Centre).

2 APOLOGIES FOR ABSENCE

- 2.1 Apologies for absence were received from John Allen, Chan Kataria and Mandeep Singh.

3 MINUTES OF THE LAST MEETING AND MATTERS ARISING

- 3.1 Governors received and approved the minutes of the last meeting on 17 September 2020.

4 FEEDBACK FROM RECENT COMMITTEE MEETINGS

- 4.1 The Chair invited Committee Chairs to feed back on recent meetings. The following points were highlighted:
- 4.1.1 The Search and Governance Committee had considered succession planning and committee membership. There would be a number of vacancies in the new year and so it was planned to undertake a recruitment process to fill these. It had also discussed reviewing the cognitive diversity of the Board.

- 4.1.2 The F&GP had met twice and had reviewed the financial reforecasts including the impact of COVID-19. Routine items including the health and safety annual report and the gender pay gap report had been considered. The Period 12 accounts had been discussed in detail including issues affecting cashflow, impact on the covenants and the fact that the financial position would have been better had it not been for the pandemic. Detailed discussion also took place about HE subcontracts. This had highlighted a change to normal processes for procuring a contract; members had been uncomfortable with the approach but recognised the reasons for the action, the impact on students and the risk factors; some additional assurances had been requested.
- 4.1.3 The Audit Committee had considered several audit reports covering mental health and wellbeing, procurement, governance and risk management. All had green risk ratings. The regularity self-assessment had been considered along with the external auditor's feedback on the audit. There was nothing significant to report from this. The annual report on cyber security and data breaches had been received; while there had been some data breaches, these were not concerning.

4.2 **Governors noted feedback from recent committee meetings.**

5 RECRUITMENT AND ENROLMENT UPDATE

- 5.1 The Principal presented an update on recruitment and enrolment. The following points were highlighted.
 - 5.1.1 There had not been any significant changes since the last meeting. It was expected that the College would hit its 16-18 allocation although not its Curriculum Plan numbers. There were variations between sectors; engineering was low but Construction and Health and Social Care had recruited strongly. Lower numbers in Creative Arts were probably related to students choosing A levels in these subjects. Overall, the position was stable but retention might be an issue.
 - 5.1.2 There were high number of maths resits; an external venue had been booked which incurred additional costs.
 - 5.1.3 HE remained challenging and was around 10% down at 315 students.
 - 5.1.4 Apprenticeship recruitment was proving very difficult in terms of numbers and income. The College was at around 75% of its revised plan which was 35% of the original plan. The end of the furlough scheme might lead to more apprentices losing their jobs so retention would be an issue. There were also still many who needed to complete their EPAs and so there would be costs incurred in 2020/21.
 - 5.1.5 Adult numbers were around 20% down on this point in the previous year.
 - 5.1.6 The College was fully open and every area had planned for a mix of onsite and online learning. Directors were reporting good attendance on site and the health and safety aspects had been managed well. There had been 42 positive cases (32 students); the majority were due to transmission offsite. Positive cases and people self-isolating would have an impact on retention and achievement as well as on the overall student experience.

- 5.2 **Governors commented that the numbers of cases indicated the careful ways in which the College had worked out how to operate in difficult circumstances. Governors expressed their thanks to staff and students for working well in such difficult circumstances.**
- 5.3 The Principal presented a report on contingency plans in the event that the College had to close and move to online/remote learning only. The following points were highlighted.
- 5.3.1 Every area had produced a contingency plan; these were particularly important for curriculum areas. Example plans were provided.
 - 5.3.2 The biggest issue was being able to equip everyone with the technology and equipment they needed to participate. There was no government funding to support this but the College had bought hundreds of additional laptops. There was some pressure from the DfE to have face to face teaching but it was important to recognise the rising infection rate in Leicester.
- 5.4 **Governors asked whether the plans reflected the residual impact of the last lockdown.** Curriculum Areas would need to take into account the implications of this and any further lockdown but there were time and resource limitations and to what could be achieved. There might be implications for future assessments; a national decision was needed as the current assessment system was not fit for purpose.
- 5.5 **Governors noted the update.**

6 PERIOD 12 MANAGEMENT ACCOUNTS

- 6.1 The Deputy Principal presented the period 12 management accounts. The following points were highlighted.
- 6.1.1 The Period 12 accounts represented the College's performance following the closure of College's campuses and reflected the financial position at 31 July.
 - 6.1.2 The year end result was an operating surplus after restructuring costs of £960k compared to the forecast surplus of £602k. The College had done well to achieve this. This improvement was mainly a result of the further lockdown impacting on estates related work.
 - 6.1.3 The latest data return suggested the College would exceed its 16-18 learner responsive learner number and funding target.
 - 6.1.4 Income from the AEB had declined since April but the College would be well above the 68% threshold. However, the College had been on track to exceed its allocation (108%) beyond the fundable 103% with plans to recruit more adults during the third term. The College would have been close to achieving a £1.8 million surplus if the pandemic had not occurred.
 - 6.1.5 Apprenticeship income had also fallen behind target and there would be significant challenges going into 2020/21.
 - 6.1.6 HE income was forecast to be below target but there would be savings

- in partner costs.
 - 6.1.7 The College continued to meet its bank covenants and maintain its financial health as 'Good'.
 - 6.1.8 Cash balances for the end of the academic year were currently more favourable than planned. Based on the planning assumptions for 2020/21, the College would face some pressure on cashflow in March 2021 and March 2022 when the profile from the Agency declined.
 - 6.1.9 The external auditors had completed their work and their report was awaited.
- 6.2 **The Chair of F&GP confirmed that the accounts had been looked at in detail at the last meeting. A major consideration was the financial and operational implications for 2020/21 of any deferrals of activity or impact from 2019/20.**
- 6.3 Governors asked a number of **questions** including:
- 6.3.1 **Whether the external auditors had a view yet on the 'going concern' assessment.** At the moment and because the College was meeting its covenants there were no concerns but auditors reserved the right to make changes to the assessment up to the point the accounts were signed.
 - 6.3.2 **This was a good result and a better position to be in going into an even more uncertain time. The finance team was congratulated on having progressed the external audit.** Acknowledged. There was still the potential for 97% reconciliation in 2020/21. The first reforecast was being started shortly.
- 6.4 **Governors noted the Period 12 Management Accounts.**

7 SAFEGUARDING

- 7.1 The Director of Student Services and Marketing presented Safeguarding Annual Report for 2019/20. The following points were highlighted.
- 7.1.1 There had been more male than female referrals for the first time; further investigation was needed into the possible reasons for this.
 - 7.1.2 Up to the point of lockdown, the number of referrals had been similar to previous years. After that, there had been very few and most work was with students of whom the Team was already aware.
 - 7.1.3 The spread of referrals from Curriculum Areas was more even than in previous years.
 - 7.1.4 Guidance had been issued to teaching staff on protocols for online teaching. Online support had been provided to students throughout lockdown and for some students this had been a preferred way of accessing support.
 - 7.1.5 Mentors had been in touch with every student they worked with on a regular basis. Looked After Children (LAC) were contacted on a weekly basis. Liaison had taken place with the City Council over providing laptops for LAC students.

- 7.1.6 PEP meetings and other reviews and meeting had continued online.
 - 7.1.7 Students in need had been referred to food banks and funding had been paid into their accounts up to and including August.
 - 7.1.8 A new Prevent module had been developed and rolled out to staff.
 - 7.1.9 The report for the coming year would look different because data was being collected through CPOMS and so comparisons with previous years would be difficult.
- 7.2 **Governors commented that it was a very thorough report. It was suggested that it should also include the number of cases of criminal exploitation and those young people at risk from drug or alcohol abuse.**
- 7.3 **Governors noted the Safeguarding Report for 2019/20.**
- 7.4 The Director of Student Services and Marketing presented updated guidance on Keeping Children Safe in Education. The following points were highlighted.
- 7.4.1 The main changes included that safeguarding should be preventative and the definition of safeguarding had been expanded to include preventing impairment of a child's mental health and development.
 - 7.4.2 Staff should now pass on any concerns about a colleague's behaviour which might indicate they could pose a risk.
 - 7.4.3 The guidance also included the promotion of education of young people who had a social worker and making efforts to ensure they could succeed. The College had strong support for these young people through its mentor team and LAC lead.
- 7.5 **Governors noted the updated guidance Keeping Children Safe in Education.**

8 CAPITAL PROGRAMME

- 8.1 The Deputy Principal presented the Capital Programme for 2020/21. The following points were highlighted.
- 8.1.1 The capital budget had been signed off in July. The College had since received an allocation of £1.75 million, based on student numbers, for the upgrading of the estate; 25% of matched funding was required. £1 million had been set aside so the capital budget for 2020/21 would now be £2.75m.
 - 8.1.2 The College had conducted its own condition survey and identified the main areas in need of improvement. The allocation would allow the College to fund these improvements and boost investment in IT including mobile technology and infrastructure.
 - 8.1.3 Match funding for the T level project was included in the budget although the College had still not yet received confirmation that its bid had been successful and plans would need to be brought back to F&GP and to the Corporation before acceptance of any funding was confirmed. Discussions were taking place with the bank over a credit revolving facility.

8.2 **Governors noted that this had been discussed at F&GP but the main concern was whether the funding could be spent in time; was the team still confident that this could be done?** Current guidance was that it had to be spent but clarity on this was being sought from the ESFA as there was some recognition it might be challenging to spend. Since there were a number of projects which had been deferred from the period when the College was closed, plans were already in place and contractors identified and £1.1m of work was already scheduled. The condition survey also identified further priority work and the team was confident the funding could be spent.

8.3 **Governors approved the Capital Programme for 2020/21.**

9 PARTNERSHIPS

9.1 The Deputy Principal presented the Partnership report. The following points were highlighted.

- 9.1.1 There was no intention to subcontract any FE provision at this time. Figures for carry over contracts were very small in relation to the overall allocation.
- 9.1.2 Quality processes were being maintained including during lockdown.
- 9.1.3 Contact values for HE subcontracts had been reduced in order to reduce risk; these would be managed and reduced further into the following year.
- 9.1.4 A small amount of niche subcontracting was undertaken for apprenticeships.

9.2 **Governors approved the Subcontracting values for 2020/21.**

9.3 The Principal presented the draft Subcontracting Statement. The following points were highlighted.

- 9.3.1 This was a new requirement of the ESFA and set out the College's approach to subcontracting.
- 9.3.2 The statement would be published on the website.

9.4 **Governors asked the following questions.**

- 9.4.1 **Whether it was usual to publish management fee information.**
This was a new requirement. There were some concerns nationally about poor practice by some lead providers; it was important to show that funding was used appropriately for the benefit of students.

9.5 **Governors approved the Subcontracting Statement.**

10 STRATEGIC PLAN TIMELINE

10.1 The Director of Governance and Policy presented the proposed approach to developing the 2022-2025 Strategic Plan. The following points were

highlighted.

- 10.1.1 The College's current Strategic Plan 2018-2021 was due to end in 2021/22. In a normal year, consultation on the new plan would have started at the Corporation away day in June 2020 but in view of the pandemic, the uncertainties surrounding the sector generally, and the now expected white paper in autumn 2020, development of the plan had been postponed for a year.
- 10.1.2 Opportunities for strategic discussions on key themes were being built into the workplan for the Corporation. The timeline also included consultation with stakeholders.
- 10.1.3 Cross-College strategic statements and strategies would also be produced to support the Strategic Plan.

10.2 Governors approved the approach to preparing the 2022-2025 Strategic Plan.

11 QA MEETINGS AND TRAINING

- 11.1 The Director of Governance and Policy reminded governors about opportunities to attend the QA meetings and the various training and development sessions available governors through the Association of Colleges, Education and Training Foundation and others.
- 11.2 In response to **questions** it was confirmed that learning walks had not yet been arranged but the intention was to do so, although some might need to be online.

11.3 Governors noted the reminder.

12 COMPLAINTS ANNUAL REPORT 2019/20

- 12.1 **Governors received and noted the paper.**

13 WHISTLEBLOWING ANNUAL REPORT 2019/20

- 13.1 **Governors received and noted the paper.**

14 SEARCH AND GOVERNANCE COMMITTEE ANNUAL REPORT 2019/20

- 14.1 **Governors received and noted the paper.**

15 ITEM FROM SEARCH AND GOVERNANCE: GOVERNOR ENGAGEMENT

- 15.1 **Governors received and noted the paper.**

16 ITEM FROM SEARCH AND GOVERNANCE: ACTION RECORD 2019/20

- 16.1 **Governors received and noted the paper.**

17 ITEM FROM AUDIT COMMITTEE: RISK STRATEGY

17.1 Governors received and noted the paper.

18 DATES OF NEXT MEETINGS

- 26 November 2020 – 5pm (Special meeting)
- 16 December 2020
- 21 January 2021 (TBC)
- 10 March 2021
- 11-12 June 2021 (Away Day)
- 14 July 2021

19 ANY OTHER BUSINESS

19.1 The Chair mentioned that this would have been Mandeep Singh's last meeting. He was thanked in his absence for his contribution on CSQI and the Student Liaison Committee.