

**CHELMSFORD COLLEGE
BOARD OF THE CORPORATION
23 July 2020**

Minutes

Minutes of a Meeting of the Board of the Corporation held in the Tutorial Room 102, Moulsham Street Campus, Chelmsford and via MS Teams on Thursday 23 July 2020 at 2.00 pm.

PRESENT:

Elaine Oddie (Chair)	
Andy Sparks (Principal)	
Jenny Beaumont	*
Trevor Bolton	*
Stuart Hodges	
Susan Hughes	
Sarah Noble (Vice Chair)	
Christian Norman	*
Amanda Montague	*
Jaya Patten	*
Barbara Vohmann	
Doug Zeeman	

IN ATTENDANCE:

Caroline Williams (Deputy Principal)
Debs Hurst (Vice Principal, Finance & Corporate Resources)
Rob Millea (Clerk to the Corporation)
Joanne Harrington (Assistant Clerk)

*Denotes attended through MS Teams – all other attendees present in person

1403. APOLOGIES FOR ABSENCE AND WELCOME TO NEW GOVERNOR

Apologies for Absence were received from Thomas Pipe (Student Governor).

Seena Shah was absent.

The Chair welcomed Trevor Bolton as a new Member of the Board.

1404. DECLARATIONS OF INTEREST AND CONFIDENTIAL ITEMS

The Clerk to the Corporation renewed his declaration that he acts as Company Secretary of Essex Shared Services Limited.

Barbara Vohmann renewed her declaration as an employee of Anglia Ruskin University and her involvement with links between ARU and Writtle University College.

The Vice Principal, Finance & Corporate Resources renewed her declaration as a Member Representative on the Essex LGPS Advisory Board.

The Principal declared his interest as a Director and Acting Chair of ACER Limited (dormant company).

The Chair and the Principal declared their interests as Directors of Essex Shared Services Limited.

No confidential items were notified save that minutes **1418 and 1419** were deemed to be Confidential.

1405. URGENT BUSINESS

There were no items of Urgent Business.

1406. MEETING SCHEDULED FOR 27 MARCH 2020

Due to the closure of the College because of the COVID-19 pandemic, the Board Meeting scheduled for the above date was not held. However, the Agenda and supporting papers for this Meeting were circulated to all Governors.

A number of approvals were sought from Governors electronically and these are itemised in Matters Arising (minute **1407**).

1407. MATTERS ARISING

The Clerk tabled a paper tracking actions arising from previous Meetings of the Board, including the approvals given electronically arising from the Meeting of 27 March 2020.

The Minutes of the Meetings held on 26 December 2019 and the Special Board Meeting held on 7 February 2020 were **APPROVED** electronically by the Board and have been **SIGNED** by the Chair.

The Board **NOTED** the resignation of Peter Moore as General Manager of Essex Shared Services Limited, effective from the end of June. An interim Manager has been appointed and a permanent appointment is hoped to be made early in the 2020/21 academic year: interviews are taking place on 24 July 2020.

In addition to the approval of Minutes noted above, the Board gave its approval electronically for the following matters arising from the Agenda and papers circulated for the Board Meeting on 27 March 2020:

- Re-appointment of Amanda Montague as a governor of the College with effect from 2 May 2020 for four years
- Appointment of Trevor Bolton as a governor of the College with effect from 27 March 2020 for four years and for him to join the Audit Committee from that date
- Re-appointment of Robert Millea as Clerk to the Corporation for the 2020/21 academic year
- Schedule of Meeting dates for the Board and its Committees for the 2020/21 academic year (it has since been agreed that the date of the July 2021 Board Meeting be amended to 8 July 2021 – a week later than previously – and the Audit Committee on 8 September 2020 has been cancelled with a replacement Audit Committee Meeting being scheduled for 2 March 2021
- Approval of the Management Accounts for the seven-month period ended 29 February 2020
- The College Property Strategy
- Minutes of the Board Meeting held on 6 December 2019 and of the Special Board Meeting held on 7 February 2020

The Board were informed that the ESS statutory accounts for the year ended 31 July 2019 have now been approved.

1408. PRINCIPAL'S REPORT

The Principal presented a written Report for the information of governors, focusing on the following topics:

Overview

This covered the effects of the COVID-19 pandemic in delivering education to students since lockdown commenced in March, giving the Board full details of the measures taken by the College to continue to operate remotely, including the take-up of the online learning model by students (73% of learners and apprentices actively engaged).

Information was also provided about how the limited return of students and staff has been managed since the beginning of June and plans for the new academic year. The Principal emphasized that the situation is continually changing and the advice from the DfE and ESFA is not always very clear. Clearly, considerable numbers of students will attend or want to attend in September but the precise means of handling those numbers of students is still in the planning stage.

The Quality issues relating to this fundamental upheaval have been reviewed by the Quality & Learners Committee which met in May and is further updated in the Deputy Principal's Report (minute **1415**).

It was further noted that Ofsted will commence visiting Colleges again from September but will not produce Inspection Reports, merely a letter showing findings of inspectors based on professional conversations with senior personnel, staff and learners. No grades will be published.

Partnership Development

This is on hold following the visit from the FE Commissioner's Team in February, who recommended it be paused for a couple of years, and also due to the pandemic which has caused dialogue with other parties to cease. Therefore, no further work is being undertaken at the present time. It is intended that it will be further discussed at the Development Day in October.

Learner Numbers, Funding & Finance

The Board were informed that a small operating surplus is currently projected for this year (around £80K), which reflects Government assistance through the Provider Relief Fund and the agreement to pay all providers their full Adult Education Budget for the year, notwithstanding that delivery levels could not be met.

College core 16-18 income for 2020/21 will increase £436K from this year due to higher base rate funding and the High Value Course Premium.

Nevertheless, the College is forecasting a large deficit of £1.1 million for 2020/21 due to reductions in apprenticeship income which are expected, a reduction in special provision/extended learning students and other commercial income, all due to the effects of the pandemic on the wider economy.

It is expected that more certainty concerning income levels will emerge early in the 2020/21 year and a reforecast will be prepared. Meanwhile, costs are being tightly controlled and this will continue. The College is taking advantage of the Job Retention Scheme and the Provider Relief Scheme, provided by Government.

Recruitment has been encouraging with confirmed offers only 4% (53) lower than last year at this stage. Applications have risen by 430 over last year at this stage but not all applications translate into offers/starts.

The Principal said that staff and students had responded well to remote learning and students have achieved reasonably well academically.

There will be a slightly delayed start to the 2020/21 academic year due to assessing the impact of Government regulations. In addition, the College is working on a range of scenarios regarding means of delivery of courses – possibly 50% will be delivered online.

Risk Dartboard

The current iteration of the College Risk Dartboard, taken from the College Risk Register was provided to the Board. It is entirely COVID-19 based. There are 15 risks, of which five are rated RED. This had been discussed in detail by the Audit Committee at its Meeting on 23 June 2020 and is documented in the Minutes of that Meeting (see minute **1417**).

The five RED risks are

- Cash flow
- Protection processes (public health)
- Learner Technology (remote working)
- Recruitment of Apprentices
- Recruitment of special Provision/Extended Learning learners

Summer works and Major Projects

This is covered under the Finance Report (minute **1410.3**)

The Report was **RECEIVED**.

1409. HUMAN RESOURCES REPORT

The Board **RECEIVED** a Report from the Vice Principal, Finance & Corporate Resources on Human Resources matters.

The key points were:

- **Turnover** to date for this academic year annualised is 11.84% (33.96 last year) against a target for the year of 18%. The overall trend remains downwards and compares well with the AoC benchmark in the Eastern Region of 18.2% in 2017/18. However, the current uncertainty is no doubt contributing to job security concerns amongst staff and therefore reluctance to consider different employment in a constrained market
- 91 staff have been furloughed under the Job Retention Scheme but those furloughed were paid the full salary during this time

- Currently, there are 15 vacancies for which recruitment is taking place, having been paused during lockdown
- A partnership with a recruitment agency has been put in place to stimulate recruitment interest in the areas of shortage, details of which were provided to the Board
- **Sickness absence** is averaging 5.97 days in the 12 months to June 2020 (last year to 31 July: 6.63 days) against AoC benchmark in the Eastern Region of 5.2 days, which is also the College's KPI target
- The criteria for long term sickness is 20 days and two members of staff are on long term absence (more than 20 consecutive days)
- **Employment relations** are good with the unions and staff generally. The unions understand the COVID-19 situation and the financial constraints arising. They have contributed to risk assessments in the College. There are no extant employment grievances or actions.

Governors were provided with comprehensive information regarding College initiatives in connection with **Wellbeing and Mental Health**, which is even more important in this uncertain time. Full details of the measures taken and staff response was detailed in the Report.

Staff have been told that all holiday must be taken before 31 August 2020. An increase in the provision for untaken annual leave at 31 July 2020 will have to be included in the annual accounts to that date for prudence and, increase of £85K, has been made. A detailed reconciliation will be required for year end.

Staff recognition awards have been made individually this year and recorded via video, which will be available to governors.

The Report was **RECEIVED**.

1409.1 PAY AWARD 2020/21

The Vice Principal, Finance & Corporate Resources reported to the Board that no pay increase will be offered for staff for the financial year 2020/21. Also no increments for staff are planned with the exception of those who have completed Teacher Training.

The VPFCs confirmed that the College has paid all staff during the lockdown period including staff furloughed, where the College has added to the Government 80% subsidy to bring pay up to 100% for those employees.

The Board **AGREED**.

1409.2 COVID-19 UPDATE

The Report discussed the effects of the pandemic in detail for the information of Board Members, covering the following issues:

- Three members of staff tested positive for COVID-19 – all fully recovered
- Anxious time for staff – extensive support provided
- Regular updates to staff and governors from the Principal
- College open for Nursery provision and vulnerable learners during lockdown
- Job Retention Scheme furloughing 91 staff with staggered return dates. The scheme ends on 31 October 2020
- Re-opening from beginning of June
- Publication of overarching COVID19 risk assessment
- Detailed departmental risk assessments
- Stay Alert Policy
- Maintenance of positive Employment relations, including with the UCU
- No disputes which have gone to Employment Tribunal
- No outstanding grievances or instances of misconduct amongst the staff

Governors requested that Risk 8.1 should be amended to include 'further infections'.

The Report was **RECEIVED**.

1410. FINANCE REPORT

1410.1 Management Accounts for the ten months to 31 May 2020

The Vice Principal, Finance & Corporate Services presented the Management Accounts for the ten months ended 31 May 2020 and eleven months ended 30 June 2020 (recently completed) for discussion and comment by the Board.

For the period to 30 June 2020, the College is showing an operating surplus of £356K against a revised forecast of a surplus to that date of £182K, a favourable variance of £174K.

Total income amounted to £15.095 million and total expenditure amounted to £14.739 million.

The Accounts at both month-ends were accompanied by a detailed commentary explaining the variances from budget. These management accounts do not take into account any adjustments which will result from

including FRS102 pension adjustments, either costs or any increase/decrease in the actuarial valuation.

The current year has not been significantly impacted by COVID-19 due to:

- Full AEB being paid
- Job Retention Scheme
- Full payment by Essex County Council for High Needs learners and funded Nursery places
- Apprenticeship Provider Relief Scheme

The Management Accounts to 31 May 2020 had been reviewed by the Budget Working Party, which met on 9 July 2020 (see minute **1417**). The Accounts included an analysis of trade debtors which totalled £30K, which are all considered recoverable.

At 30 June 2020, group net assets stood at £15.606 million, including cash of £0.918 million and revalued fixed assets of £29.866 million.

The College's Financial Health for 2019/20 to date, based on ESFA methodology, is Requires Improvement and will remain so at 31 July 2020, but due to the financial effects of the pandemic, it is expected that this will deteriorate to Inadequate for 2020/21.

The bank covenants with relating to Lloyds Bank will be met at 31st July 2020, Barclays will waive their covenant due to the impact of refinancing the revolving credit facility. It is expected that covenants will be breached in 2020/21.

1410.2 Financial Forecast to 31 July 2020

A revised forecast has been prepared and there is an anticipated operating surplus of £80K to £100K against a reforecasted outturn in February 2020 of £198K surplus. This revised forecast is an improvement on the forecast of £23K at the end of May 2020.

The anticipated cash balance at year end is £400K.

The forecast includes no adjustments for pension accounting noted in minute **1410.1** above.

The Board **APPROVED** the Management Accounts and Report to 31 May 2020 and 30 June 2020 and **NOTED** the estimated Financial Outturn for the year ended 31 July 2020.

1410.3 Capital Expenditure and Estates Programme 2020/21

The Vice Principal, Finance & Corporate Services **PRESENTED** a Report on the programme of Capital Works proposed for 2020/21. The specific elements of the planned Capex for next year are included in the Budget Working Party Committee Minutes and are not repeated here.

The VPFCS emphasized that the new construction centre at Princes Road, upgrade of facilities at Moulsham Street and the replacement of the Princes Road boilers will be 'shovel ready' for any capital funding that may become available from the DfE in September 2020 and after April 2021.

The new **Construction Centre at Princes Road** has received approval of SELEP funding of £1.3 million against the total estimated cost of £1.9 million but the College is required to fund the balance of £600K, which is a real challenge in the current environment, if not impossible. The funding from SELEP will lapse if the project is not ready by December 2021.

Sarah Noble asked a question regarding IT sufficiency given the likelihood of further periods of remote working being likely for staff and students. The VPFCS said the College will purchase some IT equipment but on a 'needs must' basis for staff. Staff have been made aware that it is not necessarily always preferred that staff work from home and the College will provide in College any necessary equipment required, according to need, to deliver on-line learning.

Any new equipment for staff will be funded through revenue by leasing and bursary funds will be used for students. The Principal commented that there is extensive CPD training being provided for innovative ways to develop academic staff to deliver remote learning. There is a national push for staff to return to Colleges.

The VPFCS, responding to the Chair, commented on funding of the **Princes Road boiler replacement**. It is expected that there will be some help from ESFA which we will bid for but it is clear that the College cannot afford it without help.

The Board **NOTED** the Capital Update for 2020/21.

1410.4 Financing Arrangements

As documented in the minutes of the Budget Working Party (minute **1417**) which met on 9 July 2020, there is a need for the College to ensure it has sufficient funds to meet its outgoings during the 2020/21 academic year.

Accordingly, a short-term financing/overdraft requirement (from March 2021 till July 2021) exists to mitigate the operational effects of the COVID-19 pandemic on the College's future finances. This is currently not funded. The ESFA and FE Commissioner's team are aware and have made it clear that the College has to explore and exhaust all other funding sources before requesting Exceptional Financial Support from Government.

The College needs to ensure that it remains a going concern and does not trade when insolvent. The FE Insolvency Act remains extant.

If the cash shortage is not mitigated by a bank overdraft or other short-term funding, then the College would be insolvent and therefore not a going concern, which could trigger the operation of the Insolvency Act and force a compulsory SPA process.

In the light of the above requirement to secure cash funds, the Board considered the establishment of a financial facility (short-term) with Whitehall Finance to assist in managing the expected overdraft requirements of the College in 2021, if it is required. The facility has a maximum of £350,000 and would be likely to be required from March to August 2021 as needs arise.

The Board hoped that this facility would never have to be used and they noted that the cost of 1% on any outstanding balance from time to time. There are no set-up fees or administrative fees but there is a penalty of 20% of the amount outstanding if it is not repaid when due. The penalty cost is quite severe.

The Board were concerned that the need for such a facility reflected on the management of the College's finances but the Principal said that many Colleges are in a similar position and that the ESFA/Government realised that such difficulties were COVID-19 related and not any criticism of the College's financial management. Indeed, the FE Commissioner's team in February complimented the College on its sound finances and strong management.

After considerable discussion, the Board were not minded to establish this facility at this stage but will return to the matter at the September Board Meeting when further consideration is given to the Budget through to 31 July 2021.

The Board noted that the VPFCS has instigated discussions regarding a possible overdraft facility being agreed with either Lloyds Bank or Barclays Bank. Initial approaches were not completely negative: Lloyds require further information and Barclays gave a qualified positive response.

1410.5 ESFA Return and Commentary (including 2020/21 Budget)

The Vice Principal, Finance & Corporate Services presented the ESFA Financial Plan for the College, in the form required by the ESFA and which has to be approved by the Board and submitted to the ESFA by 31 July 2020.

The Plan incorporates the expected outturn for 2019/20 and the budget for 2020/21, but as yet with no estimates for 2021/22 as this will depend on, amongst other things, recruitment for 2020/21 as it affects the lagged funding model.

It is therefore intended to approve an 'interim' Budget for the period to 31 December 2020 and to revisit the budget for the rest of 2020/21 and an estimate for 2021/22 at the Governors' Development Day in October.

The Board noted the expected outturn for 2019/20 (see minute **1410.2** above) showing a likely surplus of around £80K, before pension adjustments.

The Board then considered the Budget for 2020/21 and noted the scrutiny already provided to the draft Budget by the Budget Working Party (which most governors attended) on 9 July 2020, as recorded in the Notes of that Meeting (see minute **1417**). This included a detailed Commentary of the elements of the Budget.

The Board reviewed the high-level Budget (schedule provided to governors) which has been reworked based on further information following the Working Party Meeting and shows a projected deficit of £786K, after charging depreciation and interest of £1,310K. The budgeted EBITDA is a surplus of £564K.

The Board examined the Cash flow forecast prepared through to 31 July 2021, noting the need for short term overdraft/financing facilities between March and July 2021.

Governor questions

In response to governors, the Principal advised that, at this stage, no extra money is forthcoming from Government for FE Colleges, as opposed to schools for which additional funding has recently been announced, and, therefore, no additional core funding from Government is assumed in the next year.

The VPFCs advised that discussions regarding short term overdraft facilities next Spring have been commenced with both Lloyds Bank and

Barclays Bank. No decisions or firm indications have been made by either bank but the possibility of facilities has not been ruled out

Trevor Bolton suggested reviewing the College's policy regarding depreciation as a reduction thereof may reduce the overall deficit. The VPFCS said this would be done but deprecation is not a cash cost, so does not help with cash management – it is an accounting entry only.

The Board **APPROVED** the interim Budget for the period to 31 December 2020, with a review scheduled for October when student numbers for 2020/21 will be available.

The Board **NOTED** that the ESFA Return including the draft Budget for the whole year must be submitted to the ESFA by 31 July 2020 in compliance with the Financial Memorandum between the ESFA and the College.

Accordingly, the Principal, as Principal Accounting Officer was **AUTHORISED** by the Board to sign and submit the Return to the ESFA by 31 July 2020, accompanied by a Commentary explaining that the Budget will be reviewed in October when further information is available.

The Board **AGREED** a suite of Finance KPIs for 2020/21 being unchanged from the current year:

- Overall Financial Health and points score
- EBITDA
- Borrowings as a % of college reserves
- Adjusted current ratio
- Dependency on ESFA income
- Pay expenditure as a % of income
- Cash days in hand
- Nursery performance
- Contribution to overhead from academic departments (50%+ as the target)
- Financial effectiveness of overhead departments

1410.6 Learner Numbers and Financial implications 2020/21

This is covered in the Principal's Report and amplified by key financial information shown in the written papers presented to the Board. The key sensitivities are:

- Achievement of the AEB Budget next year
- Potential reduction in Apprenticeship income (assumed at 40%)
- Lower income from Essex County Council for SEND students

- (£400K reduction)
- Staff costs assumed at same level (no pay increase) but some savings may be able to be identified once income forecasts are known and staff needs then can be fully assessed
 - Deterioration in financial health and breaching of bank covenants

1411.RISK MANAGEMENT

The VPFCS presented this Report, the contents of which were discussed with the Audit Committee on 23 June 2020 (see minute **1417**).

1411.1 Risk Register and Dartboard

This is covered in the Principal's Report as to the current risks, all related to the COVID-19 pandemic. The emerging risks are:

- The quantum of on line learning in 2020/21 and training to deliver this learning
- The student recruitment levels across mainstream programmes next year
- Reduction in Apprenticeship programmes and impact on staff needs
- Sufficiency of IT resources for students and staff
- Additional costs for social distancing in 2020/21
- Going concern – cash flow – financial health – bank covenants – to be reviewed once more certainty is known at the end of October

The VPFCS was hopeful that, if the income streams and cost control can be further improved, despite the effects of the pandemic, during 2020/21, the College cash position could be positive by 31 July 2021, although overdraft will be required as normal January – April of the financial year.

Current DfE guidance indicates a range of different measures to stop the virus spreading. The challenge for the College relates to different age groups and the College will seek to apply reasonable social distancing as far as practicable.

Governors noted that actions being taken to mitigate risks are documented on the detailed Risk Register provided to the Board and this will be cross referenced more tightly to the Risk Management Report itself.

Barbara Vohmann was informed that the College Crisis Management team meets weekly at present, having met daily at the outset of the lockdown period. Its frequency of Meetings has reduced as the position has developed and Government guidance/rules have emerged.

Stuart Hodges informed the Board (question from Doug Zeeman) that there have been no recent GDPR breaches. There have been some issues relating to temperature testing recording.

Christian Norman felt that safeguarding cases might increase once College resumes in a more 'normal' environment. The Deputy Principal said learners have been contacted and to glean intelligence to establish what support might be necessary. However, there could well be new students about whom the College's knowledge might be limited. The College is critically aware of this issue and are trying to get information from the students' previous educational institution so that any necessary support can be put in place.

The VPFCs confirmed that the College has implemented extra capability for counselling, should it be required.

Amanda Montague asked about students adapting to the 'new' distancing arrangements and other mechanisms which flow from the COVID-19 pandemic. The Principal explained what is being done around the College and that it will be picked up with the Student Groups and Representatives in the new year.

The position was **NOTED**.

1411.2 Internal Audit Plan 2020/21

The Board **DISCUSSED** the Plan for the 2020/21 year which the VPFCs suggested should include the following elements:

The VPFCs reported that the recent audit of controls over the College's Sub-contracting arrangement resulted in **significant assurance** being given.

Likely areas for review in 2020/21 are as follows:

- TPA Return data check
- Curriculum Plan and equality of access
- Health & Safety audit
- HR Management

The dates of each audit are to be finalised along with the precise scope in each case.

It was noted that planned audits have not yet been agreed for Essex Shared Services Limited for 2020/21 and these will be relevant to the College as they provide assurance over fundamental financial controls.

The final Plan will be presented to the Board in September for approval.

The number of audit days and the anticipated cost are yet to be agreed, but will be part of the approval process at the Board Meeting in September.

1412. SUB-CONTRACTING ARRANGEMENTS 2020/21

The Board **RECEIVED** a briefing from the Principal on the College's Subcontracting Plans for 2020-21.

It is proposed that the level of this work will be similar to 2019-20 amounting to around £200K with the exact level of provision still to be determined and will be with Qube Learning (as last year).

The learners are likely to be unemployed people coming from Job Centre Plus. Final amounts will not be determined until recruitment is finalised for 2020-21. Before any contract is entered into, the Board will be notified to allow pre-contract scrutiny to take place and then approval sought.

The College will subcontract in the same way as before in line with its Subcontracting Fees & Charging Policy, which is presented for review. Only minor changes were required from last year.

This Policy is a contractual requirement of the ESFA before any subcontracting work can be agreed. The Internal Auditors review subcontracting controls every year in accordance with ESFA funding requirements and the assurance for 2019/20 in this area was **significant**.

Amanda Montague asked if Qube was paid in full this year. This is not yet fully clear and it might be only 80%. Clarification is being sought from ESFA.

In response to Amanda Montague, the Principal said that the ESFA is no longer keen on sub-contracting. The College's approach is to reduce it completely and do it all in-house in the future but if the sub-contracting provider is good (as has been the case over recent years) then it will always be considered.

The Board **APPROVED** the Subcontracting Fees & Charging Policy for 2020-21 and **NOTED** the plans to deliver Sub-Contracting for 2020/21.

1413. FEES POLICY 2020/21

The Board **REVIEWED** the Draft Fees Policy for 2020-21, which is required each year.

The Principal introduced this item and commented that the Policy is fully compliant with HE and FE funding guidance and it also sets out ways in which the College can assist students where fees might prevent them from accessing provision. Changes from last year were minimal.

Governors noted that the Policy makes clear that it does not apply to Dovedale Nursery.

The Board **APPROVED** the Fees Policy for 2020-21.

1414. CURRICULUM PLAN 2020/21

The Deputy Principal **PRESENTED** the draft Plan for consideration and approval by the Board.

The Plan refers to the College Strategic Priorities and outlines in detail the areas of change for 2020-21, including new courses and qualifications. There are considerable adaptations caused by the COVID-19 pandemic and its effect on learning models and aspirations for the medium term beyond next year.

Therefore, the Plan in existence last year is supplemented by a COVID-19 supplement. The Plan also outlines the needs of the local economy are stressed in the Plan. It is primarily an internal document but is shared where relevant with stakeholders.

The Deputy Principal explained that the primary College driver for 2020/21 is to provide all learners and apprentices with a full, flexible and high-quality curriculum within a COVID-19 safe environment.

The Deputy Principal emphasised the following points:

- Prioritise public health
- Rapid response to all changes to the national and local alert system
- Full and rich curriculum
- Introduction of RQF qualifications to replace QCF qualifications which are no longer public funded
- Development of provision to respond to acute economic need within Essex
- Three year rolling Plan with COVID-19 supplement
- One size does not fit all and worst-case scenario to lock down an area

- Emphasis on Traineeships and responding to the needs of Adult learners (question from Christian Norman)
- Revised sector-based work academies

Sarah Noble asked whether students are wishing to change their course selections and the Deputy Principal said that this is happening due to the current and perceived further economic downturn.

The College is adopting a 'Swap don't Drop' approach. Already, some areas are showing greater interest from students (Hair & Beauty, Electrical installation) and this trend may reshape the curriculum in total.

Sarah Noble asked how GCSE will be delivered. The Deputy Principal emphasized the College will avoid possible 'cross-contamination' and accordingly the team has been allocated to a set number of departments and will not move from one campus to the other campus. She stated that GCSE can be delivered wholly face to face or wholly on line or any mixture of the two, so there is flexibility around the teaching approach.

The Board considered it was a very informative document which outlined the College's approach and was flexible to respond to ongoing or new issues caused by the effects of the pandemic.

The Board **APPROVED** the Curriculum Plan 2020-21 including the COVID-19 Supplement.

1415. LEARNER PROGRESS AND ASSESSMENT 2019/20

The Deputy Principal **PRESENTED** a detailed written update on Learner and Apprentice Satisfaction, Examination and Assessment 2019/20. The Quality & Learners Committee had discussed the status of these aspects at its May Meeting.

Key points:

- Learner and apprentice satisfaction
- Management of assessment for continuing learners, progressing learners across GCSE, Vocational and Technical qualifications and apprentices including 'off the job' assessment as well as End Point Assessments (EPAs)
- Quality Assurance process (grades and rankings across all curriculum areas)
- Close liaison with awarding organisations

It was noted that the Qualifications Achievement Report (QAR) for 2019-20 will not be published and therefore will not be used to judge the College's performance.

Sarah Noble asked about internal moderation and the process of awarding grades mentioning that some elements of the media have suggested 'easier' results (or grade inflation) this year because no examinations have been held. The Deputy Principal said the College was very conscious of this issue and validation within the College has been scrupulous. The College is confident that the results will stand up to audit. The College has examined the three-year profile of every qualification focusing on the pass rate rather than overall achievement.

The Deputy Principal mentioned a couple of curriculum areas where there is concern because of the lack of practical assessment (e.g. Child Care, Beauty and Electrical Installation)

The Deputy Principal confirmed that no particular theme had emerged from the student satisfaction survey but all issues of note had been investigated.

The Board thanked all members of the SMT and staff generally for their efforts in completing assessments for all students.

The Report from the Deputy Principal was **RECEIVED**.

1416. GOVERNANCE MATTERS

Board & Committee Membership

The Clerk **REPORTED** on a number of Governance matters:

1. The 2019/20 Governance Self-Assessment Questionnaire was circulated to all Governors by the Clerk and responses requested by the end of August. It follows the same format as last year with an additional series of questions pertaining to the COVID-19 pandemic and its affect of the College's governance. A Report will be prepared by the Clerk for the September Board Meeting.
2. Following the appointment of Trevor Bolton and the re-appointment of Amanda Montague as governors, Trevor has joined the Audit Committee and Amanda remains on that Committee and as a designated Finance Governor.
3. There remain vacancies for one independent governor, two staff governors and one student governor. There are no candidates at present for independent governor. Elections for staff governors will be held as soon as possible in the new academic year and a candidate for student governor will also be identified. It is intended that staff and student nominees will be put to the Board for

APPROVAL at the September Board Meeting and to determine their allocation to Committees.

4. Other than Trevor Bolton joining the Audit Committee, there are no other changes proposed to the Membership of Committees at this stage. The Clerk provided the Board with a list of Board & Committee Memberships applicable from 1 August 2020.
5. Stuart Hodges has agreed to continue as a staff governor from 9 July 2020 (and as a Member of the Audit Committee) until elections can be held for new staff governors and the Search Committee endorsed this suggestion. The Board **APPROVED** the continuation of Stuart's appointment as a governor on this basis. Janet Maynard resigned as a staff governor in April and her position continues to be vacant.

ACTION: CLERK

Meeting Planner and Schedules of Business 2019/20

The Board **APPROVED** the Meeting Planner for the 2020/21 academic year and the Schedules of Business for the Board, the Quality & Learners Committee and the Audit Committee for 2020/21.

The Clerk advised that the July 2021 Board Meeting will be held on 8 July (changed from 1 July) to give a greater gap following the Budget Working Party. Furthermore, the Audit Committee Meeting on 8 September 2020 is cancelled and replaced with a new Audit Committee Meeting on 2 March 2021.

The Principal advised that the Governors' Development Day scheduled for 16 October is unlikely to be possible in the traditional way, due to the pandemic and management time being under pressure. It is envisaged that the Board will be informed by way of update as to the College's Strategic Future and the College Finances and Budget reforecast.

Governance Documents

The Clerk **ADVISED** the Board that the College Governance Documents and Protocols had been reviewed and approved in July 2019 and no immediate changes were considered necessary at that time.

The Clerk was asked to review the protocols during 2019/20 and report back to the July 2020 Meeting of the Board. This review was driven by possible changes that might arise from a partnership arrangement with another provider, which has not happened.

A fundamental review has therefore not been carried out although the Clerk advised that he did not feel that was urgent.

However, the Clerk did suggest to the Board amendments to the College Governance Protocols to introduce a Policy and Procedure relating to the Appointment of a Chair/Chair Designate/Vice Chair and to clarify THE College's current governance practice caused by the COVID-19 pandemic relating to remote meetings and email resolutions.

In this regard, the Clerk provided a detailed Paper explaining the issues in his view and wording to put them into effect.

After discussion, the Board **APPROVED** a Policy and Procedure for the appointment of a Chair/Vice Chair/Chair Designate for insertion in Section 1 of the College Governance Protocols.

The Board also **APPROVED** revised wording in respect of Remote Meetings and Email Resolutions for insertion in the College Governance Protocols (Section 1 and Section 2).

The Clerk will amend the Protocols on the governance portal for future reference.

ACTION: CLERK

Chair of Board 2021/22

On the recommendation of the SG&R Committee, the Board **AGREED to** commence the process to identify a new Chair of the Board from 1 August 2021 as the Current Chair has indicated she will be retiring from the Board on 31 July 2021 and therefore would not be eligible to serve a further period as Chair of the Board.

The first step will be to identify if there are any candidates to serve as Chair from within the existing Board Membership and the Clerk will seek expressions of interest next month and report back to the SG&R Committee in September.

The Clerk advised that, if there are no interested parties from within the existing Board, then it will be necessary to explore external possibilities. He reminded the Board that, if a formal recruitment process is put in place with an outside agency, this will be expensive and unlikely, in the current climate, to be affordable.

ACTION: CLERK

1417. MINUTES OF COMMITTEE MEETINGS

The Board **RECEIVED** copies of the unapproved Minutes of the following Committee Meetings which have taken place since the last Meeting of the Board:

- Quality & Learners Committee 12 May 2020
- Audit Committee 23 June 2020

The Board also **RECEIVED** copies of Notes of the Budget Working Party Meeting held on 9 July 2020.

1418. COLLEGE STRATEGIC FUTURE

This item was deemed to be a Confidential Item under the Instrument & Articles and a separate minute has been prepared and is attached to these Minutes.

1419. MINUTES OF SEARCH, GOVERNANCE & REMUENRATION COMMITTEE (12 May 2020)

See Confidential Section of these Minutes.

1420. ANY OTHER BUSINESS

There were no items of AOB.

1421. DATES OF NEXT MEETINGS

Friday 25 September 2020 at 2.00 pm.
Friday 4 December 2020 at 2.00 pm.
Friday 26 March 2021 at 2.00 pm.
Thursday 8 July 2021 at 2.00 pm.

Governors' Development Days are scheduled to be held on Friday 16 October 2020 and Friday 5 February 2021 in a format yet to be determined.

There being no further business, the Meeting terminated at 5.00 pm.

Signed.....Dated.....