

**Minutes of the meeting of the Board of Corporation held on
Tuesday, 27 April 2021 at 5:00pm via Teams Conferencing**

Present:

- John Barnett
- Derek Cogle
- Jill Colbert
- Tom Crompton
- Pamela Dawson
- Louise Doyle
- Louise Farthing
- Iesha Heads, SU President
- Jeff Hope
- Sue Houston
- Rob Lawson (Chair) (present at Bede Campus)
- Paul McEldon
- Lyndsey O'Leary
- Susan Pollard
- Alison Shaw
- Jacqueline Steed
- Ellen Thinnesen, Chief Executive

In Attendance:

- Toni Rhodes, Observer
- David Howells, Chief Operating Officer
- Nigel Harrett, Principal Northumberland College
- Judith Quinn, Interim Deputy Principal Curriculum
- Vikkie Morton, Vice Principal Student Services and Registry
- Iain Nixon, Vice Principal Partnerships and Commercial
- Lee Lister, Vice Principal Quality and Curriculum
- Sally Dixon, Executive Director Higher Education
- Christine Stretesky, Head of Corporate Governance and Policy (present at Bede Campus)

Bd/20-21/89 Welcome and Introductions: Toni Rhodes

The Chair welcomed Toni Rhodes to the meeting who will be in post as Principal, Sunderland College in July.

Toni introduced herself to members and members were invited to introduce themselves.

Bd/20-21/90 Apologies and consent for absence and declarations of interest

No apologies were received and no declarations of interest were made.

Bd/20-21/91 Minutes of the meeting held on 9 February 2021 and Matters Arising

The minutes were accepted as accurate records of the meeting subject to one modification with regard to item Bd/20-21/79.

There was one matter arising:

Bd/20-21/68: Governance Committee to discuss ethnic minority representation on Northumberland College Local Governing Board

The Head of Corporate Governance & Policy reported that the Governance Committee will meet in June and discuss committee membership.

Bd/20-21/92 Minutes of the Special Meeting held on 22 March 2021

The minutes were accepted as accurate records of the meeting. There were no matters arising.

Bd/20-21/93 CEO Report

The Chief Executive (CE) delivered the report highlighting at the national level, the Association of Colleges (AoC) Recovery Plan proposed to Government describing the five proposals under the categories of:

- Fair funding and hours
- Targeted support for those most disadvantaged through 16-19 student premium
- Building self-confidence and well-being
- Education recovery year
- Joining up Department for Education (DfE) and Department for Work and Pensions (DWP) programmes

She continued describing the Higher Education Admissions Consultation exploring a post qualifications admissions model stating that the Group will be submitting a response.

The CE discussed the skills accelerator programme, noting the two aspects of the programme; 1. approval of local skills improvement plans and local skills improvement trail blazers, and 2. the strategic development fund pilot. She announced that senior leadership is meeting to discuss the Group's approach stating that the college will need to submit an expression of interest and will need governor approval for this.

The Chair asked whether there has been any change in the position around Adult Education Budget (AEB) clawbacks. The CE stated that there has been no change and currently stands that should a provider not meet 90% of their AEB target, funds will be subject to clawback. She noted that the Chief Operating Officer and Principal, Northumberland College are working together on this and an update can be provided to governors. In response to a question from the Chair, the CE stated that it is too early to tell whether the Group will be subject to clawback as AEB enrolment occurs later in the year.

On a Group level, the CE stated the work to co-locate with the Department for Work and Pensions (DWP) in the new Sunderland City Hall build is close to being finalised with senior leadership working toward creating a more strategic relationship with the DWP. The COO stated that meetings are in place to negotiate the lease terms and the lease will be brought to governors for approval.

The CE continued that work toward a new build for the Ashington Campus is ongoing, with regular development meetings scheduled with the Department for Education (DfE). Prior to any works being done or planned, the Heads of Terms need to be in place between the Group, DfE and Northumberland County Council (NCC). Whilst this document will include the information on the land swap with NCC, a more formal agreement will be put in place. She emphasised that the Heads of Terms is not legally binding but sets forth the parties' intentions around the project and provides assurances that the parties will go through with the project. Unlike other builds with the DfE, this one will see the DfE lead on the land swap and manage the build.

The Chair asked whether a site was identified. The CE stated that one has been, close to the train station in the city centre. Governor Hope described the location and the benefits of having the campus there.

The CE continued that the COO is preparing a financial model to submit to the DfE in May which will be used by the DfE to determine how much the Group will have to pay as part of the project.

Moving on to the construction at Bede Campus's Digital Skills and Innovation Centre, the CE described it as underway and on track. She noted that recruitment for the Strategic Lead Digital and Ed Tech will be commencing soon.

The SU President in noting that during the Student/Governor lunches, a Construction apprentice stated that they have missed out on practical elements of the course because of COVID asked what opportunities are in place for apprentice catch-up. The Vice Principal Partnerships & Commercial state that the Group are working with apprentices to get them caught up and are involving employers in this where extensions of apprenticeships are needed.

AGREED: to note the content of the report.

Bd/20-21/94 Governance Update: Meetings and Chair Recruitment

The Head of Corporate Governance and Policy (HoCG&P) presented the paper setting out its purpose of the Board taking a decision on the method to hold board and committee meetings for the remainder of the academic year.

The HoCG&P continued, explaining that the Conference Room at Washington Campus could accommodate all governors whilst meeting social distance requirements, with senior leadership appearing via Teams. The room is available for the 18 May 2020 Sunderland Local Board meeting and the 15 June Finance, Resources and Projects Committee. The room is being used for enrolment on 29 June, the next Board of Corporation meeting, but is available the following week on 6 July should the Board want to move the meeting to that date.

The smaller committees, Governance, Audit and Northumberland College Education Quality and Innovation Committee could meet in Bede and Ashington Campuses.

As meeting times were shifted to earlier times due to the lack of commuting necessary to attend, they would have to be shifted back to 5:30 or 6:00pm.

At this point governors were asked for feedback from chairs of the various boards and committees on how they would like to hold their final meeting of the year.

Governor Barnett stated his preference for face to face but recognises the benefits to remote meetings in terms of excellent attendance and good engagement.

Governor McEldon stated that for Finance, Resources and Projects, he prefers keeping the next meeting remote and starting at 5:00pm.

Governor Hope noted that he has reviewed the issue and had some discussions around it and stated that he would prefer to keep his next meeting remote noting the advantage with Teams around attendance and the timing for those for people traveling.

Governor O'Leary stated she is happy to do face to face but noted that at work, they are looking at a hybrid approach going forward for those with work or family commitments making it difficult to meet face to face.

Governor Shaw stated that she is happy with a hybrid model, as long as the tech works well.

The HoCG&P explained the benefits to having a hybrid approach to meetings with some being designated face to face and some being designated virtual including the benefits to the reduction in carbon footprint and making attendance easier for many members.

The HoCG&P asked members how they would like to hold the 29 June Board meeting. The Chair expressed his desire to move the meeting to 6 July for the meeting to be held face to face. The Board agreed with this approach with members needing to attend virtually being able to.

The CE stated that the college provides split delivery regularly with some students at home and some in class. She noted that the executive leadership team are maintaining a social distance and not meeting face to face as they are waiting for Government to relax the rules.

Moving to the recruitment of the new chair, the HoCG&P stated that after a competitive process, Peridot Partners was awarded the contract to assist in recruitment. The microsite is meant to go live shortly with interviews scheduled for 6 July. The Board will then be presented with the Governance Committee recommendation via electronic mail in mid-July with the new governor appointed at that time. The HoCG&P reminded members that the new Chair will shadow Chair Lawson during the first term with the Board appointing them as Chair at the December meeting.

AGREED:

- To hold remaining committee meetings via Teams
- To move the 29 June meeting to 6 July to hold face to face at Washington Campus
- To note the update on chair recruitment

Bd/20-21/95 Equality, Diversity and Inclusion Annual Report, Annual Objectives and EDI Framework

The Vice Principal Student Services and Registry (VP SS&R) presented the Equality, Diversity and Inclusion (EDI) Annual report for 2019-2020 noting the report is purposefully structured to ensure alignment with the statutory duties set out within the Public Sector Equality Duty. She highlighted within the report:

- How the college actions its duties
- The impact actions have had on the college community
- The number of successes seen this year noting that even with COVID progress has been made with engaging underrepresented groups
- The support in place for young carers has led to the Achievement of Carers Federation Quality Standard in Carer Support

She concluded by describing each of the four priority areas:

- Implement our People Plan priorities
- Development and implementation of an Equality, Diversity and Inclusion Framework
- Achieve Level 3 Disability Confident Leader accreditation
- Develop a Student Mental Health Champion Programme

The Chair noted the job well done by the SU President in her Forward.

In response to a question from the Board around the governor photos, the VP SS&R stated that as this is a retrospective report, the governors are those in post last academic year.

The Board asked for clarification on what is meant by the term 'leavers' in the tables providing student achievement. The VP SS&R stated that the term refers to students who have completed their programme not those that have left early.

The Board asked whether the college will be engaging in the Stonewall Employability Index this year. The VP SS&R stated that the college will submit an application this year though we are in the final year of the contract with Stonewall.

Moving from the Annual Report to the EDI Framework, the VP SS&R purpose of the framework is to help the college, in discussion with stakeholders, review and improve our performance further and ensure that our vision is achieved equally for all people with characteristics protected by the Equality Act 2010. It aims to embrace aspects of equal treatment, equality of opportunity and equality of outcome, ensuring we don't just meet our statutory duties, but we exceed them. She reported that members of the EDI Committee will work with teams to work through the framework to self-assess where they fall within the framework.

In response to the VP SS&R asking for governors to volunteer to work with the HoCG&P, Governors Shaw, Colbert, Dawson, Doyle and Steed said they would like to work on assessing governance.

The Board agreed that the framework was good and they look forward to seeing how progress is monitored.

AGREED:

- to approve the Annual Report and Objectives for publication on college websites
- to approve the EDI framework for implementation across EPNE
- Governors Shaw, Colbert, Dawson, Doyle and Steed to participate in review of governance against the framework

Bd/20-21/96 HE Performance and Standards Report

The Executive Director Higher Education (ED HE) delivered the report highlighting:

- Office for Students
 - New conditions of registration will be introduced to help protect students' interests where a provider runs into severe financial difficulties
 - The Group has had no further feedback from the Quality Assurance Agency's (QAA) Quality Standards Review in 2019
- The Group has set up a task and finish group to review the Freedom of Speech Policy and to develop an Academic Freedom Policy in response to the Secretary of State letter of February 2021 setting out tougher measures to bolster free speech and academic freedom
- Positive developments in partnerships with universities has been seen this year, in particular the land-based foundation degrees offered with the University of Cumbria

With regard to the internal QDP surveys for year 1 and year 2 students, the ED HE highlighted:

- Year 2
 - High level positive results
 - All questions are at least at 90% agree
 - All levels of satisfaction were in either A or B quartile
 - between college brands were seen in:
 - I feel part of a community of staff and students – overall 91%/A, Northumberland 98%/A and Sunderland College 90%/A
 - I am confident to take my next step – overall 91%/A, Northumberland 85%/C and Sunderland 93%/A
- Year 1
 - All levels of satisfaction were in either A or B quartile with the exception of access to specialist resources (which may be because of lockdown restrictions)
 - areas that require further analysis and discussions with teams include:
 - Sunderland
 - Timeliness of assessment feedback
 - Northumberland
 - Assessment tasks
 - Access to resources – may be affected by pandemic and refurbishment of site

She explained that all faculty have the results and are working on them at faculty level including creating action plans for those responses that show low satisfaction.

The Board asked whether there is a specific HE action plan, in collaboration with the SU or HE student reps, to address the issues raised in survey results and to drive the National Student Survey response rate. The ED HE stated that contained within the overall of the HE Quality Improvement Plan is a goal of increasing engagement with students as partners which includes increasing response rates of all student surveys.

The Board asked for an update on the Office for Students' (OfS) process of reviewing and revising the QAA. The HE ED responded that there is a lot of consultation being conducted by the OfS but in terms of the QAA they are still the agency identified as the agency the OfS will use to review quality. She stated that she is a reviewer for QAA and nothing has been discussed about a change.

The Board questioned the results for Hartlepool Sixth Form. The ED HE stated that HSF has such a small number of students (n=8) just one being dissatisfied will skew results. She continued stating that she has regular meetings with the Head of Sixth Form and the curriculum team to talk through the issues and learning to be had. She concluded stating that this group of students will be part of a focus group to gain some qualitative feedback.

In response to a Board question, the ED HE explained that a programme that is on 'teach out' means that we are teaching students currently enrolled and will until the end of their programme but no new students will be recruited.

The Chair asked about the recently announced relationship between Sunderland University and York College. The HE ED stated that the relationship with Sunderland University continues noting the Group that evening was hosting an open event for teacher training at Sunderland University.

AGREED: to note the content of the report

Bd/20-21/97 Management Accounts

The Chief Operating Officer (COO) presented the management accounts noting that they are through January 2021 and they have already been reviewed by the Finance, Resources and Projects Committee.

With regard to the accounts presented, the COO highlighted:

- The Group's actual Educational EBITDA for the period is £1,985k (8.1%)
- Actual Education and Skills Funding Agency (ESFA) 16-18 learners enrolled on the ILR at the time of writing are approximately 4,638, which is 97 learners down on the funded total (of 4,735) for the year and equates to 98.0%
- The January Balance Sheet shows a decrease in cash and creditors as a result of the ESFA funding profile
- The cash position for the College is improved from the initial forecast, due to the impact of ESFA capital grant receipts and timings of capital expenditure
- Adult Education Budget is a concern, and senior leaders are developing models to identify targets and the potential clawback
- Apprenticeships numbers are good – not to pre-COVID levels but better than expected.
- Advance learner loans have done very well this year
- HE income has been in line with forecast
- Costs related to pay show higher than budgeted for January but savings are forecasted to be realised later in the year
- The cash position is better overall than forecast owing to some extent to timing
- The testing of covenants in December show the college passing all

The HoCG&P stated that she has discussed with the COO and the Director of Finance the sharing with governors the management accounts on a monthly basis with the most current month presented at the Finance, Resources and Projects Committee or the Board of Corporation.

Noting the statement in the accounts around the Student Loans Company not paying, the SU President asked what would happen to the College financially if the Student Loans Company does not pay over any funds for the Higher Education Students. The COO stated that they will pay, though it is a matter of getting the students on the system so that we can get them registered on the loans portal.

The Board asked if with regard to 16-18 total learner numbers, whether the college was on track to meet target. The COO stated that the college has not gotten back on target but funding will not be lost this year, but will mean less money next year.

AGREED: to note the content of the management accounts

Bd/20-21/98 Disadvantaged and Vulnerable Students Lead Governor Report

Governor Dawson shared she is settling in and working with the VP SS&R who has been very helpful. She continued stated that training for new governors included a session on Safeguarding and Prevent but most of the sessions touched on the College's approach to vulnerable and disadvantage students making it clear that it is a real priority for the College.

She continued that she and the VP SS&R have discussed support during COVID and noted that during COVID resources have been provided, support has been given and while there is an achievement gap – in relation to high costs provision – there is a 6% gap the other direction and the College is looking

to make sure they are getting the right support and not too much support so that the students are working independently to their potential.

She concluded that she will be scheduling a walk around with the VP SS&R at Kirkley Hall to see the new facilities and see first hand the excellent work being done there.

The Chair stated that during a conversation with the DfE one of the questions asked by them is how governors triangulate the data and information received. He continued that he used the Lead Governor Programme as one manner triangulation is done and noted the importance of the programme.

Governors asked when others might be able to visit the works done at Kirkley Hall. The CE stated that an event is being planned for June and all will be invited.

AGREED: to note the content of the update

Bd/20-21/99 Confidential minutes of the meeting held on 9 February 2021 and Matters Arising

This item was determined to be confidential with separate minutes maintained.

Bd/20-21/100 Confidential minutes of the Special Meeting held on 22 March 2021 and Matters Arising

This item was determined to be confidential with separate minutes maintained.

Bd/20-21/101 EPNE Mid-Year QIP Progress and Impact Report

This item was determined to be confidential with separate minutes maintained.

Bd/20-21/102 EPNE Recruitment Against Targets Report

This item was determined to be confidential with separate minutes maintained.

Bd/20-21/103 Sub-contracting/Partnerships Termly Performance Report

This item was determined to be confidential with separate minutes maintained.

Governors Barnett and Colbert left the meeting here.

Bd/20-21/104 Teaching and Learning Impact Report

This item was determined to be confidential with separate minutes maintained.

Bd/20-21/105 Papers from Local Boards and Committees

The Board noted receipt of:

- Audit- COVID Risk and Recovery Strategy Update Report
- SLGB- SEND Biennial Report
- NLGB – SEND Biennial Report

Bd/20-21/106 Draft Minutes of the following Committees

The Board noted receipt of:

- Northumberland Education Quality & Innovation Committee
- Finance Resources & Projects Committee
- Audit Committee
- Sunderland Local Governing Board
- Local Governing Board

Bd/20-21/107 Any Other Business

There were three items of AOB:

- The SU President stated that during the Bede Student Council meeting it was raised that students were concerned that a few students were not observing the social distancing rules when in between lessons. To the SU President's satisfaction, the CE responded by asking the COO to ensure the Estates team are instructing the security staff to enforce social distancing rules.
- The CE described the grant documents that will need approval from the Board prior to 25 May 2021. She asked the Head of Corporate Governance & Policy whether those approvals can be made electronically. The Head of Corporate Governance & Policy responded that those decision could be made electronically, requesting that the accompanying papers provide a full picture of the projects and what is being asked of the Board.

The Chair asked all staff, including the CE to leave the meeting.

The final item of AOB was determined to be confidential with separate minutes with limited distribution maintained.

Bd/20-21/108 Date, time and venue of next meeting

6 July 2021, at 6:00pm, Conference Room, Washington Campus and via Teams

There being no further business, the meeting adjourned at 19:41.