

Governing Body Minutes

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| Meeting | Full Governing Body | Date | 1 st July 2015 |
| Location | Professional Learning Centre, Innovation House, Discovery Park | Time | 5.30pm |
| Membership | Beverley Aitken (Chair), Graham Razez (Principal), Patrick Hollis, Hilary Askew, Rupert Bristow, Jonathan Clarke, Charles Buchanan, Tim Kent, Sarah Kemp, Stephanie Martin, Patrick Finucane, Tom Price, Liz Langton-Way, Gail Clarke, Caroline Hallett, Pauline Solley (Staff Governor) and Lewis Waitt (Staff Governor) | | |
| In Attendance | Anne Leese (Officer) Chris Legg (Officer) Paul Sayers (Officer) Christine Ricketts (Officer) Tara Ashman (Clerk) | | |

| | ITEM | COMMENTS | ACTION POINT REQUIRED |
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| 1 | Welcome and Apologies for Absence | <p>The Chair welcomed members to the last meeting of the year and thanked the Governors, whose term of office had expired, for their service.</p> <p>Apologies were received from Lucy McLeod.</p> | |
| 2 | Declaration of Interests | There were no declarations other than those previously declared. | |
| 3 | Minutes of meeting held 31 March 2015 including confidential minutes | The minutes of the previous meeting held on 31 st March 2015 including both the confidential minutes were formally approved as an accurate record and duly signed by the Chair. | |

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| 4 | Matters Arising | <p>English and maths Pilot - GR reported that the SFA terminated the 18-21 pilot last Friday with three days' notice. This will have a detrimental effect on the bottom line for this year and next and will form part of the discussions with local MPs tomorrow night.</p> <p>A Governor asked if there was a possibility of compensation, GR advised we would be writing to the SFA to request that they convene a dispute resolution panel to discuss compensation. A Governor asked if there was anything that could still be used from the pilot, the online platform belongs to OCR and the College has negotiated to use the system for core learners at a preferential rate for 3 years.</p> <p>GR advised that the College has been selected under the 'random test' for an ILR audit in September and assured Governors that the College have not been deemed a high risk. The report will come via the Audit Committee in November.</p> | |
| 5 | College Performance Indicators | <p>GR presented the campus based and cross college summary reports and distance travelled for June and invited questions.</p> <p>Governors had a number of queries for clarification including:</p> <p>Satisfaction of employers at 9.7 (Broadstairs) - GR discussed the telephone survey to employers who would recommend the College as a training provider, the 9.7 is out of 10 comparing favourably with 13/14 result of 9.5 out of 10.</p> <p>Number of full time applications and number of students studying - GR described the new system of applications for this year although with the increase in competition applications are down at Broadstairs this year. The Chair asked if 6th forms would be subjected to the same Ofsted criteria, GR advised that the 6th forms would be under the same criteria however they would be graded by school inspectors and the College would be graded by FE inspectors.</p> <p>29 Health & safety incidents at Folkestone - a significant number of these were due to carpentry and with no historical data to go from this was anecdotally not unusual. An internal review has been undertaken and some practices have been changed.</p> <p>Apprenticeships - Participation on apprenticeships is up by 60% from last year and although it still remains under target the growth has been good with better engagement with businesses in Broadstairs and Dover; Folkestone has been harder to navigate.</p> <p>Dover - A Governor noted the really positive indicators for Dover although one queried the standard of teaching and learning. GR commented on the excellent distance travelled to date and very specific targets with a strong development of leadership and culture.</p> | |

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| | | <p>GR recognised the changes in the financial indicators and CL will explain the detail around the downturn in the budget in his later report.</p> <p>GR advised that there will be more Governor involvement in the target setting of the indicators going forward and more time will be dedicated to this.</p> <p>NOTED - Governors noted the CPIs for June 2015</p> | |
| 6 | Chair's Report | <p>6.1 Search Committee - Following the recent Search Committee, Miranda Chapman was interviewed as a potential Governor. The Chair discussed her experience to date and recommended Miranda to join the Business Committee for a term of 4 years. JC proposed and LLW seconded the appointment; by show of hands all members were happy to approve the appointment and term of office.</p> <p>APPROVED - To appoint Miranda Chapman to Business Committee for a term of 4 years</p> <p>Role Description - The role description was presented for comment and discussion. Governors were pleased to adopt the role description overall and discussed the consideration of 85% attendance in the first year although recognised this would be the expectation.</p> <p>AGREED - Governors agreed to adopt the Governor role description</p> <p>Developing the Governing Body - The Chair suggested the document entitled 'succession breeds success' was something for the Governing Body to consider following on from the strategic afternoon and further development will be undertaken at the event in October.</p> <p>Succession Plan - The draft succession plan was presented for approval. A Governor asked whether the existing Governing Body reflected the local demography and another suggested wording on the website to encourage underrepresented groups to apply for future Governor roles. A Governor suggested the skills gaps of the Governing Body should also meet the needs of the College at the time.</p> <p>APPROVED - Governors approved the Governor succession plan</p> | |

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| | | <p>6.2 Staff acknowledgements - The Education Committee recommended that formal thanks be sent to Christine Ricketts and the Campus Principals of Dover and Folkestone congratulating them on their work in achieving successful Ofsted review visits. Governors were in support of this recommendation and the Clerk will write on their behalf.</p> <p style="text-align: center;">AGREED - The Clerk will write on behalf of the Governing Body to College staff members.</p> <p>[RB left the meeting at 6.05pm]</p> | |
| 7 | Principal's Report | <p>GR presented his report and updated the Governors on the following items:</p> <ol style="list-style-type: none"> 1. The Common Inspection Framework for Ofsted changes next academic year, the 16 page summary document identifies the key changes which include an additional assessment of personal behaviours and values of students. Leadership and Management becomes the top grade and if a College is graded Good or better than the inspectors will visit for 48 hours to gather evidence to confirm that is still the case. If this cannot be assessed in the time then notification of a full inspection will be given and this could occur the other way around for a College that could be graded Good but may show signs of Outstanding in a short inspection. The full inspection will be within 15 days. There will no longer a grade for individual sector areas and the College will now be graded in funding themes, apprenticeships, 14-16 etc. 2. This item was considered confidential and will form Part B confidential minutes 3. Today a Level 3 Hairdressing student achieved the Gold medal in the local finals and will be going to the regional competition later in the year. Out of the 6 KAFEC local competitions, the College won 5. 4. The student awards last week had a good motivational speaker and was a successful event, thanks to all those Governors that could attend. 5. The third Ofsted visit went very well and they were pleased with the accelerated progress. 6. There is challenge in the pace of recruitment to HE and this will be something for Education Committee to look at in the autumn. 7. Property - Dover. Santander have passed the College for the initial stages of credit, CL to meet with them next week. 8. HR - The restructure is virtually complete with 8 compulsory redundancies and 29 positions offered. There is one appeal next week. GR recognised the significant learning curve with GR and AL stepping back from the process. The College have lost some committed and motivated staff and it has been an unsettling period. PS noted the staff survey is out at the moment and this should offer an indication of staff morale across the College. | |

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| | | <p>A Governor asked about the other side of the restructure with students in courses no longer running. GR advised all students have been offered independent advice and guidance and noted most students have taken other opportunities.</p> <p>A Governor asked about the Michael Wright Centre and the removal of performing arts, GR advised it was a difficult call to make but the multipurpose space can be used for a number of courses and the competition for the arts locally is strong.</p> <p>Further questions were invited.</p> <p>Following the strategy session earlier GR asked Governors to feedback direct to the Clerk on the presentation and content of the Principal's update and noted he will include an update on progress of the strategic plan as a matter of course. A Governor noted the grey font was difficult to read.</p> <p>The Chair thanked GR for his report.</p> <p style="text-align: center;">NOTED - The Governing Body noted the Principal's Report</p> | <p>All GR</p> |
| 8 | <p>Committee Reports</p> | <p>Governors had received draft copies of the Committee minutes and the Chair invited the Committee Chairs to provide an update on the key points of the meetings:</p> <p>Audit Committee - Following Leyland Riding's resignation JC reported back on the recent Audit Committee meeting and identified the following:</p> <ul style="list-style-type: none"> • The Committee recommend the approval of the Data Protection and CCTV policy. A Governor asked if they could be included within the compliance of the procedure and PS will amend this. Subject to this amendment Governors were happy to approve the policy. <p style="text-align: center;">APPROVED - Governors approved the Data Protection and CCTV policy</p> <ul style="list-style-type: none"> • The Committee suggested that the conversion rate for new student applications should be an additional performance indicator. • JC presented the Internal Audit Plan 2015/2016 for approval by the Full Governing Body. The Chair asked about the 18-21 pilot now it has been removed and PS suggested the monies be diverted to the ILR audit to offer assurance and Governors agreed. A Governor asked about the allocation of days in | <p>PS</p> <p>GR</p> |

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| | | <p>respect to the proposed areas for audit and PS discussed the emerging priorities. The Internal Audit Plan was approved by the Governors.</p> <p>APPROVED - The Internal Audit Plan 2015/2016 was approved by the Full Governing Body</p> <ul style="list-style-type: none"> • JC noted that following a tendering process, Wilkins Kennedy have been appointed as Internal Auditors in place of Macintyre Hudson from next academic year. • CL reported on the amendments to the financial regulations in respect to money laundering and the changes to payroll and job titles. Governors noted the amendments and approved them going forward. <p>NOTED AND APPROVED - The changes to the Financial regulations, pages 25 and 34.</p> <p>JC invited further questions from members.</p> <p>Business Committee - PH advised the members of the recent updates with the property group including:</p> <ul style="list-style-type: none"> • Dover & Folkestone - With a significant number of projects at the same time only one came in over budget and the underperformance of the cost consultants was scrutinised. GR noted the finished Beauty area at Folkestone has the impressive wow factor. • Michael Wright Centre - The project is underway with a completion date confirmed by Walkers of 21st August. The relationship with Walkers has been challenging but good progress is now being made. • Yarrow - There have been some issues in getting the skilled labour for the restoration work. The College has its own Project Manager to solely deal with the day to day work who is fully aware of the concerns. TP noted this was no reflection of Stewart Haywood but a recognition of the work needed within the project. <p>PH noted the recommendations reflected in the minutes which included the approval of the Health and Safety Policy and the Equality and Diversity policy, both of which were reviewed and approved by the Governing Body.</p> <p>APPROVED - Governors approved the Health and Safety and Equality and Diversity policies</p> <p>PH asked the Clerk to circulate the Yarrow Hotel Business plan to members as discussed within the minutes.</p> | <p>Clerk</p> |
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| | <p>Governors were asked to consider a pay award for staff below Head level within the organisation and 0.5% in August with a review to consider 0.5% in March subject to affordability was proposed. GR was minded to make the commitment to staff but presented a pragmatic approach. The Chair asked if the award had been factored into the budget, CL responded that the proposed pay award had been budgeted for in full. Governors were minded to approve the pay award below Head level.</p> <p>RESOLVED - Governors resolved to award a pay increase of 0.5% from 1 August 2015 to all College staff below Head level and consider a further 0.5% in March 2016 subject to affordability.</p> <p>AL asked if the Governors were happy to maintain the commitment to pay the living wage and after discussion that it would be within budget Governors resolved to continue with the commitment.</p> <p>RESOLVED - Governors resolved to maintain the commitment to pay the living wage.</p> <p>GC noted that she was in attendance to the meeting and asked that the minutes be amended.</p> <p>Education Committee - TK reported against the Committee minutes with the following items of note:</p> <ul style="list-style-type: none"> • The Technical School will start in September with a small cohort of students. A Governor asked what the capacity overall for the school is and GR advised 32-40 in year 1 and 80 in year 2. The current recruitment figure is around 23. GR noted the potential introduction of the English baccalaureate in 2016/17 may have an impact although it is uncertain if this is just for local authority schools at present. • There is a good use of pro monitor as a quality assurance tracking tool in College with 100% compliance at Dover and Folkestone. Motor Vehicle have their own system so this is distorting the figures currently. • The committee received that last Post Inspection Action Plan update at the meeting, this will now be incorporated in the reporting at campus level. • The Student Union Constitution was presented for approval, subject to the word 'Gender' being adopted and amended within the document this was approved by the members. <p>APPROVED - Governors approved the Student Union Constitution</p> | <p>Clerk</p> |
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| | | <ul style="list-style-type: none"> The Committee agreed for Caroline Hallett to be Lead for Equality and Diversity however with Caroline moving to Business Committee it was agreed that this role would be shared with Rupert Bristow. <p>AGREED - Governors agreed the appointment of Caroline Hallett and Rupert Bristow as Lead Governors for Equality and Diversity</p> <ul style="list-style-type: none"> The Technical School policies and the safeguarding policy (including appendices) were recommended for approval by the Full Governing Body and were accepted by the members. Governors noted the amendments to safeguarding in red were very useful in identifying the changes to such a large document. <p>APPROVED - The new Technical School policies and the updated Safeguarding and preventing extremism and radicalisation policy (and appendices) were approved by the Full Governing Body</p> <ul style="list-style-type: none"> Rupert Bristow and Stephanie Martin were recommended to represent the Full Governing Body on the Technical School Advisory Board and this was agreed. <p>AGREED - Rupert Bristow and Stephanie Martin to act as representatives of the Full Governing Body on the Technical School Advisory Board</p> <p>HA noted that she was in attendance to the meeting and asked that the minutes be amended.</p> | Clerk |
| 9 | Finance Report | <p>9.1 Management Accounts Update CL highlighted the detail from the executive summary for the May 2015 management accounts. The key item of note was:</p> <ul style="list-style-type: none"> The operating deficit stands at £776,000, a negative movement of £445,000 since the last report. This can be attributed to three big items; (1) underperformance in 16-18 apprenticeships, the impact of hitting this too late in the year as this will fall into next year's accounts, (2) the reintroduction of a redundancy pot and (3) the reinstatement of the leased property at Hornets Close, approximately £135,000. This is a one off item and CL is not expecting this to continue into next year's budget. | |

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| | <p>A Governor asked about depreciation costs, CL noted this will have an impact on the bottom line from the capital investment strategy, if the spend goes lower than depreciation then the 3,5 and 7 year items will bring the figure down. The biggest challenge this has is to the Income and Expenditure account, prior to the building works the figure stood at around £800,000 where it is now £2 million. It makes it much harder to get to a break even position.</p> <p>Further questions and comments were invited.</p> <p>9.2 Budget 2015/2016 CL presented the draft budget for approval by the Full Governing Body and identified the headline figure as a break-even position for 2015/16. There is now clear distinction between core and non-core business with no cross subsidy. CL noted the capital projects agreed for next year is the completion of the Technical School and the new Dover building. There is a contingency built into the new budget and there is no vacancy reserve built into the budget so some contingency will start to accrue.</p> <p>A Governor enquired about Baypoint going into administration and if the College had considered this within their plans. GR had asked CL to make some initial enquiries but it is being sold as a going concern which is not something the College is in a position to consider.</p> <p>Governors were happy to approve the budget for 2015/16.</p> <p style="text-align: center;">APPROVED - The budget for 2015/16 was formally approved by the Full Governing Body</p> <p>9.3 Santander Performance Bond Charge CL detailed the charge over the performance bond that has been requested by Santander. Liability to our contractors has been transferred to Santander which is why the charge is needed and approval is requested for the Chair to sign the charge on behalf of the Governing Body. Governors were satisfied with the request and approved the signing thereof.</p> <p style="text-align: center;">RESOLVED - By formal resolution the Governing Body approve the execution of the legal charge to Santander.</p> | |
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| | | <p>9.4 Fees Policy CL advised the updated Fees policy now includes the facility to offer direct debits however under the direct debit guarantee if the College were to take fees that were not owed the individual has a right to challenge the direct debit. The liability declaration form would need to be signed by the Principal as any recompense would be within his signing limit but needs to be undertaken following a formal resolution of the Governing Body. Governors thought this a positive move for debt recovery and a more affordable option for students going forward and were happy to approve both the policy and the signing of the indemnity.</p> <p>APPROVED - The fees policy was approved by the Full Governing Body</p> <p>RESOLVED - Governors resolved that East Kent College participates as a service user in the direct debit scheme and Graham Razey as Principal be authorised to execute a form on indemnity.</p> | |
| 10 | Risk Management Report | <p>PS reported the Risk, Audit and Compliance Committee had recently met and reviewed the risks with the key mitigating actions to date. A Governor noted that the 18-21 pilot risk needs amending, PS will amend and invited further questions.</p> <p>A Governor asked why there had been no change in the register, PS noted that there had been an increase in failure to comply with funding body requirements however as this occurred during the cycle of committees it now does not show on the movement map. PS will give thought on how this is captured and reported for next year.</p> <p>NOTED - Governors noted the risk register</p> | <p>PS</p> <p>PS</p> |
| 11 | Governor Link Scheme Update | <p>LM reported that Rupert Bristow had been the only Governor to take up the scheme since the last meeting and reviewed the support service areas at all three campuses. The individual reports are in the Governors Resources Library and a report comparing all three will be uploaded shortly for information.</p> <p>Following the training event this afternoon there will be further development of the link scheme for the next academic year.</p> <p>NOTED - Governors note the Governor Link scheme update</p> | |

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| 12 | Clerk's Report | <p>The Clerk presented her report for information and update on future events.</p> <p>12.1 Dates 2015/2016 The Clerk presented the dates for the academic year 2015/16, noting the changes to Chairs of Committees and the movement of Governors within the structure. The meetings for the advisory boards are in draft until the College meetings have been finalised for the year.</p> <p>12.2 Governor Development Plan The Clerk advised the development plan has been produced following feedback from Governors requests and training needs identified over the past academic year. There is scope for additional training in the programme through the year which will be based on current topics within FE and Governor led demand.</p> <p>12.3 Skills Audit/Self Evaluation The Clerk advised, following the meeting, all Governors will be sent an individual self-evaluation and skills audit for completion. This will review the previous academic year and will form discussion in the one to one sessions within the Governor strategic event which has been confirmed as Friday 2nd and Saturday 3rd October 2015 at the Ashford International Hotel.</p> <p>12.4 Prevent Training The link to undertake the prevent training will be sent to all Governors following the meeting and will follow up with a Governor specific training session delivered by LM at the strategic event in October.</p> <p style="text-align: center;">NOTED - The Governors noted the Clerk's Report</p> | <p>Clerk</p> <p>Clerk LM</p> |
| 13 | Any Other Business | <p>SM asked whether the Customer Relationship Manager was an individual within the College or a system and raised concerns about how this could affect the College's reputation. GR noted the CRM is a system although there is a team which follows up any links, PS has been charged to implement the system which will involve a big cultural change cross College.</p> | |
| 14 | Matters Considered Confidential | <p>Item 7 - Principal's Report (Item 7.2)</p> <p>This will be reported under Part B confidential minutes.</p> | |

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| 15 | Date of Future Meeting | Friday 2 nd October 2015 at Ashford International Centre 10.00am | |
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There being no further business the meeting closed at 7.34pm

Signed:

Position:

Date: