

MINUTES

CORPORATION BOARD

Date: Tuesday 13 December 2023

Time: 5:30pm, 1st Floor, Boardroom, East Ham Campus

Chair	Paul Jackson
Corporation Members	Danny Ridgeway, Derwent Jaconelli, Femi Olatidoye, Geoffrey Makstutis, Grant Wilson, Irfan Umarji, Joanne Roxburgh, John McMahon, Lalage Clay, Lloyd Johnson, Michael Magbagbeola, Mubin Ahmed, Pam Rowe, Paul Stephen (Principal), Sarah Thomas, Suhud Yekini, Tom Flynn
In Attendance	Deputy CEO: Jamie Purser Chief Operating Officer (COO): Judith Abbott
Clerk to the Corporation	Judith Nelson

Item No	Item of business
PRELIMINARY PROCEDURAL MATTERS	
1.	<p>a. Chair's Welcome & Opening Remarks The Chair welcomed all in attendance.</p> <p>b. Chair's Action This is covered in agenda item 5, external governance review.</p>
2.	<p>Apologies For Absence</p> <ul style="list-style-type: none"> ▪ Joanne Roxburgh ▪ Lloyd Johnson
3.	<p>Declaration of Interests</p> <p>None received.</p>
4.	<p>a. Minutes of the Last Meeting held on 18 October 2023 RESOLVED: The minutes were Approved as a true and accurate record.</p> <p>b. Matters Arising and Action Points from the Meeting All matters were covered during the meeting</p>
CORPORATION BUSINESS	
5.	<p>External Governance Review</p> <p>The Chair, informed the Board a good discussion had been undertaken with Committee Chairs, Principal and Clerk and have engaged with Ian Ashman, Education & Skills, as the preferred supplier to undertake an External Governance Review. Governors received a report on the following headlines:</p> <ul style="list-style-type: none"> ▪ Aim, Objectives and Outcome of the Review ▪ The Proposed Assessment Criteria for the Review ▪ Range and Scope of Internal and External Interviews ▪ All Governor Survey ▪ Timescales and Next Steps <p>The Clerk will lead and support the review and governors will be consulted to participate in meetings / survey. External governance reviews will be undertaken every 3 years and is a funding requirement. Ian Ashman will present the findings and recommendation to the July Board.</p> <p>The Board RESOLVED to approve the scope of the governance review and to be commissioned by Ian Ashman.</p>

Item No	Item of business
THE DETERMINATION AND PERIODIC REVIEW OF THE EDUCATIONAL CHARACTER AND MISSION OF THE INSTITUTION AND THE OVERSIGHT OF ITS ACTIVITIES (INTENT / IMPLEMENTATION / IMPACT)	
6.	<p>Principal's Report</p> <p>The Board were presented with a summary of themes emerging at the end of the first term of the 23/24, noting the following pertinent points:</p> <ol style="list-style-type: none"> a. Enrolment 16-18 retention has fallen back at the rate we expected – an attrition rate of 12% of total enrolments, which is low by historic standards (4 years +) but higher than in the last 3 years. b. Adult enrolment is at 92% of Term 1 target. The shortfall relates largely to under-recruitment in the community venues shared with LB Newham. The VP Adult Programmes is reviewing the adult delivery strategy to assess the shape of our adult offer, the extent to which we make use of funding flexibilities and are preparing for changes to GLA's funding priorities. c. Estates transformation Both College sites are visibly deep into modernisation programmes. The programme of replacing windows and redecorating continue. Demolition at Stratford is ready to start but remains subject to engrossment of the section 106 agreement with the Council. Work is ongoing to identify suitable projects for upgrade over the next year. d. Operational Issues The two big logistical challenges this year continue to be rooming and staffing. Additional teaching spaces has been created at East Ham over half term.
7.	<p>Learner Voice Update</p> <p>The Student Governors presented a brief update on their experience of attending the AoC Student Governor induction training. There was a lot of discussion and debate around whether it is a requirement for 16–18-year-old student governors to have DBS clearance on appointment.</p> <p>ACTION: The Clerk ascertained advice from the AoC whether there is a requirement for 16–18-year-old student governors to have DBS checks on appointment. Advice given from the AoC Governance Manager is as follows:</p> <p><i>'The debate around whether DBS checks are necessary for student governors revolves around the interpretation of their role. While some argue that student governors hold a position of power and should undergo DBS checks as a best practice measure, others suggest that as students primarily interacting with peers and not specifically with vulnerable groups, DBS checks may not be warranted unless required by their course. In essence, there's no definitive answer yet, and the advice from Stone King (lawyers) aligns with the discretion your college is likely already exercising in such matters.'</i></p>
8.	<p>College Key Performance Indicators (KPIs)</p> <p>The board received an update on the College KPIs, highlighting the following:</p> <ul style="list-style-type: none"> ▪ Two KPIs will not be met: de-prioritising the creation of an alumni programme for this year; the decision was made against seeking a January 2024 L4 intake due to the calibre and volume of potential students' mid-year, with a focus on marketing for a September 2024 launch. There will be a management focus to meet apprenticeship, attendance, and staff utilisation targets. ▪ Currently the main areas of uncertainty on the capital projects (accountability agreement KPI 7) are regarding Y Block replacement (awaiting main contractor tender responses to confirm Stage 4 costings; delays in discharging planning conditions requiring a S106 agreement have delayed demolition and may have a knock-on impact on overall programme timing – College to meet with DfE in New Year to discuss implications.

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9.	<p>Strategic Topic: People Strategy Melissa Gomez, Director of HR & OD presented the emerging people strategy. The new HR team is working hard to fix some of the basics i.e. systems, processes, procedures, and data – whilst simultaneously contending with:</p> <ul style="list-style-type: none"> ▪ building staff engagement with the change programme on which the College has already embarked – a key recommendation of the Investors In People report; and ▪ preparing the organisation for some profound external shocks that have the potential to impact everyone’s job. These include wholesale post 16 qualification reform; and the impact of AI / technology on education, as well as developing capacity to deliver and grow HE. <p>Key priorities for 2023/24 are as follows:</p> <ol style="list-style-type: none"> i. Employer branding to attract and retain ii. Introduction of iTrent new HR System iii. Roll out new performance management system and management training iv. Structured Induction programme for all staff v. Policies vi. Foundation of management training. vii. Providing an environment where health, wellbeing and EDI is promoted, and staff feel engaged with the College. viii. Enhance communication via Working Groups and Union partnership. <p>HR Outcomes and Measurable for August 2024 is as follows:</p> <ul style="list-style-type: none"> • College’s values and behaviours demonstrated at every level in the College. • Culture of Engagement • Accountability and responsibility • Celebration of the College’ success • People KPI <p>Governors commended the Director of HR & OD for the presentation and providing insights on the current position in HR and a walk through detailing the key priorities. Governors look forward to reviewing the people strategy at the July Board</p>
10.	<p>CURRICULUM & QUALITY COMMITTEE (C&Q) BUSINESS: Self-Assessment Report Judgements 2022-2023 The board noted the SAR was reviewed and scrutinised by the Curriculum & Quality Committee at its meeting of 06 December 2023.</p> <p><i>The Board RESOLVED to unanimously approve the validated grades as recommended by the Curriculum & Quality Committee:</i></p> <ul style="list-style-type: none"> ▪ Quality of Education: Grade 2 ▪ Behaviours & attitudes of learners: Grade 2 ▪ Personal development & welfare of learners: Grade 2 ▪ Leadership & management: Grade 2 ▪ Overall Effectiveness of the College: Grade 2 (GOOD)
THE EFFECTIVE & EFFICIENT USE OF RESOURCES, THE SOLVENCY OF THE INSTITUTION & SAFEGUARDING THEIR ASSETS	
11.	<p>The board noted the following items were reviewed and scrutinised by Audit & Risk Committee at its meeting of 29 November 2023.</p> <ol style="list-style-type: none"> a. Newham College Final Audit Findings for year ended 31 July 2023 b. Accounts For The Year Ended 31 July 2023 <p><i>The Board RESOLVED to unanimously approve the final audit findings / Accounts for the year ended 31 July 2022 as recommended by the Audit & Risk Committee.</i></p>

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12.	<p>Annual Report of the Audit Committee 2022-2023 The board reviewed and noted the pertinent points of the work undertaken by the Audit Committee during the last academic year.</p> <p><i>The Board RESOLVED to approve the Annual Report of the Audit Committee 2022-2023 as recommended by the Audit & Risk Committee.</i></p>
13.	<p>Health & Safety Policy The Board noted the Audit & Risk Committee reviewed the Health & Safety Policy at its meeting of 29 November 2023. Noting the minor amendments to the policy, primarily to reinforce roles and responsibilities around construction sites given the current level of building works on both campuses.</p> <p><i>The Board RESOLVED to approve the Health & Safety Policy as recommended by the Audit & Risk Committee.</i></p>
14.	<p>a. Safeguarding Update The Board reviewed and noted the Safeguarding and Prevent policy updates.</p> <p>b. Safeguarding Policy <i>The Board RESOLVED to approve the Safeguarding Policy as recommended by the Audit & Risk Committee.</i></p> <p>c. Prevent Strategy <i>The Board RESOLVED to approve the Prevent Strategy as recommended by the Audit & Risk Committee.</i></p>
15.	<p>a. Annual Risk Management Report The Board noted the Audit & Risk Committee reviewed and scrutinised the effectiveness of the College management in mitigating identified risks. Overall, the Executive team considers that its risk mitigation activities in 2022/23 were effective and furthermore that it has travelled a considerable distance in reducing risk over several consecutive years, against a backdrop of challenging external circumstances.</p> <p>b. Risk Management Policy The Board noted the risk management policy sets out the College's approach to risk management, identifying the responsibilities of the stakeholders within the organisation and the approach to identification, evaluation and effective management of risk. The policy will be formally reviewed and updated every 3 years with the next review due in December 2026.</p> <p><i>The Board RESOLVED to approve the Risk Management Policy as recommended by the Audit & Risk Committee.</i></p> <p>c. Risk Management Position Update The Board noted the risks have been reviewed both by the College Leadership Team and Scrutton Bland, Internal Audit Service, as part of their Risk Management Health Check. Noting the following pertinent points:</p> <ul style="list-style-type: none"> ▪ Most of the risks have carried forward in a similar form from last year, either because they are inherent to the nature of the sector's business model (e.g. recruitment of learners and delivery of funding streams) or because the actions to fully mitigate them had not been completed at the start of the year (e.g. estates regeneration, achieving Cyber Essentials Plus). ▪ One risk (<i>failure to strengthen and improve Marketing and Schools Liaison activities to reverse the decline in 16- 18 learner numbers and support achievement of IoT learner targets</i>) has been completely deleted from the register this year since it is now considered a relative strength.

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16.	<p>a. Management Accounts October 2023</p> <ul style="list-style-type: none"> ▪ The Board reviewed the discussed the October Management accounts noting the College has not yet undertaken a reforecast for the year and has identified several risks and opportunities to the budget. It is currently showing a weighted net opportunity of circa £400k which is an encouraging position at this time of year. ▪ College has recorded a YTD EBITDA surplus of £525k which is 7% of income; £1.5m better than YTD budget and £1.2m better than prior year. ▪ Income year to date is £7.5m which is £1.2m better than budget and £1.4m better than prior year. This is primarily due to favourable timing differences on delivery of the Adult Education Budget (£1,037k) together with an increase in the ESFA 16-19 funding rate after the budget was set (£139k). ▪ As at R03, 16-18 funded learner number was 2,079 (although this has since reduced to 1,994 through withdrawal of non-attending learners) compared with a funding allocation of 1,934. This increase will be reflected in our funding allocation for next year. ▪ Cash balance at end-October is £12.8m and 141 cash days. This is £451 better than budget primarily due to favourable timing differences on capital/operating expenditures. ▪ Both unions have approved a 6.5% pay award, and this will be implemented in November 2023. Part of this was funded by exceptional 2-year funding from DfE. <p>b. Governing Body Financial Dashboard</p> <p>The Board reviewed the ESFA Governing Body Financial Dashboard, which is produced annually, on receipt of the Colleges' financial records for the prior year. This comprises historical data showing financial performance against sector benchmarks over a number of years, together with budget data for the current year and following year as submitted last July. Governors noted this will be the last year of outstanding financial health.</p> <p>The dashboard confirms for last year the College provisional outturn as follows:</p> <ul style="list-style-type: none"> ▪ Had Outstanding financial health with a score of 250 points ▪ Cash flow actuals and forecast show cash days considerably in excess of FE Commissioner benchmark ▪ Adjusted current ratio was Outstanding ▪ EBITDA was Good ▪ Borrowing as % of income was Outstanding ▪ Staff costs as a % of income were considerably below sector benchmark
17.	<p>Meeting Schedule for 2023-2024 @ 6:00pm, East Ham Campus</p> <p>The Board noted the schedule of forthcoming meeting dates:</p> <ul style="list-style-type: none"> • 27 March 2024 • 23 May 2024 Board Conference • 10 July 2024
18.	<p>Any Other Business</p> <p>None discussed.</p>