

Approved

## EXETER COLLEGE FURTHER EDUCATION CORPORATION

### CORPORATION BOARD

#### Minutes of the meeting held on Friday 10<sup>th</sup> February 2017 in the Boardroom, Hele Road, Exeter College

<b>Present</b>	Philip Bostock	Chair
<i>Bar item 8.2</i>	Emma Webber	Vice Chair
	John Laramy	
	David Allen	
<i>Bar item 8.2</i>	Bindu Arjoon	
<i>Bar item 8.2</i>	John Bunting	
	Dalya Erdogan	
	Chris Hoar	
<i>Bar item 8.2</i>	Elaine Hobson	
	Craig Marshall	
	Martin Owen	
	Michelle Pugh	
	Matt Roach	
	Silas Welsh	
<i>Bar item 8.2</i>	Dave Underwood	
<i>To item 9.2</i>	Glenn Woodcock	
<b>Apologies</b>	David Batho	
	Sarah Brampton	
	Mark Goodwin	
	John Coombs	(Co-optee invited to observe)
	Jo Matthews	(Co-optee invited to observe)
<b>In Attendance</b>	Rob Bosworth	Vice Principal, Schools, Curriculum and Partnerships
	Steve Campion	Vice Principal, Finance and Business Operations
	Julie Skinner	Vice Principal, Standards and Student Experience
<i>Item 5 only</i>	Steve Strang	Head of Estates
	Barbara Sweeney	Clerk to the Corporation

- Welcome, Apologies and Declarations of Interest** **Action**  
The Chair welcomed members to the first meeting of 2017.  
  
Apologies were received.

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Bindu Arjoon declared an interest in item 4.2, Principal's Strategic report, item 9.4, Property Update and 11.1 Opportunities and Developments Risk Register, as Assistant Director, Exeter City Council, for any issues relating to planning. She also declared an interest in item 8.2 as the subject of the vote for her reappointment for a second term of office.

Emma Webber and Dave Underwood declared an interest in item 8.2, as the subject of the vote for appointments as nominated governors.

Elaine Hobson and John Bunting declared an interest in item 8.2 as the subject of the vote on the appointment of Associates.

2. **Minutes of Meetings**

2.1 The minutes of the meeting held on 9<sup>th</sup> December 2016, as circulated, were agreed and signed by the Chair.

2.2 The confidential minutes of the meeting held on 9<sup>th</sup> December 2016, as circulated, were agreed and signed by the Chair.

3. **Matters Arising**

There were no matters which were not elsewhere on the agenda

4. **Strategic Matters**

4.1 Area review update

This item was taken under item 4.2

4.2 Principal's Strategic Report

This item was dealt with as a confidential item in accordance with the College's confidentiality policy and recorded in the confidential minutes.

*Steve Strang, Head of Estates, joined for item 5.*

5. **Masterplan**

This item was dealt with as a confidential item in accordance with the College's confidentiality policy and recorded in the confidential minutes.

6. **Partnerships**

This item was dealt with as a confidential item in accordance with the College's confidentiality policy and recorded in the confidential minutes.

7. **Learner Voice Update**

7.1 College news

The report was received and taken as read. The Principal reminded the Board that February 2016 he had started to take on additional

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responsibilities prior to his appointment in April 2016. The report therefore served as a one year update. The 2015-16 results had been a testament to the hard work on staff and students and sports results had also been strong, with high numbers attending the Association of Colleges' finals in Nottingham. Links with Oxbridge were growing and thirteen students had received offers, and he confirmed how the College supported these students. Finally he updated the Board on the success of the debating team.

The Board commended the report and agreed that it had been an excellent year, with the new Senior Leadership Team performing well.

**The Board noted the report.**

7.2

**Student Governors' Report**

The report was received and Silas Welsh, Student Governor (16-18) and Dalya Erdogan, 19+ Student Governor, highlighted the key points. It had, as always, been a busy time for the Student Representative Committee (SRC), including LGBT and environmental events. The Health and Wellbeing agenda had been supported with the distribution of free soup and water bottles and there were two new water fountains, in response to requests from the Learner Voice. Governors suggested that data analysis of the impact of the water fountains on the use of plastic bottles would be valuable.

A new role of Apprentice Officer on the SRC was welcomed and the Officer had been working alongside the Head of Business Solutions to develop an Apprentice Voice and Apprentice Ambassadors. Whilst working mainly in College, there was also an opportunity for the Ambassadors to promote apprenticeships in schools, for example, during National Apprentice Week.

A student run Graduation Ball was proposed for the first time in several years. Finally Silus confirmed that fundraising to date for the College's Charity of the year, Devon Air Ambulance, stood at £6,838.

**The Board noted the report**

**Part 2 REPORTS FOR APPROVAL**

**8. Recommendations from Search and Governance Committee**

8.1 Executive Summary from Committee Meeting on 23<sup>rd</sup> January 2017.

The report summarising the key issues considered by the Search and Governance Committee meeting held on 23<sup>rd</sup> January 2017 was received and noted. The Committee Chair highlighted the key issues, talking to items 8.2 to 8.8 on the agenda.

## **The Board noted the report**

### 8.2 Appointments

The report was received and each resolution was considered in turn.

At its meeting on 23<sup>rd</sup> January 2017 the Search and Governance Committee had considered succession planning for two anticipated vacancies scheduled for 30<sup>th</sup> June 2017, following the retirement of longstanding Governors, each of whom had made a significant contribution to the Board. After considerable discussion the Committee had concluded that it was in the best interests of the College and the Board to leave the two departing members' places vacant for the time being, in view of the rapidly changing landscape which might need the Board to focus on some new skills.

The Committee had also agreed that the retiring Governors' record merited the recommendation that they should be appointed Associates at the end of their terms of office on 1<sup>st</sup> July 2017.

One full and one co-opted member would complete their first four year term on 31 July 2017, and both were recommended for appointment for a second four year term.

Following the retirement of Elaine Hobson on 30<sup>th</sup> June 2017 the Board would be required to appoint a new Safeguarding and Prevent Governor. Given the overlap of both roles with Equality, Diversity and British Values (EDBV) it was proposed that the current Equality and Diversity Governor, (which EDBV had superseded) be recommended to the Board to serve as the Safeguarding, Prevent and EDBV Governor from 1<sup>st</sup> July 2017. It was also proposed that, since operationally the Health and Safety Committee had merged with the Sustainability Committee, a single Governor be appointed to represent the Board as the Safety, Health and Environment Governor.

The Principal updated the Board on the position regarding an external Governor to represent the Exeter secondary schools. Two potential candidates were no longer in the frame, and an approach would be made to a third.

On the recommendation of the Search and Governance Committee the Board agreed to

**a) Appoint Elaine Hobson and John Bunting as Associates from 1<sup>st</sup> July 2017- 30<sup>th</sup> June 2021 for a single four year term** BHS

**b) Appoint Bindu Arjoon for a second term from 1st August 2017 – 31 July 2021** BHS

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**c) Appoint Jo Matthews for a second term as Co-opted Governor from 1st August 2017 – 31 July 2021** BHS

**d) Appoint Emma Webber as Safeguarding, Prevent and EDBV Governor from 1st July 2017** BHS

**e) Appoint Dave Underwood as Safety, Health and Environment Governor with immediate effect.** BHS

*Vote: unanimous*

### 8.3 Policies

The report was received. Governance Policies had been scrutinised over the previous two meetings. However, the Search and Governance Committee had deferred recommendation of the Policy for Taking Independent Advice, having identified some anomalies. A revised paper had been drafted by the Clerk in consultation with the Chair of Audit and scrutinised by the Committee at its meeting on 23<sup>rd</sup> January 2017.

The Committee recommended a ceiling for each transaction and that any decisions to exceed that ceiling be agreed by a majority of the Board.

The Board agreed

**a) To approve the Policy for Taking Independent Advice** BHS

**b) That no commission should exceed a value of £2,000 exclusive of VAT without majority agreement of the Board**

*Vote: unanimous*

### 8.4 Standing Orders

The revised Standing Orders were received, updated to reflect the creation of the role of Patron of the College.

The Board agreed to

**Approve the Standing Orders** BHS

*Vote: unanimous*

### 8.5 Governor Appraisals

The report was received. The Board had agreed that there should be biennial appraisals for all Governors, with more targeted reviews in the

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intervening years, and that 2016-17 was the year for the full reviews.

The Search and Governance Committee had considered the drafted documentation and agreed that the questionnaires should be combined to a single Governors' Questionnaire, to include evaluation of the Chair and Committee Chairs, and the inclusion of a review of Committee and Board processes to feed into the Committee and Board SARs for the year. The Board was assured that all responses would be anonymous.

Individual appraisal dates were confirmed and Governors were reminded that the deadline for the return of the questionnaires was 2<sup>nd</sup> March 2017.

**The Board noted the report.**

- 8.6 Board Residential  
The programme for the Board residential was received. Governors were invited to complete and return their preferences for the breakout groups.

**The Board noted the programme for the Board Residential on 17<sup>th</sup> and 18<sup>th</sup> March 2017.**

- 8.7 Proposed dates for meetings 2017/2018  
The draft schedule of dates for 2017/18 were received and **approved**.

*Vote: unanimous*

- 8.8 Terms of Reference  
The report, was received. The Business Services Committee Terms of Reference had been updated to include reference to partnerships and collaboration. The Terms of Reference for the Safeguarding Governor was considered and which the Board was required to adopt to comply with the requirements of the annual safeguarding audit. Finally there was a draft amendment to the Associates ToR, to provide for a scenario if an Associate was requested to represent the Board in a nominated role.

The Board approved the following Terms of Reference:

**a) Business Services**

**b) Safeguarding Governor**

**c) Associates**

*Vote: unanimous*

9. **Recommendations from Business Services Committee**  
9.1 Executive Summary from Committee Meeting on 30<sup>th</sup> January 2017.

The report summarising the key issues considered by the Business Services Committee meeting held on 30<sup>th</sup> January 2017 was received. The Committee Chair highlighted the key issues, inviting contributions from the Vice Principal Finance and Business Operations.

The Modern Slavery Act 2015 required businesses to produce annual reports detailing the steps that they were taking to tackle these issues within their businesses and supply chains. As a College with a turnover of over £36 million, it was covered by the Act's definition of a commercial organisation and required to comply with the Act by producing the circulated annual statement. Future statements should also include reference to learners. Clarification was sought that the statement complied with new legislation on transparency in supply chains. Assurance would be sought.

BHS/AH

On the recommendation of the Business Services Committee, and subject to assurance on compliance with new legislation on transparency in supply chains

**The Board approved the Modern Slavery Annual Statement**

*Vote: unanimous*

There had been a number of recent opportunities for the College to add to its apprenticeship portfolio. In order to be agile and responsive there were potential opportunities where strategic decisions would need to be made between meetings, and it was proposed that Chair's Actions be invoked, as approved in the Board's Standing Orders, following consultation between the Chair of the Board and the Chairs of Business Services and Audit, (the latter to ensure that any associated risks were monitored). The rationale was that College must retain flexibility to be agile and take opportunities as they arose. There should be agreed protocols and financial limits, which the Business Services Committee would scrutinise at its April meeting, and the proposal for use of Chair's Actions between meetings provided the opportunity for responsive approval. However if timing or the complexity or value required full scrutiny, then any decisions should be deferred until the next meeting of the Business Services Committee.

BHS

The Board agreed to approve, subject to approval of protocols and funding limits by the Business Services Committee in April 2017, that

**Chair's Actions be invoked to approve the process for approving Apprenticeship provision, subject to complexity and timing of**

## **next Business Services Committee meeting**

### **9.2 Property Matters**

Items 9.2 was dealt with as confidential items in accordance with the College's confidentiality policy and recorded in the confidential minutes.

- i. Nursery Collaboration
- ii Student Accommodation
- iii Property Update including Wear Barton/Exwick Playing Fields

### **9.3 Advice Recruitment and Marketing Annual Update**

This item was dealt with as a confidential item in accordance with the College's confidentiality policy and recorded in the confidential minutes.

## **10. Key Issues from Quality and Standards Committee**

- 10.1 Executive Summary from Committee Meeting on 6<sup>th</sup> February 2017. The report summarising the key issues considered by the Quality and Standards Committee meeting held on 6<sup>th</sup> February 2017 was received and noted. The Committee Chair highlighted the key issues and commended the governance at the meeting with evidence of effective assurance through open and transparent discussions. He also commended the effectiveness of the new Senior Leadership Team. The change in Vice Principal roles had resulted in greater focus on key elements in the Terms of Reference.

The Committee had received an update on the College's response to proposed national changes to A levels, with a new linear model, removing the external AS level at the end of the first year, and with a single A level exam at the end of the two year course. The change to GCSE grades from letters to a numerical grading, but with no clear equivalent mapping, was a significant risk. The uncertainty over the robustness of entry grades, even with internal exams and assessments, increased the risk in taking students onto a two year course with no robust assessment of ability on entry. There was also the potential of a fall in retention with the associated loss of income.

The College had undergone extensive consultation and engagement with other colleges with whom it benchmarked to assess the appetite for adopting the linear model as opposed to retaining AS exams with the external year one examination. A significant percentage had opted to retain AS, with the philosophy of subsequently evaluating outcomes from those offering the linear model and a phased transition.

By initially offering 20% of learners the linear option, the College could manage the risk. By retaining AS, learners who were not likely to



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succeed over a two year course could achieve qualifications at the end of year one (an argument commended by the Student Governor) and that adopting the 20:80 model, with 80% still having AS examinations, limited the degree of exposure.

As an operational issue there had been no requirement for Committee approval, however the **Committee had endorsed the decision.**

The report and link to the FE Week league table was received. Ratings were based on four measures with a possible maximum score of 16, which the College had achieved to become the top college in the Country. However, as the sector was changing, and new benchmarks introduced, it was not possible to be top of all. There were still areas which the College was working to improve. It was important to assess the validity and relevance of tables.

The Student Experience Department had presented its inaugural annual report, having undergone a review with a new remit and a new team. Processes had been streamlined and the Department was performing well, with enhanced provision and delivery. Focus for the future included Mental Health and Wellbeing, behaviour, the role of lead tutors and equality.

Finally, the Committee Chair updated the Board on challenging issues which had been considered following the annual Learner Support update. 2015-16 statistics illustrated increasing demand for 1:1 support and in-class enabling support. The pressure on capacity was exacerbated by the increase in learners studying maths and English and the challenging February deadline for assessment of learners in order to request additional support during exams.

SLT

Education Health and Care Plans (EHCPs) had replaced Statements, and there was an obligation to meet the needs of these learners and demand was rising. In addition, funding for High Needs Students was arbitrarily capped, by Devon County Council, at £4k per student, although actual costs were often significantly higher. Other colleges in the Devon College Group had the same concerns and the group was working together with common purpose to influence negotiations.

The Board expressed deep concern at the decision by DCC to arbitrarily cap funding for High Needs Learners and that funding pressures had been passed on to colleges. DCC had statutory responsibility for supporting High Needs Learners and it was the students who ultimately suffered. The Board also questioned whether there had been a documented Equality Impact Assessment when agreeing the funding cap and recommended that evidence of such an assessment be requested.

**The Board agreed to record its concern and to recommend that**

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**the College communicate to Devon County Council**

- a) That the Board deprecates the decision by Devon County Council to arbitrarily cap funding at £4k for High Needs Learners to the detriment of young people, and the Board's conclusion that such a decision may be discriminatory.**
- b) A request for evidence of an Equality Impact Assessment of the decision to arbitrarily cap funding for High Needs Learners.**

Vote: unanimous

10.2

**Safeguarding Policies**

The following Policies were received and, subject to minor semantic changes, recommended for Board approval.

- Anti-Bullying
- Substance Misuse
- Intimate Care

The biennial review of all Safeguarding Policies was due but, because of the volume, were being scrutinised in batches over several meetings. The circulated Policies under review had been streamlined to be fit for purpose, helpful and realistic.

Subject to agreed small amendments the Board resolved to

**Approve the following Safeguarding Policies**

BHS

- a) Anti-Bullying**
- b) Substance Misuse**
- c) Intimate Care**

*Vote: Unanimous*

**PART 3: REPORTS AND MINUTES FOR INFORMATION**

11.

**Reports**

The following reports were **received and noted**.

11.1

Opportunities and Development Risk Register.

11.2

Management Accounts (November 2016).

Steve Campion confirmed that the accounts showed a surplus above budget, a position which was forecast to continue into the December Accounts. Turnover was now forecast to go over £39m for the first time

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ever. Faculty expenditure budgets had been increased to reflect the increase in income generated from material sales in the autumn term as well as increased resource to support the growing international student population.

11.3 Student Recruitment Update

11.4 Estates Annual Report

The comprehensive report showed that, following restructure, the team was proactive and effective. Efficiencies had resulted in a smaller team effectively managing an increased workload.

11.5 Balanced Score Cards

This was reported under item 11.2

11.6 Risk Register

11.7 Governance Report

The report was taken as read. EDBV training, details of the Board Residential and the proposed appraisal process were highlighted.

11.8 Sealing Report

12. **Minutes**

The following minutes were **received and noted**.

12.1 Search and Governance Minutes 23<sup>rd</sup> January 2017 *Draft*

12.2 Business Services Minutes 30<sup>th</sup> January 2017 *Draft*

12.3 Quality and Standards Minutes 6<sup>th</sup> February 2017 *Draft*

13. **Confidential Minutes**

The following confidential minutes were received and noted:

13.1 Search and Governance Minutes 23<sup>rd</sup> January 2017 *Draft*

13.2 Business Services Minutes 30<sup>th</sup> January 2017 *Draft*

13.1 Search and Governance Minutes 23<sup>rd</sup> January 2017 *Draft*

18. **Dates of scheduled meetings for 2016-17**

Friday 5<sup>th</sup> May 2017

Wed 5<sup>th</sup> July 2017