

**MINUTES OF THE CORPORATION MEETING
HELD ON WEDNESDAY, 29 MARCH 2023 IN THE
CATHEDRAL ROOM, CHICHESTER COLLEGE**



Present:

Chris Bennett, Steve Bassam, Dr Roy Bowden, Steve Cooper (Vice Chair), Jane Dodsworth, Nick Fox, Andrew Green (CEO), David Jones, Helen Kilpatrick CB (Chair), Paul Lansdowne (Staff Governor), Richard Moore, Dr James Sarmecanic, Ellen Walsh, Caroline Wood, Paul Wright.

In Attendance:

Sally Challis-Manning (Principal, Crawley College and Brinsbury College), Vicki Illingworth (Executive Principal), Helen Loftus (Principal, Chichester College), Dan Power (CCO), Paul Riley (Principal, Brighton MET and Haywards Heath College), Helena Thomas (Principal, Worthing College and Northbrook College), Catherine Vinall (Clerk to the Corporation), Sarah Box (Governance Officer)

WELCOME AND INTRODUCTIONS

79. The Chair welcomed members to Corporation meeting, in particular Chris Bennett and Paul Lansdowne who were attending their first Governing Body meeting.

APOLOGIES FOR ABSENCE

80. Apologies for absence were received from Tosin Adebisi, Martin Colyer, Keira Embleton (Student Governor), Ryan Sallows, Nick Sutherland and Donna Turner-Irwin (Staff Governor).

DECLARATION OF INTERESTS

81. The Chair drew the attention of Governors and those in attendance at the meeting to the requirement to declare any interests they might have in any of the items on the agenda, as detailed on the agenda sheet.

MINUTES

82. The minutes of the meeting held on Wednesday, 7 December 2022 and the minutes of the Special meetings held on Tuesday, 18 October 2022 and Friday, 10 March 2023 were approved as an accurate record of the meeting.

CHIEF EXECUTIVE'S TERMLY REPORT

83. The Corporation received for information a presentation to give an update on the FE Sector and other strategic issues.

84. On the government skills focus, Andrew Green confirmed that the outcomes of review of lifelong learning by Sir Michael Barber were still awaited. This review was looking at plans to defund Level 3 qualifications which would be replaced by T-Levels. The sector continued to lobby government on this proposal as it was bring considerable risks and mean that there would be no suitable provision for learners who could not move on to a T Level. On the up-side, there could be opportunities for adults who were unable to commit to a full HE course, instead preferring the qualification to be broken down.
85. Andrew advised governors that local pay negotiations would be starting very soon. Vacancy rates continued to be the Group's highest rated risk, however numbers were in decline with 122 live vacancies, some of which were long term and hard to fill roles.
86. In relation to capital allocations, confirmation had been received that CCG would not be eligible for the £2.2m sustainability funding. Instead, £1.3 million would be received for T level equipment and £50k for capital spend.
87. Governors were advised that further clarification was still required on the reclassification. It was noted that there would be a change to the financial year for colleges. It has also been announced that any senior appointments over with a salary of over £150k would require ESFA approval, as would settlement agreements. It was expected that there would be a further announcement in relation to the proceeds of asset sales.
88. Andrew gave an update on the realignments taking place across the College Group, explaining that management had been working closely with the Unions. The focus had been on aligning staffing structures across the College Group.

CHICHESTER COLLEGE GROUP PERFORMANCE REPORT

89. Vicki Illingworth outlined the key themes detailed in the report, which contained attendance and retention data across the College Group, plus gaps in retention and attendance for particular groups of students. A great deal of work had taken place to support retention across the Group and as a result the data was looking strong than at the same point in the previous year. There was an outlier in the Haywards Heath 19+ cohort, but student numbers were low and this was not of significant concern due to the proportionality.
90. Vicki reported that there had been many activities to enhance inclusion during the term, with diverse Crawley and Chichester events taking place. There were challenges with attendance across the Group, however Principals were clear of the specific areas and issues. There had been a recent closure of the Central Brighton campus and this had impacted attendance. Helena

Thomas confirmed that Northbrook College had maintained a breakfast club for students from disadvantaged groups. This had resulted in a positive effect on attendance and supported particular groups of learners. Paul Riley noted that best practice with attendance was being shared across the Group to incentivise learners to attend college, this included different strategies to support learners depending on their subject and level.

91. The Retention EDI data reflected challenges that some learners were facing at the tail end of the pandemic. Catch up funding was being used to support these learners. Vicki also celebrated the recent success of the SECAMB apprenticeship graduates, who had navigated the difficulties of studying in a healthcare environment throughout Covid.
92. Helen Loftus updated Governors on the group position with apprenticeships. There had been fluctuating retention and there were over 900 apprentices due to achieve in Chichester and Crawley before the end of the year. Period 7 showed a 50% retention rate, however the vast majority of apprentices were due to achieve in periods 8, 9 and 10 and it was expected that retention should improve at that point. A relative high percentage of apprentices were currently Past Planned End Date (PPED). A lot of work was taking place in this area and whilst the number was reducing there was a way to go to achieve the target of 15% PPED. It was noted that staff recruitment was impacting progress in some areas, particularly in Health and Construction.
93. Governors requested that learner numbers were included in future reports to provide context. A query was also raised with regard to the attendance and retention data at Brighton MET, and whether this indicated that there were students that should have been withdrawn. Paul Riley confirmed that this was not the case, and the figures were due to some long term attendance issues with a number of students and the high proportion of L1 and L2 provision at the campus. The situation was being carefully monitored and Sally Challis-Manning noted that students on certain creative courses were able to dip in and out of lessons as they completed their assessments, and this had also impacted the attendance rates. In addition, the tail end of covid, train strikes and the cost of living crisis all created challenges for some learners to attend college.
94. Governors asked whether there was benchmark data for this area yet to provide a comparison and it was confirmed that this information was due for release at the end of March. The improvements in attendance at Crawley were noted and Sally Challis-Manning confirmed this had been the result of a team effort and collaboration between teams, with a specific focus on maths and English.

Action:

Provide learner numbers for the College to provide context to the performance reports (Executive Principal).

UPDATE FROM THE CURRICULUM & QUALITY COMMITTEE CHAIRS

- **Worthing College and Northbrook**

95. Roy Bowden reported that the Committee membership had been strengthened by the attendance of Paul Lansdowne (Staff Governor) and Oliver Jones (Student President, Worthing College), in addition to the Vice Principals from both colleges. Key topics of discussion had included attendance, retention and apprenticeships. There were plenty of strengths across curriculum areas and the intensive care highlighted the work underway to address areas of weakness. The student voice item on survey outcomes had illustrated that a minority of students were concerned at the quality of initial induction and the feedback received. Extensive safeguarding support continued to be provided to students at both colleges. An HE item highlighted that interventions had helped to improve retention, but that mental health issues were impacting student attendance.

- **Chichester**

96. Richard Moore noted the commonality across the CQC meetings, and how they had become more discursive and informative. The Chichester Committee had received a presentation on the success of the E-sports course and future plans to ensure that both student and commercial needs were met. There were key discussions on retention and attendance, with a focus on attendance of disadvantaged, GCSE and Functional Skills students. The Committee received an update on apprenticeships, and considered the challenges particularly in health and construction but also for the learners who were PPED. The results of the student induction survey were reviewed and the 'I know how I will receive feedback' questions received a low score across all campuses and actions were in place to review the question and what students understood about feedback. The Safeguarding report outlined the changes to the Prevent duty and onsite security. The Committee had welcomed the updates to the courses that had previously been part of the Intensive Care programme and were now performing well, with good retention.

- **Brighton MET and Haywards Heath**

97. Steve Bassam reiterated that similar themes had been discussed at the Brighton MET and Haywards Heath meeting and there had been in depth discussions on the student survey response on feedback. In the future, the Committee were keen to ensure that the Group's courses reflect the needs of the employment base and the links with curriculum. Andrew Green confirmed that this would be addressed at the forthcoming Governor Strategy Event on 16 May.

- **Crawley and Brinsbury**

98. Catherine Vinall reported on behalf of Ryan Sallows. Crawley and Brinsbury Committee had also reviewed attendance and retention data, in addition to discussions on the challenges with student motivation and attendance at mocks. The Crawley Student President had attended to update on the extensive work of the Student Union and Paul Rolfe had provided an update on the IoT and Skills Development Fund.

COMMITTEE UPDATES AND ITEMS FOR APPROVAL

a) Chichester College Group Strategic Plan 2023 - 2026

99. The Strategic Plan had been updated following discussions at Staff and Student committee meetings. The plan was approved in principle and it was agreed that following a consultation with students, staff and stakeholders, it would receive final sign off in summer term.

Resolved

That the Strategic Plan was approved in principle, subject to consultation with staff, students and stakeholders.

b) Audit & Risk Committee

i) Update on the Audit & Risk Committee meeting

100. Two Internal Audit reports had been received at the meeting. Safeguarding had been given a reasonable assurance rating, with a recommendation for the training of sessional/bank staff. Substantial assurance had been given on the audit of recruitment processes. In addition, RSM had provided feedback using audit benchmarks from within the sector. Although it was early in the contract, CCG was assessed positively. The Committee had also reviewed key areas of the risk register in detail including financial performance. The External Auditors had provided an update on the reclassification from external auditors.

ii) Risk Management and Assurance Report

101. The Corporation received for consideration the Risk & Assurance report for the autumn term 2022/23, together with the updated Risk Registers. A discussion was held regarding the recommendation within the Recruitment Audit report that suggested splitting out the staff risk to create separate recruitment and retention risks. Jon Rollings confirmed that the Strategic Risk Register's purpose was to summarise risks at a high level. The risk registers sitting beneath this split out the two and it was felt that this would suffice. It was hoped that there would be a reduction in the risk ratings over the coming months, and Governors agreed it would be good to see a downward trajectory. It was

Resolved

That the updated Risk & Assurance Report and updated Risk Registers be adopted.

c) Governance & Search Committee

i) Update on the Governance & Search Committee meeting

102. Catherine Vinall confirmed that three key issues had been discussed at the meeting. The Whistleblowing Policy, External Governance Review and membership of the Corporation.

ii) Chichester College Group Whistleblowing Policy and Procedure

103. The Corporation were asked to consider approval of the Group's Whistleblowing Policy and Procedure. Catherine confirmed that the recent review had taken into account the previous CCG and GB MET policies, in addition to the Eversheds Sutherlands guidance. The Committee had recommended some further clarification around grievances and complaints. In response to a query, it was confirmed that any whistleblowing complaints would be reported to Resources Committee as part of the Human Resources remit and a standing item would be incorporated on Audit & Risk Committee agendas for oversight of any instances of whistleblowing or fraud. It was

Resolved

That the CCG Whistleblowing Policy was approved.

Action:

Add a standing item on fraud and whistleblowing to the Audit & Risk Committee agendas (Governance Team)

iii) External Governance Review

104. The Corporation were asked to consider a recommendation to commission the AoC to carry out an External Governance Review. This would ensure that the College Group were compliant with the DfE requirement to ensure completion of the review by the summer of 2024. It was

Resolved

That the AoC were appointed to complete the CCG External Governance Review.

d) Resources Committee

i) Update on the Resources Committee meeting.

105. Nick Fox confirmed that Health & Safety had now been added to the Resources Committee remit. An update on the review of Performance Related Pay had been received and a new model was being formulated. There had been a report on staff recruitment outlining the extensive work to address

the sector wide recruitment crisis. Alongside this an update was given on the harmonisation of pay and conditions across the group. An IT Strategy Group was now in place to oversee all systems and develop a strategy for the future, this would be a standing item on each agenda. A detailed update of the capital programme was shared, covering all 3 major projects with a cost of c£50m in total. In addition, an item focusing on the Worthing Property Strategy was also received.

106. Jon Rollings informed Governors of the latest situation with regard to the temporary closure of the Pelham Tower at the Central Brighton Campus. Although not a structural issue, the brick work required stabilising and the campus had been closed as a precaution. Work with the contractor was underway to rectify the position and then revert back to the main project. It was expected that both staff and students would be able to access the campus as normal after the Easter break. The cost of the work was estimated to be a £300-350k downside, which was unlikely to be covered by insurance as it would be considered wear and tear due to shrinkage of the concrete frame. A case would be made to the DfE to increase the grant to cover the costs.

ii) Resources Committee Terms of Reference and Annual Plan

107. The Corporation were asked to consider approval of the Resources Committee Terms of Reference and Annual Plan. It was

Resolved

That the Resources Committee Terms of Reference and Annual Plan was approved.

e) Finance & General Purposes Committee

108. Paul Wright provided an update on the recent Finance & General Purposes Committee meeting. The meeting's central focus was on financial performance to date and deterioration against budget. Income was reported to be under budget. Some reductions on pay were countered by the costs of agency staff. Paul confirmed that management had quickly put cost controls in place and a reforecast had identified focus areas for the months ahead. The Principals' had attended the committee meeting to update on the areas that were currently under budget; HE, Apprenticeships and AEB. There had been some over-optimism in the budgeting process in previous years and this would need to be considered for the year ahead. Another issue was the timing of the receipt of apprenticeships income as there had been a much longer lead time than anticipated. In summary, the Committee had noted that that this year's EBITDA targets would not be reached and the pressures that the cost of living crisis and interest rates had put on the budget had been discussed in depth.

109. In terms of the subsidiary companies, it was confirmed that the closure of the First Steps nursery at Bersted had resulted in a positive impact for the

group and it was expected that there would be a positive outturn at year end. The Anglia Board meeting had been postponed, with some control issues around income recognition, which were being worked through. Overall, the Committee felt there had been the correct level of challenge and support for the Executive at the meeting. Jon Rolling was thanked for his work in the absence of the Chief Financial Officer.

110. In response to a query, Jon confirmed that the cashflows in month would be significant but that the £3m revolving credit facility with Barclays had been removed due to the reclassification. Governors also asked how the escalating agency costs could be managed and it was confirmed that costs were controlled as carefully as possible and staff were converted to establishment wherever possible.

f) Student Committee

111. David Jones provided an update on the Student Committee meeting, which had taken place in February. All Colleges within the group had been represented and a report was received from each on course representation, environmental work, fundraising, enrichment and support for students with issues such as the cost of living crisis. Student Reps also provided feedback on the strategic plan and the 'Proud to Be Campaign' had been launched by the Student Experience Team.

112. David congratulated the Group on the positive work by the Student Union at each campus and noted that governor engagement was very welcome on the committee.

ITEMS FOR INFORMATION

a) Finance & General Purposes Committee

Management Accounts to 28 February 2023 and Mid-Year Update 2022/23

113. Jon Rollings confirmed that the overall financial position would be negative in terms of the three year plan that the ESFA were assessing on. A clear focus would be required to ensure that the plan was back on track in Year 2. In terms of Financial Health, the group was currently assessed as Requires Improvement, and there would be a need to maintain improvements and resolve the tension with reclassification and borrowing. The year to date summary showed income £1.6m below budget, which was offset by pay costs of £0.8m below Budget and Non-Pay of £0.2m below Budget. EBITDA was £0.3m adverse to Budget. The key income variances in Apprenticeships and HE would be offset by high needs and subsidiaries. Under non-pay, the additional agency costs and reduced costs in Estates and IT services were noted.

114. In summary the key risks included AEB, the delivery of VRQs, Apprenticeships, including new starts, planned achievements, apprentices

past planned end date and agency costs. Jon noted that a continuing focus was required to meet the revised forecast and the Executive were working hard to deliver this. It would be critical to achieve revised income targets, maintain strong control over pay expenditure and ensure delivery of reduced non-pay targets.

b) Audit & Risk Committee

RSM Internal Audit Reports

115. The Internal Audit reports for Safeguarding and Risk Management (recruitment deep dive) were received.

c) Governance & Search Committee

Update on Corporation membership

116. Catherine Vinall updated on the membership of the Corporation. The Committee had met with Paul Lansdowne and Chris Bennett as potential new members and these appointments had subsequently been approved in March. Sadly, Caroline Wood had resigned from the Corporation, which left four vacancies to be filled. A recruitment process would be initiated in due course, and Catherine noted the opportunity to increase diversity and complement the existing skills and ensure that a succession plan was in place.

SUMMARY OF COMMITTEE BUSINESS

117. A summary of the business discussed at the Committee meetings held during the spring term was circulated for information.

DATES OF FUTURE MEETINGS

118. It was noted that the next meeting of the Corporation would take place on Wednesday 5 July 2023 at 4.00 pm in the Conference Room at Brinsbury College. The next Corporation Strategy/Development event would take place on Tuesday, 16 May 2023, from 10.00 am to 4.00 pm, in the Cathedral Room at Chichester College.

ANY OTHER BUSINESS

119. Jon Rollings explained that, as a result of the revolving cash facility being removed, a change to the loan facility with Barclays would be required. In order to this, Barclays would make a change to the facility agreement and governor approval would be sought in due course.

CONFIDENTIAL BUSINESS

It was

Resolved

120. That, in view of the confidential nature of the business to be dealt with, the Minutes for the remainder of the meeting be recorded on a confidential basis and remain so unless and until they become public in the ordinary course of the Corporation's business.