

## Minutes of the Meeting of the Board of Corporation

<b>Date:</b>	Monday 10 July 2023	<b>Room number</b>	Boardroom
<b>Present:</b>	Andy Forbes (Chair) Charles Tennant (Vice-Chair) Andy Cole (Interim Principal/CEO) Mark Bass (MB) Katharina De Vita (KDV) Carole Ditty (CD) Geoff Hall (GH) (Staff Governor) Nick Kavanagh (NK) Alex Keay (AK) Bim Osunsami (BO) Bal Panesar (BP) Jahaid Zaman (JZ)		
<b>In attendance:</b>	Jason Turton (Deputy Principal – Curriculum & Quality) Amy DeCampos (Head of Safeguarding) Victoria Eastwood (Chief Governance Officer) Wijay Pitumpe (Interim Deputy Principal – Finance & Resources)		
<b>Apologies</b>	Forhad Altafi, Andrew Lawson, Molly Makota		

<b>1.</b>	<p><b>Welcome and apologies for absence</b></p> <p>The Chair welcomed all present to the meeting. Apologies for absence were received from Forhad Altafi (Staff Governor), Andrew Lawson (Chief People Transformation Officer) and Molly Makota.</p>
<b>2.</b>	<p><b>Declarations of Interest</b></p> <p>Governors were reminded of their responsibility to declare an interest in relation to specific items on the Agenda if appropriate. None were anticipated.</p>
<b>3.</b>	<p><b>Minutes of the Previous Meetings of the Corporation – Monday 27 March 2023, Additional Corporation Meeting – 28 June 2023 and Notes from the May Strategy Event – 15 May 2023</b></p> <p>The Minutes of the Previous Meetings, held on Monday 27 March 2023, Additional Corporation Meeting – 28 June 2023 and Notes from the May Strategy Event – 15 May 2023 were agreed as a true and accurate record.</p> <p><b>Approved: The Minutes of the Previous Meetings, held on Monday 27 March 2023, Additional Corporation Meeting – 28 June 2023 and Notes from the May Strategy Event – 15 May 2023 were agreed as a true and accurate record.</b></p>

4.

**Matters arising**

An update on outstanding actions carried forward from the March Corporation Meeting were provided:

Agenda Item	Action	Responsibility	Timescale	Update
4.	All Governors to be invited to attend the Environmental Sustainability Group after the Easter Break.	CGO	24/04/23	Meeting took place with the Chair of the Environmental Sustainability Group – meetings to be scheduled 23/24
4.	CGO to follow up re Governor participation in learning walks.	CGO	ASAP	Discussed through C&Q Committee and will be in place for 2023/24
6.	CGO to reissue link to Microsoft Teams site	CGO	ASAP	Complete
7.	CGO to meet with Chief Operating Officer (COO) to discuss checklists for curriculum links visits.	CGO	April 2023	Complete
9.	Further clarification on acts of violence, incidents of abuse and miscellaneous incidents to be provided in the next update.	CPTO	12/06/2023	Deferred – addressed through Audit Committee
10.	Data breach record to be RAG rated for future reports.	CGO	ASAP	Complete

The Chief Governance Officer (CGO) explained that the Health & Safety update had been addressed through the Audit Committee within the internal audit update.

The Corporation were advised that at the Remuneration Committee held earlier that evening, the Committee had agreed to recommend that the post of Deputy Principal – Curriculum & Quality be designated as a Senior Post. This was ratified by the Corporation.

**Approved: The Deputy Principal – Curriculum & Quality post be designated as a Senior Post as from 1 August 2023.**

5.

**Chair’s Actions**

There were no Chair’s actions.

6.

**Safeguarding Update**

The Head of Safeguarding presented a periodic update, highlighting the following:

- Lots of positives – good reporting system, working together as a team to support learners
- Learner counselling and risk assessment
- Feedback with learners very positive – students feel safe

- All students knew who to speak to with any concerns
- Learners sometimes feel behavioural issues were not always dealt with consistently including vaping which was being addressed

In response to a query from NK, the Head of Safeguarding confirmed that the trend analysis would be included in the end of year report but cases were increasing year on year which indicated that staff were being more vigilant with reporting. Mental health was the biggest concern and this had increased in all colleges. Wellbeing concerns were reported by month and the hotspots featured around September and October when students were starting their courses and during Easter which was the run up to the exam period.

NK questioned why there had been a decline in drugs and alcohol referrals. The Head of Safeguarding replied that she would confer with colleagues to clarify why but there was an issue with not having sufficient space for agencies to use.

The Head of Safeguarding reported that there had been representation from Governors at all termly meetings. BP asked whether the actual facilities available to safeguarding had improved and whether additional resources were required due to the increase in mental health issues. The Head of Safeguarding replied that further resource was needed and discussions were taking place to provide a learner facing area to be able to offer 1:1 drop in rooms in the plans for Summer.

JZ questioned how inappropriate sexual behaviour was investigated to decide whether the police should be involved. The Head of Safeguarding provided some context on the cases of inappropriate sexual behaviour advising that issues between learners were dealt with through the behaviour process and any suspected criminal offence would be reported to police. The policy for allegations was covered by the safeguarding policy and relevant agencies were used to support behavioural issues if required. Learners were educated through tutorials, professional development and enrichment.

The Chair thanked the Head of Safeguarding for the report noting that it was useful to be advised of what wasn't being reported alongside the issues that were being reported. He stated that more detail on the mental health issues and resources e.g. the waiting time for appointments with a counsellor would be beneficial in the next report and the comments on apprenticeships would need to be followed up by the Deputy Principal – Curriculum & Quality (DPCQ). It was further noted that the behaviour policy would be discussed at the Curriculum & Quality Committee next academic year.

In response to a query from the Interim Principal/CEO, the Head of Safeguarding confirmed that the report covered students taught by subcontractors but subcontractors currently only taught adult learners. Meetings with partners took place every year to check their safeguarding policies and advice.

**Agreed: That the current position be noted.**

*The Head of Safeguarding left the meeting.*

**7. Update on Principal/CEO and Executive Director HR Recruitment**

Further to communications issued via email and the Additional Board Meeting held on 28 June 2023, the Chair reported that the position of Principal/CEO had been offered to the successful candidate and the offer letter would be issued once completed references had been received. The Corporation were provided with a summary of the background and experience of the new Principal/CEO and it was noted that College staff would be informed of the appointment at the Staff Conference the following day.

The Chair reported that the notice period for the new Principal/CEO was assumed to be six months and the start date would therefore be January 2024. The contract for the current Interim Principal/CEO finished at the end of July 2023 and the Association of Colleges (AoC) had previously been approached for recruitment of a further interim to provide a 'caretaker role' until the new Principal/CEO was in post.

	<p>The Corporation were informed that a meeting of the Selection Panel had therefore taken place earlier that day to meet with a potential candidate, Dr Steve Dowbiggin OBE. The Chair provided Steve's background and experience and explained how he intended to approach the role, adding that Steve had prior knowledge of the College and the Local Council. Further discussion ensued on Steve's previous roles and skillset and the Corporation unanimously ratified the recommendation of the Selection Panel to appoint Dr Steve Dowbiggin OBE as Interim Principal/CEO – contract and specific details to be confirmed. It was noted that the new Principal/CEO would want to be involved with the College as much as possible going forward e.g. in the recruitment process for a permanent Deputy Principal Finance &amp; Resources.</p> <p><b>Approved: That Dr Steve Dowbiggin OBE, be appointed as Interim Principal/CEO for Barking &amp; Dagenham College to commence after the end of the term of office of the current Interim Principal/CEO until the new Principal/CEO takes up the post– specific dates and terms of contract to be confirmed.</b></p>
8.	<p><b>Policy &amp; Resources Committee Report to the Corporation inc Annual Budget 2023/24 and inclusion of CFFR 2024/25</b></p> <p>The Chair of the Policy &amp; Resources Committee, CD, updated the Corporation on the following:</p> <ul style="list-style-type: none"> <li>• Equality, Diversity &amp; Inclusion (EDI) and Safeguarding had been deferred from the Committee meeting but it was important for the Board and the P&amp;R Committee to make sure these featured on agendas and did not fall off the radar. A separate EDI update had been issued to the Corporation and there was a need to reposition and reprioritise going forward.</li> <li>• Subcontracting update</li> <li>• The Committee had discussed the draft budget in length and recommended this to the Corporation for approval</li> <li>• Health &amp; Safety (H&amp;S) – the Committee had noted that the figures for incidents was lower than anticipated and questioned whether this was behaviour and mindset which needed to be considered</li> <li>• Historic H&amp;S data for reporting requested going forward</li> <li>• HR update – the Committee had expressed wanting to start the new academic year without vacancies – process of raising a vacancy request progressing to recruitment was taking too long</li> </ul> <p>BP referred to Martyn's Law and asked if the College was addressing this. The CGO reported that a meeting had taken place with the Head of Safeguarding to consider the draft bill and further meetings with relevant staff were being scheduled. The Interim Deputy Principal Finance &amp; Resources (IDPFR) added that the College had a disaster recovery policy and measures in place for lockdowns etc. It was agreed that an update would be provided at the first meeting of the academic year. NK agreed to forward a communication from the Counter Terrorism police to the CGO which offered relevant training for staff.</p> <p><u>Annual Budget 2023/24</u></p> <p>The IDPFR presented the annual budget for 2023/24 which was recommended for approval from the Policy &amp; Resources Committee. The Corporation discussed the following:</p> <ul style="list-style-type: none"> <li>• Target to ensure financial health category of 'Good' and adhere to banking covenants</li> <li>• Financial objectives</li> <li>• Grant allocations confirmed by Education Skills Funding Agency (ESFA) and Greater London Authority (GLA)</li> <li>• Apprenticeships – realistic target included</li> <li>• Strengthened planning for 2023/24 financial year</li> <li>• Cash at c£5m at the end of the 2023/24 year after spending capital</li> <li>• Pay budget based on course file – pay award not included but will be reviewed in the first term</li> <li>• Modelling of pay award – including correction re London weighting</li> <li>• Contingency included - safety net</li> </ul>

	<ul style="list-style-type: none"> <li>• Capital projects – £3.6m achieved through T-levels Wave 5 which would improve facilities</li> </ul> <p>The Chair stated that this budget was realistic but dependant on achieving the student number targets which would be known six weeks into the new term. If targets were achieved the Board would be able to discuss the implementation of a pay award as it was regretful in the current circumstances that a pay award could not currently be offered which, it was acknowledged, would be a disappointment to staff. The Interim Principal/CEO reported that the Joint Consultative Committee (JCC) had previously been advised that the College was not currently able to offer a pay award and the key would be around the quality of communications and consultations with trade unions. The Chair added that this was a difficult decision for the Board but the College needed to get back to growth to be able to offer a pay award.</p> <p>JZ questioned how the College would be able to retain staff if other colleges were offering a pay rise and how this would impact on staff wellbeing. The Interim Principal/CEO replied that a pay rise would be implemented if this was affordable and there was a need to target the lower paid staff. Non-consolidated payments had been made this year to staff earning less than £25K and £35K and London weighting needed to be addressed.</p> <p>BO advised that it was key to communicate to staff that a pay rise would be implemented if the College met its targets. The Chair added that the message that enrolment and getting the students into College was crucial needed to be clear and this would be discussed further at the first Strategy Day of the academic year.</p> <p><u>College Financial Forecasting Return (CFFR) 2024/25</u> The IDPFR presented the CFFR, updating the Corporation on the following:</p> <ul style="list-style-type: none"> <li>• Forecast 24/25 - based on assumptions</li> <li>• Upward demographics for learners in London – forecasting 3% growth</li> <li>• High needs learners increased year on year</li> <li>• C£500K surplus for the year – should hopefully be aiming higher but this was a safe position to adhere to banking covenants and maintain financial health</li> <li>• Clarification re financial health markers</li> </ul> <p>CD noted that a 3% pay award was built into that forecast which was positive to see.</p> <p><b>Approved: The Board of Corporation unanimously approved the Annual Budget 2023/24, endorsed the Financial Objectives and approved the CFFR 2024/25.</b> <b>Action: Update on progress against implementation of actions required to address Martyn’s Law and the College’s Disaster Recovery Plan to be provided at the next Corporation Meeting.</b></p>
9.	<p><b>Review of Financial Regulations</b></p> <p>The IDPFR reported that the Financial Regulations had been aligned to the guidance received from the Department for Education (DfE), the Office for National Statistics (ONS) reclassification of colleges and adhered to the requirements of Managing Public Money.</p> <p>BO asked for clarification on compliance against anti-bribery requirements. The IDPFR replied that all budget holders had received appropriate training and had signed to confirm they had received and understood the Financial Regulations.</p> <p><b>Approved: The Corporation approved the updated Financial Regulations for future use.</b></p>
10.	<p><b>Subcontracting Plan 2023/24</b></p> <p>The IDPFR updated the Board on the following:</p> <ul style="list-style-type: none"> <li>• Rationale of the Subcontracting Plan 2023/24</li> <li>• College plan to reduce subcontracting as much as possible but subcontractors were dealing with hard to reach students</li> </ul>

	<ul style="list-style-type: none"> <li>• £1.2m income – 20% management fee</li> <li>• Two subcontracting partners</li> </ul> <p>CD asked for the rationale on why only two subcontracting partners were being taken forward when there had previously been four. The IDPFR replied that one subcontractor was a teach out which had reduced and the second was the National Skills Fund which had finished.</p> <p>CD noted that the targets and achievements in the subcontracted provision were good.</p> <p><b>Approved: The Corporation approved the Adult Education Budget (AEB) Subcontracted Delivery Plan 2023/24.</b></p>
11.	<p><b>Fees &amp; Refund Policy/Apprenticeship Fees Policy (previously Tuition Fees Policy)</b></p> <p>The IDPFR advised that the key change was the separation of the policy into Apprenticeships and non-Apprenticeships and the College had also introduced the option to pay fees in four instalments.</p> <p>After further detailed discussion, the Policies were approved.</p> <p><b>Approved: The Fees &amp; Refund Policy and Apprenticeship Fees Policy were approved.</b></p>
12.	<p><b>Accountability Agreement</b></p> <p>The Deputy Principal – Curriculum &amp; Quality (DPCQ), updating the Corporation as follows:</p> <ul style="list-style-type: none"> <li>• Expanded from the draft version presented at the Strategy Event</li> <li>• Intent statement updated</li> <li>• Lot of labour market information and data from the Borough</li> <li>• Included the action plan – focus on T-levels; generic skills agenda; SEND; Apprenticeship quality framework/pass rates, attendance rates</li> </ul> <p>The Chair asked whether there was a formal mechanism around how the Accountability Agreement was reviewed. The DPCQ replied that the Agreement would be uploaded to the portal and reviewed at the next strategic conversation with the DfE. The Interim Principal/CEO added that there were expectations that annual accountability statements were shared with neighbouring colleges to inform regional reviews; consider how funding for adults could be targeted to better meet local needs and as a lever for the Treasury to obtain more money. This would therefore be a very important document going forward.</p> <p>CD questioned whether the College was comfortable with the headline targets. The DPCQ replied that the targets were 1% up on current targets and the College was confident these would be achieved. The College would ensure it recruited and progressed with integrity to retain learners.</p> <p><b>Approved: The Accountability Agreement was approved by the Corporation for the Chair and Interim Principal/CEO to sign before being uploaded to the portal.</b></p>
13.	<p><b>Curriculum &amp; Quality Report to the Corporation</b></p> <p>The Chair of the Curriculum &amp; Quality Committee, AK, presented the high-level areas that had formed discussion at the Committee:</p> <ul style="list-style-type: none"> <li>• Data that could be relied upon now available</li> <li>• Drilled down in English &amp; Maths (E&amp;M) – big steps forward in increase in attendance (heading towards target) – Head of E&amp;M felt there was now a whole college approach</li> <li>• Apprenticeships - more work needed particularly in lower level High Needs – confident that step changes would be evident in Term 1 – deep dive to be undertaken at next meeting to consider Ofsted recommendations in this area</li> <li>• The Board needed to be able to articulate where the College was when Ofsted visited and progress made</li> </ul>

	<ul style="list-style-type: none"> <li>• High number of learning walks undertaken – it was noted that all member of the C&amp;Q Committee had agreed to undertake at least one learning walk next academic year and Governors were asked to also consider committing to this.</li> </ul> <p>AK requested that Governors look at their network of contacts and consider whether they could introduce any contacts to the Apprenticeship team and attend an initial meeting to make introductions and learn what was taking place. It was noted that NK had taken on an apprentice from the College and thanks were recorded.</p> <p>The Vice-Chair of the Curriculum &amp; Quality Committee/Vice-Chair of the Corporation provided an update on the agenda item he had led at the C&amp;Q meeting focussed on:</p> <ul style="list-style-type: none"> <li>• Concept of confidence in process and communication – a way to be able to say with confidence that the processes were running as they should and how that was captured in a way that could confidently be relayed from the Committee to the Board.</li> <li>• Next step - Review of current level of confidence of the Committee members and the Boards confidence in that Committee – meet with CGO to operationalise.</li> </ul> <p>AK advised that the Committee had made really good progress over the academic year. Ofsted had been a catalyst but the College was on the right trajectory and Governors would be asked to get closer to the areas. The DPCQ added that the feedback at the end of the meeting had been around the distance travelled as a group and checking the confidence of processes would ensure these were robust.</p> <p>In response to a request from BO, it was agreed that the College academic and social calendars would be emailed to Governors to advise of key dates.</p> <p>BO stated that visibility of the Marketing Strategy had been discussed at the Audit Committee meeting and asked if this had also been discussed by the C&amp;Q Committee. AK responded that the specific strategy had not been discussed but the Committee had covered the role of marketing. The Committee had been asked to help promote the College through social media and this was extended to the full Board. The Director of Marketing, Communications &amp; Admissions had been asked to feedback ideas to the Committee which would then be discussed and built upon.</p> <p>The Chair questioned the end of year prospects for 16-18 and adult students. The DPCQ replied that this was currently 2-3% up on last year for 16-19 and adults but did fluctuate.</p> <p>In response to a query from GH regarding ongoing Internal Verification (IV) discussions, the DPCQ advised he would review the position concerning tutors and targets.</p> <p>The Chair recorded thanks to the DPCQ and the team for the progress made.</p> <p><b>Action: College Events and Academic Calendar to be emailed to the Board.</b>  <b>Agreed: That the current position be noted.</b></p>
14.	<p><b>London Borough Barking &amp; Dagenham (LBBD) – Food Hub Update</b></p> <p>The DPCQ provided the following update:</p> <ul style="list-style-type: none"> <li>• Developments in the Borough</li> <li>• Three markets</li> <li>• World Food School – Technical Skills Academy (TSA) delivery</li> <li>• Food Hub – Vicarage Fields</li> <li>• College playing an integral part</li> <li>• £1m investment in hospitality from T-levels</li> <li>• Strategic plan for the Food Hub – employed a Project Manager part funded by LBBD</li> </ul>

	<ul style="list-style-type: none"> <li>• Head of TSA to become a Director and drive the initiative forward</li> <li>• Small programmes planned for the summer to bring in local residents</li> </ul> <p>The Vice-Chair suggested that the makeup of the Board in relation to developments in the Borough needed to be considered as expertise on Hospitality etc would be beneficial. It was agreed that this would be considered further at the Strategy Event and through the Search &amp; Governance Committee.</p> <p><b>Agreed: That the current update be noted.</b></p>
15.	<p><b>Management Accounts as at May 2023 and Forecast Position</b></p> <p>The IDPFR summarised the following:</p> <ul style="list-style-type: none"> <li>• Worst case scenario presented – hoping to improve</li> <li>• Forecasting deficit overall</li> <li>• Financial health – requires improvement – ESFA had been informed</li> <li>• May break one of the banking covenants – good progress with discussion with the banks, however, Barclays were unable to issue the letter until approved by the DfE due to restrictions imposed by the ONS re-classification</li> </ul> <p>CD questioned the viability of the Broadway Theatre turning the current deficit into the predicted surplus. The IDPFR replied that reforecasting was taking place but this would still be difficult to achieve. A lot of activity was scheduled for the last few weeks and it was hoped the position would improve.</p> <p>The Chair thanked the IDPFR for the accounts which now provided a consistent picture which the Board could have confidence in.</p> <p><b>Agreed: That the current position be noted.</b></p>
16.	<p><b>Audit Committee Report to the Corporation inc Payroll Internal Audit Report</b></p> <p>The Chair of the Audit Committee, BO, informed the Corporation of the following update:</p> <ul style="list-style-type: none"> <li>• Representation from External and Internal Auditors</li> <li>• Internal audit review – two had limited assurance – issues the Committee were already aware of.</li> <li>• Need to track recommendations and ensure timely responses and deadlines – relevant managers to attend the Committee going forward to discuss their areas</li> <li>• Management changes impacted in some areas</li> <li>• Strengths – significant assurance around HR, Exams and Learner Recruitment</li> <li>• Plans – proposed Internal Audit Plan was presented but this was not yet aligned to the risk register and the Committee would decide at the meeting the areas of priority</li> <li>• Presented External Audit Plan – no significant changes – highlighted areas of key risks for colleges – fraud and management over write</li> <li>• Mapping to ONS reclassification through External Audit</li> <li>• Observation from an accounting point of view – sustainability – all the FE sector was under stress</li> <li>• Approved Board Assurance Framework which would be presented at the next strategy day</li> </ul> <p>BP stated that the College needed to consider utilisation of staff in terms of hours available, how many taught and how many were prepped and how many learners attended the curriculum course against hours planned. CD added that a lot of work had taken place over the last few months on building course files. The DPCQ stated that building this data into the visualisations was taking place. AK advised that joining up the work of the Audit Committee, P&amp;R Committee and C&amp;Q Committee would be discussed at the next Chairs group meeting.</p> <p>The Chair noted that the Audit Committee was working well.</p>



	<b>Agreed: That the update be received.</b>
<b>17.</b>	<p><b>AoB</b></p> <p>NK reported that he had met with the CGO and the Assistant Director for Estates who was keen to set up the College's Sustainability Committee which NK would Chair. A good discussion had taken place on the work that had already been undertaken and lots of ideas to take forward. Governors were asked to inform the CGO if they were interested in joining. BP confirmed he would join the group.</p> <p>The Chair advised that Mark Bass had announced his resignation from the Board and a formal farewell would be organised in the Autumn term. The Corporation were informed that Mark had served on the Board for ten years and had made an extraordinary contribution to the Board and the College. MB stated that this was a period of transition and time for new direction. The Chair thanked MB for his hard work and support on behalf of the Board.</p> <p>The Corporation were further advised that this was the last meeting for the Interim Principal/CEO. The Chair highlighted the transformation that had taken place through a good quick diagnosis and decisive action and thanked the Interim Principal/CEO for his hard work. The Interim Principal/CEO replied that he had thoroughly enjoyed his time at the College and wish the Board and the College all success.</p>
<b>18.</b>	<b>Date and time of next meeting – TBC</b>

The Chair recorded his thanks to all in attendance for their contributions.

The meeting closed at 8.05pm.

<b>Agenda Item</b>	<b>Action</b>	<b>Responsibility</b>	<b>Timescale</b>	<b>Update</b>
8.	Update on progress against implementation of actions required to address Martyn's Law and the College's Disaster Recovery Plan to be provided at the next Corporation Meeting.	CGO/DPFR	October 2023	Disaster Recovery Policy to be submitted to November P&R and ratified by the Board in December. Exec Director HR & Safeguarding addressing Martyn's Law implementation – update provided at November Strategic Planning event by Head of Safeguarding.
13.	College Events and Academic Calendar to be emailed to the Board.	CGO	ASAP	Complete

Signed.....  
Andy Forbes (Chair)

Date.....