

Approved Minutes

MINUTES OF THE MEETING OF THE FE CORPORATION

Held on Friday 31st March 2023, at 10.15 am in the Skills Park and via Teams

Present: Chris Muller (Chair), Nick Vaughan-Barratt (Vice-Chair), Julie Kapsalis (CEO/Principal), Martin Butterfield, Angela Cross-Durrant, Simon Enoch, Felicity Fletcher, Charley Johnson, Margaret Martin, Asa’ah Nkohkwo, Lynn Reddick.

In Attendance: Andy Cowan (Deputy Principal, Curriculum & Quality), George Jenkins (Chief Finance Officer), Donna Patterson (Assistant Principal HR & OD), Dario Stevens (Deputy Principal Planning & Information), Susanne Wicks (Head of Governance).

22.50	Apologies for Absence	
	Apologies for absence were received from Paul Ford, James Knowles, Sylvia Ofei-Kwatia and Nadine Guy.	
22.51	Declarations of Interest	
	The CEO/Principal declared that she is an unremunerated Director of NESCOT Enterprises Ltd. (NEL).	
22.52	Minutes of the Previous Meeting and Matters Arising	
	a	Governors approved the minutes of the meeting held on 9 th December 2022 MM noted that the Staff Voice meeting scheduled for late January was cancelled due to the Ofsted inspection. Governors agreed that it should be rescheduled in the summer term, ideally in College, although acknowledged that the timing could be tricky because of the institutional review and end of year exams. Action: Head of Governance to consult with ELT colleagues and Governors to find a suitable date for the meeting.
	b	Governors approved the minutes of the meeting held on 3 rd February 2023 Governors welcomed the detailed Ofsted feedback discussed at the meeting, and ACD advised that the Deputy Principal Curriculum & Quality has already talked about including some areas for development in the QIP.
22.53	Governance Matters	
	a	Chair’s Report The Chair formally noted for the record the thanks and congratulations of all Governors to everyone involved in the successful Ofsted inspection. He welcomed the new branding visible inside and outside the College and noted how important it is for the public to be aware of the ‘Good’ rating. He acknowledged that there are challenges ahead, but the College is in a strong position with a bright future.

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		The Chair advised that he would be announcing the appointment of the CEO/Principal to staff later today, which was a very positive conclusion to the last two terms and presented a new start on the journey of the College.
	b	<p>Corporation Calendar of Meetings 2023-2024</p> <p>Governors approved the calendar of meetings for 2023-24.</p> <p>Action: Head of Governors to consult Governors on changing the start times of meetings, in the interest of staff and Governor wellbeing.</p>
	c	<p>Revised Code of Conduct</p> <p>Governors approved and adopted the revised Code of Conduct.</p>
The Chair left the meeting at this point and the Vice-Chair took over.		
22.54	Principal's Report	
	<p>The CEO/Principal and ELT colleagues delivered a presentation to the Corporation which is available on GovernorHub. They welcomed comments and questions, and matters discussed are set out below.</p> <p><u>Strategic Plan 2023-2026</u></p> <p>The CEO/Principal summarised the reasons for updating the Strategic Plan, the final version of which would be approved by the Corporation at their meeting on 7th July. She confirmed that the new strategy would include key performance indicators to enable clear accountability and support efficient decision making.</p> <p>The CEO/Principal set out each of the six strategic priorities, which ensure sharper focus on the needs of the local community than the current plan, and gave brief details for each.</p> <p>Outstanding teaching & learning in an inspirational, innovative, inclusive & safe environment.</p> <ul style="list-style-type: none"> • The new plan will build on feedback and learning from the Ofsted inspection and support the College in its move to 'Outstanding' which will include some investment in quality and pedagogy, underpinned by the changes in structure effected by the institutional review. • The College has a history of doing well in innovation and educational technology which will be rejuvenated by the Institute of Technology partnership and investment in virtual reality. • There will be a continued focus on championing inclusion and ensuring all members of the community are safe. <p>A curriculum that enables our learners to develop the skills, attitudes & qualifications to progress and succeed at work and in society.</p> <ul style="list-style-type: none"> • This will also be informed by the valuable Ofsted feedback. • Some new qualifications will be introduced, including T Levels which undoubtedly bring some challenges, but also opportunities. 	

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- There is a clear need to retain learners, through clear progression ladders.
- What can Nescot do to contribute to the lifelong learning agenda which is a priority for Government? How can those looking to return to education be best supported to do so?
- Partnerships with other providers will be key, and there are opportunities to work more with other providers in Surrey.
- The student voice is strong but could be stronger.
- Curriculum intent must be consistently high quality across all areas, and well informed by employer need.
- How to best market the employability and skills of learners to potential employers.

Engage with employers to offer & develop courses that are relevant & in demand.

- Whilst Nescot engages well with employers, this work must continue, especially with the larger levy employers. However, SMEs cannot be forgotten, as they are so prevalent in this part of the country.
- Work with the LSIP and Surrey Chambers of Commerce will continue, with Nescot leading on partnerships with other providers.

Strong relationships with schools, providers & the community to generate growth in learner numbers.

- The College must generate growth via positive relationships with schools. The Chair and CEO/Principal have invited 68 Headteachers from local primary, secondary and independent school to lunch in College to kick off the 70th birthday celebrations which will present the opportunity to show them around the facilities available and start to build those relationships.
- Another strand will be more targeted, aggressive marketing, but also looking at travel to learn times and identifying areas where lack of public transport presents a barrier to considering Nescot and how this could be addressed.

Financial sustainability & a strategy to invest in the estate to meet local needs.

- CEO/Principals of Surrey FE colleges are meeting once per term to discuss opportunities for collaboration, including bid submissions.
- Income generation is key as well as making savings.
- Benchmarking against colleges of a similar size could be useful to identify efficiencies.

An employer of choice with strong staff engagement & development.

- Recruitment is challenging, but Nescot has a good track record of returners, with nine present at the last Staff Induction session.

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<ul style="list-style-type: none"> The new teaching apprenticeship will be launched shortly, with five expressions of interest from current staff submitted to date. <p><u>Accountability Agreement</u></p> <p>The CEO/Principal reminded Governors of the requirements for the new Accountability Agreement, which they would approve for submission by 31st May 2023 (and annually after that). She confirmed that the first draft is complete and undertook to share the second draft with Governors in April.</p> <p>Action: CEO/Principal to share draft of Accountability Agreement with Governors in April.</p> <p><u>Key Performance Indicators (KPI)</u></p> <p>The Deputy Principal Planning & Information gave further details of the performance against some of the KPI, as follows:</p> <p>SO5 (Schools Engaged)</p> <p>Governors noted that 32 schools have been visited against a target of 35, which is higher than last year, partly because of the end of the pandemic restrictions. The Deputy Principal Planning & Information set out plans to introduce more dynamic content, using available resources and equipment, such as VR headsets.</p> <p>SO6 (Apprenticeship Levy Spend)</p> <p>The Assistant Principal HR & OD explained that the levy is being used to support staff to engage in management development programmes, and early years learning for Nestots employees. In addition, as mentioned earlier, a teaching apprenticeship will be launched shortly, open to internal and external applicants.</p> <p>SO4 (Apprentice Achievement)</p> <p>Given that performance on this KPI is below target and lower than this time last year, MM asked why it was not rated Red. The Deputy Principal Planning & Information explained that the target may still be met, but there has been a delay due to the closure of local electrical assessment centres. However, a solution has been found, with apprentices booked into a centre in Maidstone.</p> <p>SO2 (New Courses Delivered)</p> <p>The Deputy Principal Planning & Information explained that Distance Learning offer a lot of new courses, but some have very low levels of enrolment so they are streamlining their offer, to ensure it is more robust and working with employers to establish their learning needs for next year.</p> <p><u>Progress against Strategic Objectives</u></p> <p>Pointing to the 11% decline in new 16-19 applicants, the Deputy Principal Planning & Information advised that rates of internal progression are improving which may balance it out. He acknowledged that the 30% decline in HE applications is a concern but new avenues are being explored.</p> <p>The CEO/Principal reported that attendance at the latest Open Day on Saturday 24th March was well-attended with almost double the numbers of the event at the</p>
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same point last year. MM asked if any particular reasons had been identified for the decline in HE applications, other than partnerships coming to an end, and the Deputy Principal Planning & Information explained that it can be tricky to establish the reasons, but the pandemic and cost of living crisis are likely to impact more on adult learners than those in the 16-19 bracket.

At the request of Governors, the Deputy Principal Curriculum & Quality explained that the change to a 36 weeks contract will enable greater flexibility in the delivery of teaching and means that weekly teaching hours will be reduced which should impact positively on workload and wellbeing. He advised that this will bring Nescot into line with the sector, as the current contractual obligation for teachers is the lowest in the South-East, but staff don't get any benefit from that as they teach over 34 weeks. A change to 36 weeks will mean that their teaching hours reduce to 22.5 per week, giving them an additional 1.5 hours of non-contact time.

Curriculum Planning

The Deputy Principal Information & Planning confirmed that both the Curriculum & Quality Committee and the Finance & General Purposes Committee would receive detailed briefings on curriculum planning next term, but highlighted that all full-time study programmes will be required to convert 1.5 hours of timetabled activity to blended learning and the additional 1.5 hours for functional skills introduced post-planning by previous Deputy Principal have been removed.

AN asked about blended learning and the Deputy Principal Quality & Curriculum explained that how it is delivered will vary according to Department. CJ asked how the change would benefit those students who have other commitments, such as work and caring responsibilities, and the Deputy Principal Quality & Curriculum described the need to ensure the learning type is appropriate for each learner. He reassured Governors that the aim is to provide learning beyond the funded 580 hours, not to reduce learning. Feedback from students will be crucial and practice that is received positively will be shared across the College. The CEO/Principal added that the focus will be on choice and innovation, and the use of equipment where appropriate to enhance learning.

Curriculum Efficiency and Financial Sustainability Support (CEFFS) review

The CEO/Principal explained that the review was undertaken voluntarily working with the Further Education Commissioner's (FEC) Office and she and ELT colleagues welcomed the chance to participate and identify areas for improvement in the future which may enable further savings. She described how complimentary colleagues from the FEC were about the planning processes and quality of information and data.

Finance Update

The CFO presented the full-year forecast for March 2023 and advised that the forecast for 2022/23 shows a deficit of £2.5m, which is £0.6m worse than budget. This is due to income being £5.1m less than budget (driven by the exit from partnerships and subcontracts), partly offset by associated and other cost reductions of £4.5m.

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The CFO reported that the balance sheet position remains strong with £6M cash and £4M in the investment fund, which has been largely unaffected by the turbulence in the markets caused by the war in Ukraine and the collapse of the Silicon Valley bank.

The CFO confirmed that the capital expenditure programme for 2022-23 for building projects and equipment is forecast at £2.1m; due to grant funding of £0.3m that is being allocated to key projects the overall spend from our reserves is £0.3m less than budget. The bidding process for next year's programme is underway, and staff have been invited to submit requests by the end of April, which will then be evaluated and prioritised.

The CFO reminded Governors that a capital bid for £0.5M for T Level development and provision has been submitted and the outcome will be known in May/June. This would partly fund the £1.5m cost of the proposed Yorkon redevelopment in 23/24, for which £0.5M of funding has already been secured. He also advised that the College has recently been allocated £1.1M of Government funding which must be used to address any areas of the estate which require repair or updating, which would apply to the Yorkon works. The funding will be paid in two tranches over the next two years (£800K then £300K) and if the capital bid is successful, part of the £1.1M will be allocated for works elsewhere. The CFO undertook to update the Corporation further at the July meeting.

Governors noted that budget planning for 2023/24 is underway and the budget will be presented to the June F&GP Committee for review and to the Corporation for approval in July. It is likely that a deficit budget will be submitted, despite reduced costs emerging from the institutional review, due to inflationary pressures, lagged funding and limited income growth in the short-term. The CEO/Principal reassured Governors that ELT will produce a full recovery plan, setting out how the College will achieve a break-even position within three years, which will form part of the KPI aligned to the new Strategic Plan.

Institutional Review

FF welcomed the combination of Phases 2 and 3 which will reduce uncertainty for staff. The Assistant Principal HR & OD confirmed that Phase 2 will start in the week commencing 17th April and that the dates shown in the timeline remain correct.

Good News

Governors were pleased to receive information on some of the highlights of the spring term.

MM asked if any alumni events were planned and the CEO/Principal advised that another college group would share details of their alumni programme which may inform plans for Nescot. She also expressed hope that some alumni will be involved in the 70th birthday celebrations.

The Vice-Chair thanked the CEO/Principal and her colleagues for their detailed presentation.

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22.55	Epsom & Ewell Local Plan	
	<p>The CFO presented his report and updated Governors on developments since it was shared. He advised that, on 21st March 2023, Epsom & Ewell Council agreed to pause the Local Plan process to enable further work to identify brown field sites in the borough.</p> <p>The Vice-Chair offered to put the CFO in contact with a former Local Authority CE, should help or advice be needed.</p>	
22.56	Compliance Matters: HE Tuition Fees Policy 2024-25	
	The Corporation approved the HE Tuition Fees policy 2024-25.	
22.57	Reports from Committees	
	Governors received:	
	a	<p>Draft minutes of the HE Sub-Committee meeting held on 8th February 2023</p> <p>ACD, the Chair of the Sub-Committee, reported that the Search & Governance Committee discussed whether the HE Sub-Committee should continue to meet, given the drop in HE numbers. She noted that the timing of meetings is crucial in ensuring that Governors receive the most up to date information.</p>
	b	<p>Draft minutes of the Curriculum & Quality Committee meeting held on 1st March 2023</p> <p>The Chair of the Committee, ACD relayed the discussion about the possibility of the College becoming an electrical assessment centre, which was not discounted but would not be considered in the short-term.</p> <p>ACD reported that the Committee learned that safeguarding referrals have increased but the Director of Personal Development, Behaviour and Welfare had pointed out that this may be due to better and wider knowledge by staff of safeguarding issues and how his team can support students. She added that the wearing of lanyards by students had been discussed, which is part of safeguarding and behaviour. Whilst lanyards may be removed in classrooms where they may present a risk to health & safety, they must be worn in communal areas and shown to staff on request.</p> <p>MM pointed out that the Corporation used to receive safeguarding reports. The Head of Governance advised that Governors can access reports presented to the Curriculum & Quality Committee via GovernorHub. The CEO/Principal suggested that the Director of Personal Development, Behaviour and Welfare be invited to attend one Corporation meeting per year.</p>
	c	<p>Draft minutes of the Search & Governance Committee held on 15th March 2023</p> <p>The Vice-Chair had nothing to add to the minutes. The Head of Governance gave a brief update on Governor recruitment.</p>

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	d	Draft minutes of the Audit Committee meeting held on 17 th March 2023 The Chair of the Audit Committee, SE, congratulated the CFO and his team in implementing 43 of the 44 audit recommendations in 2021-22. He also advised that the Committee received a letter sent from the OfS about a data discrepancy, to which a reply was sent from the CEO/Principal. The Deputy Principal Planning & Information confirmed that the OfS have acknowledged the letter and no further action will be taken.
	e	Draft minutes of the Finance & General Purposes Committee meeting held on 24 th March 2023 The Chair, MB, had nothing further to add, as the CFO had already covered most items discussed at the meeting.
22.58	Any Other Business	
	The Vice-Chair thanked Governors and Staff for their hard work and commitment this term and looked forward to the new term.	
22.59	Date and Time of Next Meeting	
	Friday 19 th May 2023.	
22.60	Confidential Items	
	Discussion of confidential matters is contained within a separate minute.	

The meeting closed at 11.45 am.

Decisions:

The Corporation:

1. Approved the minutes of the meetings held on 9th December 2022 and 3rd February 2023.
2. Approved the Calendar of Meetings 2023-24.
3. Approved and adopted the revised Code of Conduct.
4. Approved the HE Tuition Fees policy 2024-25.

Actions:

1. Head of Governance to consult with ELT colleagues and Governors to find a suitable date and time for a Staff Voice meeting in the summer term.
2. Head of Governors to consult Governors on changing the start times of meetings in 2023-24.
3. CEO/Principal to share draft of Accountability Agreement with Governors in April.