

**PART A Minutes of the MS Teams Corporation meeting
Centre Board Room 4H01**

Present Gill Alton CEO, Erika Stoddart (Chair) Liz Parry, Wendy Spalding, Kai Adegbembo, Walter Leschenko, Kerri Harold, Cain Matthews (staff)

In Attendance Susan Bailey Clerk to the Corporation, Janice Sunderland Clerk to the Corporation, Adrian Clarke Group Director Corporate Services, Tony Lawlor Group Director Finance, Debra Gray Principal GIFHE, Ann Hardy Principal Scar-TEC, Mike Welsh Principal ERC

The Chair welcomed Kerri Harold, Chair of the East Riding College (ERC) Board, Mike Welsh, Principal ERC and Janice Sunderland, Clerk to the Corporation ERC to their first meeting of the Corporation.

1. Apologies for absence

1.1 Apologies were received from Becky Huxley-Binns and Robert Edwards.

2. Declarations of Interest

2.1 WL declared in an interest in agenda item no 10 as Audit Committee governor of North East Lindsey District Council. Governors were reminded to declare any interests throughout the meeting where as and when necessary.

3. Minutes of the Corporation meetings held on 7th and 9th July 2020 and matters arising.

3.1 RESOLVED the minutes of the Corporation Meetings held on 7th and 9th July were accepted as a true and accurate record to be duly signed by the Chair electronically. There were no matters arising.

4. Strategic Measures 2019-20 closure report

4.1 The CEO submitted the Group's Strategic Measures 2019-20 closure report which confirmed that out of the 31 Strategic Measures in 2019/20, 26 had been successfully completed (84%) Measures yet to be completed due to the impact of Covid-19 included:

- Apprenticeships overall achievement rate to be 1% more than 2018-19 baseline
- The sale of the two Scarborough sites were now due for completion during 2020-21
- To ensure effective use of the CRM work was in progress with additional KPIs in place for 2020/21)
- Assessment of governor training needs following Chairs 1 to 1s would result in development of an appropriate training plan.
- HE continuation rate to be 2% more than 2018/19 baseline

- Retention and achievements again showed year on year improvement above General FE College benchmark data. ERC achievement rates for all ages all qualifications was 91%.
 - GCSE courses showed a year on year improvement with more evidence to judge performance on due to coursework.
- 4.2 During questions and answers governors acknowledged the challenges presented by the pandemic in achieving some of the measures with assurance received that management worked relentlessly to achieve targets in all areas.
- 4.3 **RESOLVED** The Strategic Measures 2019-20 closure report was received and noted.
5. **Strategic Measures 2020-21 – RAG rated report and associated ‘return to green’ reports**
- 5.1 The CEO submitted the Group’s Strategic Measures 2020-21 RAG rated report which confirmed the following:
- 5.2 Current overall FE attendance as at 19/10/20 was RAG rated Green 93.9% for GIFHE and RAG rated Amber 87.3% for both Scar-TEC and ERC and 88.9% for Skeg-TEC respectively. Overall HE attendance was RAG rated Green for all campuses at 93.8% for GIFHE, 96% for Scar-TEC and 93.3% for ERC. Attendance continued to hold up with the usual processes for following up absence in place.
- 5.3 **Measure 2.2 Staff Survey Results** : The TEC Partnership adopted the Net Promoter Survey (NPS) in 2018 (ie promoter of an organisation if 9-10 score achieved, passive if 7-8 score achieved, negative if 6 or under score is achieved). Results of the latest staff survey were very positive illustrating improved performance across the Partnership, particularly in respect of the high scoring for ERC.
- 5.4 **Measure 2.3 Job Evaluation** : As a response to the continued increase in the number of Partnership staff whose salaries had been subsumed by increases in the National Living Wage (averaging over 6% per annum) EMT planned to undertake a Job Evaluation (JE) exercise during 2020/21 using an AoC approved electronic scheme. Using the scores of the JE scheme (Gauge) any TEC Partnership NLW role that scored significantly higher than the normal range would be identified and a decision made as to whether additional salary should be applied. EMT planned to undertake the exercise annually, as the NLW continued to be applied with % increases much higher than any TEC cost of living increases.
- 5.5 **Measure 3.2.1. Staffing to Income Ratio less than 65%** : The current pay differential was £1.9m including the annual pay rise 1%, Increment for Teachers Pension Scheme, Overtime for Covid-10 (cleaners, smaller classes) Impact of NLW, impact of Single Spine and Agency staffing. The CEO confirmed that EMT were working to get close to 65% by managing vacancies but were unlikely to achieve an overall 65%. The CEO also confirmed that EMT did not plan to cut staffing costs due to increasing demographics in all regions, the wish to avoid destabilising staff at a time of uncertainty and the TEC Partnership’s current cash position.

5.6 RESOLVED The Strategic Plan update and actions to address key issues were noted.

6. CEO update on initiatives and projects

6.1 The CEO submitted a report in relation to the following TEC Partnership latest initiatives and projects which included updates on the following:

- Scar-TE's successful bid to the LEP for investment in the electric and green skills project.
- Scar-TEC funding received from Yorkshire Coast Community led Local Development Fund.
- Scar-TEC Wellbeing in Mind project
- ERC Armed Forces Covenant : Employer Recognition Scheme – Gold Award granted
- ERC Membership of Chartered Institute of Further Education (CIFE)
- MODAL recruitment target for Cadets had been achieved.
- Orsted Thrive and Orsted PICT projects now significantly supported MODAL's financial position and reputation.
- GIFHE Ed Tech Demonstrator College achieved.
- The Ofsted review for Digital Learning had achieved excellent feedback.
- Two successful College Collaborative fund bids had been successful
- Potential new campus at Skegness

6.2 General update

- Post-merger work included an 'opportunities' paper to be presented to the Corporation meeting in December.
- The CEO has been asked to continue in the Principal's reference group responsible for advising the Department for Education of FE (extension two years)
- The Skills Minister had been invited to visit the TEC Partnership when allowed to do so.
- The CEO has been asked to review some of the Irish Education and Training boards in 2021
- The Principal GIFHE had recently been awarded an MBE for Services to Education in the Queens Birthday Honours.
- The Principal Scar-TEC had been asked to join the Skills Panel for the LEP annual conference.

6.3 EMT continued to pursue projects and partnerships which aligned to the TEC Partnership Strategic plan and provide further financial opportunities. Governors congratulated the CEO and her team and all staff for their considerable achievements in raising revenue and the profile and reputation of the TEC Partnership. Governors wished to congratulate Debra Gray on being awarded an MBE in the Queens Birthday Honours list which it was agreed was truly deserved.

6.4 RESOLVED The update report on latest initiatives and projects was noted with thanks to the CEO and her team for the relentless hard work in building the TEC Partnerships reputation within the FE Sector.

7. Self-Assessment 2019/20 process (including ERC)

7.1 The CEO provided a verbal update on progress towards publication of this year's Self-Assessment process.

7.2 **RESOLVED** The update on the Self-Assessment 2019-20 process including ERC was noted.

8. Enrolments as at October 2020

8.1 A report by the ED Information Services & Planning detailing enrolment of full-time classroom-based provision for the 2020/21 academic year was submitted for information. Key points of the report were as follows:

- Under-19 recruitment at ERC was 125 learners below target.
- Some areas within GIFHE (TAG and Skeg-TEC) had seen smaller shortfalls in under-19 learners and other areas with significant over recruitment.
- Apart from TAG lagged funding would affect the funding allocation for 2021/22 by around £-130k.
- HE learner numbers across the group were below target (-91) GIFHE (-75) STEC (-6) ERC (-11) All sites had seen lower than expected recruitment in particular in Creative and Arts subjects which made up 82 of the total shortfall. Revenue for 2020-21 would be affected by circa -£750k

8.2 Governors were assured that all under- recruited groups had now been reviewed with groups merged or rearranged where possible to reduce costs in view of reduced income and with HE curriculum areas drawing up plans to recruit in January 2021 wherever possible.

8.3 Apprenticeship recruitment for new starts were tracking slightly behind profile however the gap was expected to narrow later in the academic year as businesses re-opened.

8.4 Some areas had seen much better than expected recruitment in respect of Adult learners (ESFA funded and loan funded) which was up by (+262) Recruitment in building trades, engineering, health and social care subjects had also been strong which it was acknowledged could be attributed to the current volatile economic circumstances the sector currently faced.

8.5 **RESOLVED** The Enrolment update report was noted.

9. Update on COVID-19

9.1 The GD Corporate provided an update report on the TEC Partnership's continuing activities and response in relation to COVID-19. The main points of the report were as follows:

- The vast majority of learners were now being delivered to at all campuses within a normal operating environment in line with COVID-19 restriction measures in place and learners organised into bubbles by course groups.

- The COVID-19 return to site risk assessments had been updated to reflect the current situation and mitigations in place with the unions seemingly happy with the TEC Partnership's current approach to COVID-19.
- The most significant concern remained the potential impact on departments where there was limited cover when multiple staff had to self-isolate due to COVID-19 therefore reduction the ability to provide onsite services.
- The TEC Partnership was well prepared to follow the new 4 tier system guidance for schools and colleges as and when required with plans in place for each campus / faculties should tier 2, 3 or 4 restrictions be implemented.
- The TEC Partnership as a group had spent in excess of £120k directly related to COVID-19 mitigations with a number of additional laptops procured to support staff and learners.

9.2 In response to governors queries it was confirmed that the TEC Partnership had adequate resources to service the additional burden on IT Services due to the merger and remote working / learning due to Covid-19 and that the current IT infrastructure was adequately resourced with backups undertaken via Cloud software.

9.3 The Chair and governors thanked all staff, EMT and the VP Corporate Services and his team for their response to Covid-19 and work across all campuses which it was agreed had been exceptional and very much appreciated by all.

9.4 **RESOLVED** The update on COVID-19 report was noted.

10. **Town Deal update – confidential minute**

Minute 10 classified as confidential in accordance with Clause 17 of the Instrument of Government.

11. **Budget 2020/21 and commentary plus ESFA timetable – confidential minute**

Minute 11 classified as confidential in accordance with Clause 17 of the Instrument of Government.

12. **Extended accounts sign off plans**

12.1 The GD Finance submitted a report outlining this year's process for submission of the financial accounts to the ESFA by an extended deadline of 31 January 2021 due to the removal of the requirement for the November Finance Health calculator with the January return using a revised ESFA template. The report included details of the Note from the ESFA regarding the returns process.

12.2 The GD Finance advised the following:

- a) As a key indicator for Going Concern auditors were not prepared to sign off the accounts until sight of the ESFA January return therefore it was proposed that the

Audit Committee meet as scheduled on 8 December 2020 to receive the East Riding College Accounts and agree the approach to Modal.

b) The ERC accounts, along with a GIFHE audit update would be submitted to the Corporation on 15 December 2020 with agreement that under Chairs action an additional meeting on January 2019 is convened for the Audit Committee to formally receive and sign the accounts as follows:

- Audited financial statements for the college corporation
- Audit Committee annual report
- Auditors Management letter
- Finance record (an updated template during 2019-20 outturn and 2020-21 financial information)
- Any financial statements for subsidiaries
- Additional evidence

12.3 The GD Finance confirmed that the ESFA relied on the financial statements to provide timely assurance to Parliament that funds provided to the sector had been used for the purposes intended.

12.4 **RESOLVED** the extended accounts sign off to the ESFA plans were approved.

13. Data Protection and GDPR update

13.1 The Group Director Corporate Services submitted an update on GDPR activities to date. The following was reported to governors:

- GDPR continued to be a live issue for the TEC Partnership
- The GDPR Committee met every 2 months and each area in the TEC Partnership had an annual GDPR / Data retention review meeting
- There had been 10 'near misses' and 19 GDPR breaches in the last 12 months, but non reportable to the Information Commissioners Office (ICO) These had all been recorded on the TEC Partnership's GDPR register.
- The key focus for the GDPR team was to align East Riding College with TEC Partnership policies and procedures.

13.2 Governors acknowledged that the increased amount of time spent working from home during Covid-19 restrictions was a contributory factor to the increase in near misses and breaches (Human Factor) and thanked staff for their endeavours in remaining vigilant and regularly reminding staff of the importance to check data and emails before sending on.

13.3 **RESOLVED** The GDPR update report was noted.

14. Capital outturn 2019/20 and update on 2020/21 progress – confidential minute

Minute 14 classified as confidential in accordance with Clause 17 of the Instrument of Government.

15. Further Education Capital Allowance (FECA)

Minute 15 classified as confidential in accordance with Clause 17 of the Instrument of Government indefinitely.

16. Memorandum of Understanding for subsidiary companies

16.1 The Group Director Finance reminded governors that the Memorandum of Understanding (MoU) between the TEC Partnership and its' subsidiary companies was a requirement of the Education Skills Funding Agency (ESFA) and was subject to annual review by the Corporation.

16.2 Governors noted the MoU had been updated to reflect the range of companies that the TEC Partnership was associated with, the merger with ERC and the change of legal name from Grimsby Institute of Further and Higher Education to TEC Partnership on 1 August 2020.

16.3 Members were informed that Humber Construction Limited had been used as vehicle for the payment to contractors for the building of the University Centre Grimsby. The GD Finance proposed the Corporation dissolve the company to reduce unnecessary administrative costs.

16.4 RESOLVED The memorandum of understanding between the TEC Partnership and its subsidiary companies was noted with approval to dissolve Humber Construction Limited.

17. Governor Attendance 2019/20

17.1 The Clerk submitted a report detailing governor attendance during 2019-20 (at individual, Committee / Local board and Corporation level). The main points of the report were as follows:

- The Corporation's attendance target was 80% for governors and co-opted external governors.
- During 2019-20 overall attendance at Corporation, Committee and Local Board meetings was 87% representing a decrease of 5% from last year (92%) but which was a significant achievement under Covid-19 restrictions and was still above the national benchmark of 83.4 %

17.2 The Chair thanked governors for their continued excellent attendance throughout 2019-20 which had been very much appreciated under current circumstances.

17.3 RESOLVED The Governors Attendance report 2019-20 was noted

18. Standing Orders including Terms of Reference and Scheme of Delegation

18.1 The Clerk submitted the Corporation's proposed Standing Orders 2020-21 for annual review. Members noted the key amendments proposed to reflect the legal name change from GIFHE to TEC Partnership and the addition of the East Riding College local board membership details. Members also noted the addition to Standing Order no 4 Quorum to reflect the Corporation's decision to temporarily reduce quorum to 40% of members present not including vacancies via Chairs action in the event of a crisis.

18.2 RESOLVED The Standing Orders 2020-21 including Terms of Reference and Scheme of Delegation were approved.

19. Governance membership update report

19.1 The Clerk submitted an update report on current Corporation and Local Board membership. Members were informed that the ERC local board now operated with 13 members due to the recent resignation of a staff governor and that work was ongoing to recruit to Scar-TEC and GIFHE local boards with a number of promising leads being followed up. The latest skills matrix showed that generally there was an even balance of gender, skills and experience across the Corporation and local boards.

19.2 RESOLVED The Corporation approved the following:

- a) Current membership of the Corporation, Committees and Local boards for 2020-21
- b) That the selection of student members of local boards is by appointment rather than election under current Covid-19 restrictions.
- c) The appointment of Hannah Cameron as the student member of the East Riding board for a period of 1 year.
- d) The appointment of the Freya Parkinson as student member of the GIFHE for a period of 1 year.

20. Chairs 1 to 1 summary report

20.1 The Chair's 1 to 1s summary report was considered. The Chair stated that feedback from her recent 1 to 1 sessions with governors had been very positive and helpful in identifying areas for further support and emerging issues including areas for additional training and 'getting to know' the college in more detail. Governors would particularly welcome financial training on how income is generated, when it gets paid and the criteria to be met to generate payment.

20.2 The Chair also reported that by the end of 2022 new chairs for both the GIFHE and Scar-TEC boards would be needed and was therefore a key area for the Corporation to address to ensure effective succession planning.

20.1 RESOLVED the Chairs governor 1 to 1s summary was received.

21. Corporation Self-Assessment 2019-20

21.1 The Clerk submitted a report which included the proposed self-assessment questionnaire to be used to undertake the annual assessment of Corporation performance.

21.2 **RESOLVED** Members agreed to undertake this year's self-assessment of Corporation performance during 2019-20 collectively using the proposed Self-Assessment questionnaire. It was agreed that the Clerk set up a separate MS Teams meeting to undertake the process with the results reported back to the next Corporation meeting.

22. Modal Advisory Committee meeting minutes 15 September 2020

Minute 22 classified as confidential in accordance with Clause 17 of the Instrument of Government indefinitely.

23. Audit Committee meeting minutes 29 September 2020

23.1 The Chair of the Audit Committee outlined the background to the minutes of the meeting held on 29 September 2020 summarising the key discussion points.

23.2 RESOLVED the minutes of the Audit Committee meeting held on 29 September 2020 were received and noted:

24. Scarborough TEC Board meeting minutes 1 October 2020

24.1 The Chair of the Scar-TEC Board outlined the background to minutes of the meeting held on 1 October 2020 summarising the key discussion points.

24.2 RESOLVED the minutes of the Scarborough TEC Board meeting held on 1 October 2020 were received and noted.

25. GIFHE Board meeting minutes 5 October 2020

25.1 The Chair of the GIFHE Board outlined the background to minutes of the meeting held on 5 October 2020 summarising the key discussion points.

25.2 RESOLVED the minutes of the Scarborough TEC Board meeting held on 5 October 2020 were received and noted.

26. ERC Board meeting minutes 6 October 2020

26.1 The Chair of the ERC Board outlined the background to minutes of the meeting held on 6 October 2020 summarising the key discussion points.

26.2 RESOLVED the minutes of the ERC Board meeting held on 6 October 2020 were received and noted.

27. HE Oversight Committee (HEOC) meeting minutes 13 October 2020

27.1 The CEO outlined the background to minutes of the HEOC meeting held on 13 October 2020.

27.2 RESOLVED the minutes of the HE Oversight Committee meeting held on 15 October 2020 were received and noted.

The Chair left the meeting at this point and was not present for discussions / consideration of the Chairs Succession Planning report.

28 Chairs Succession planning

Minute 28 classified as confidential in accordance with Clause 17 of the Instrument of Government.

29 Any other business – none received

30 Date and time of next meetings:

Monday 18 th January 2021@ 4pm	Strategic planning event part 1
Monday 8 th March @ 4pm	Corporation Strat planning (1 hour)
Monday 22 nd March 2021 @ 4 pm	Strategic planning part 2
Monday 23 rd March 2021 @ 4 pm	Corporation meeting

The meeting closed at 6.15 pm

Signed _____

Date _____

Chair of the Corporation

Action Schedule

No	Minute Title	Action by	Action required
16	Memorandum of Understanding for subsidiary companies	GD Finance	Dissolve Humber Construction Ltd.
18	Standing Orders including Terms of Reference and Delegation Scheme	Clerks	Issue revised Standing Orders to local boards for endorsement.
19	Governance Membership update report	Clerks	Appointment letters to student governors – proceed with induction training