

ESCG Board Meeting MINUTES

Date	27 th March 2023	Time	13:00 – Pre-Meeting 13:45 – Break 14:00-16:00 – Meeting
Venue	Board Room (SP5119), Station Plaza, Hastings		
Chair	Ian Mehrtens		

Membership – Ian Mehrtens, Rebecca Conroy (CEO & Principal), Andy Davy, Alexandra Cheeseman, Aly Colman, Graham Cook, Becky Cooke, Penny Coppins, Charles Dudley, Ashley Heminway, Trista Jin, Mark Fisher, Priscilla Kendall, Catherine Manning, Gill Short, Angela Smith, Nicola Taylor, Carol Tomsett, Emel Yerlikaya

In Attendance – Hannah Caldwell (COO), Mark Wardle (Deputy – CEO & Principal), Nathan Haffenden (Director of Capital Projects – *Item 6.1*), Sam Brasier (Executive Director of Finance – *Pre-meeting*), Belle Howard (Director of Governance – *minutes*), Claire Alexander (Governance Assistant)

Apologies: Mark Fisher, Angela Smith, Carol Tomsett

Virtual Attendees: Aly Colman, Becky Cooke, Nicola Taylor

#	Item	Action
PRE-MEETING DISCUSSION		
	<p>FIVE YEAR FINANCIAL PLAN</p> <p>0.1 Introduction</p> <p>The Chair of the Board shared the following update:</p> <ul style="list-style-type: none"> • The originally scheduled presentation from the FE Sussex CEO on the Local Skills Improvement Plan had been postponed due to sickness absence. • It was hoped that this item could instead be incorporated into the agenda for the Strategy Day currently being scheduled for the Autumn Term 2023. • As an alternative and following the recent Finance Committee meeting, the Chief Operating Officer would deliver a presentation on the framework, risks and assumptions for the Five-Year Financial Plan. <p>0.2 Background</p> <ul style="list-style-type: none"> • The Chief Operating Officer shared the following update: <ul style="list-style-type: none"> ○ Having successfully completed the ESFA’s Post-Intervention Monitoring & Support (PIMS) process, the college was now well positioned to establish a Five-Year Financial Plan. 	13:07

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	<ul style="list-style-type: none"> ○ The Five-Year Financial Plan would be developed as output of the annual budget setting process for 2023-24, which in turn was directly aligned with the annual curriculum and business planning process. ○ Similarly, the annual College Financial Forecasting Return (CFFR), which was due to be submitted in July 2023, would also provide a key starting point to developing the plan. <p>0.3 Timeline</p> <ul style="list-style-type: none"> ● The Chief Operating Officer outlined the schedule for the development of the Five-Year Financial Plan. ● It would be important to align with the Estate Transformation Programme, particularly with regards to ensuring effective cashflow management, as regards to keeping operational and capital cashflow separate. ● A rolling review cycle would be established for the Five-Year Financial Plan, with a view to refresh this at the point of the annual budget setting process. <p>0.4 Framework</p> <ul style="list-style-type: none"> ● The Chief Operating Officer shared the following update: <ul style="list-style-type: none"> ○ It would be important to ensure that the Five-Year Financial Plan leveraged a framework that was sufficiently flexible, so that it could accommodate the next refresh of the College’s Strategic Plan (2021-24). ○ Other key considerations included changes to policy, funding models and curriculum. ○ Input had also been obtained from the FE Commissioner’s Office, particularly with regards to the proposed format and approach for the Five-Year Financial Plan. <p>0.5 Assumptions</p> <ul style="list-style-type: none"> ● The Chief Operating Officer outlined the assumptions associated with the five-year planning process. ● The following discussion then occurred: <ul style="list-style-type: none"> ○ The Vice Chair – Curriculum & Student Experience asked – had scenario planning been considered in developing the framework for the Five-Year Financial Plan? The Chief Operational Officer reflected that scenario planning would be an important part of developing a robust plan. Scenarios may include an assessment of the impact of reclassification on the FE sector (and the college). Equally important, would be to explore the potential impact of devolution. However, the Chief Operating Officer explained that scenario planning became increasingly challenging and complex when estimating further into the future. Governors agreed. 	

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	<ul style="list-style-type: none"> ○ The CEO & Principal noted the need to carefully review key income streams as part of any scenario planning activity. The Executive Director of Finance reflected that the annual review and planning process would also provide an additional mechanism for identifying emerging risks, assumptions and issues. ○ The Vice Chair – Resources & Operations, considered the changing political landscape and asked – had the potential impact of this been explored? The Chief Operating Officer reflected that this would become clearer as political manifestos and policy proposals were communicated. That said, there were key areas such as T Levels, for which there was cross-party support, that were not expected to see significant changes in approach. ○ The Curriculum & Standards Committee Chair considered the need to establish appropriate contingency for significant and unforeseen events, such as Covid-19, so that the college could be more effective in its response to periods of uncertainty and volatility. ○ The Curriculum & Standards Committee Chair asked – in view of the prevalence of national industrial action for multiple sectors at present, what was the latest update on pay award demands for the college? The Deputy (CEO & Principal) advised that UCU had a conference scheduled for 1st April 2023, during which possible plans for national action would be considered. At present, a specific pay demand had yet to be submitted to the college from any trade union for the current academic year. ○ A Governor asked – had a ‘stress test’ been conducted to determine the point at which the college would become insolvent? The Chief Operating Officer noted that in line with the FEC benchmarks, the expectation for colleges to maintain a surplus was relatively low, which in turn presented a range of challenges for colleges throughout the sector. Consequently, it would be difficult for the college to establish a contingency fund, and careful cash management throughout the duration of the capital projects would be essential. ○ A Governor asked – had these assumptions primarily been based upon the budget for the prior year? The Executive Director of Finance advised that the current budget had been developed leveraging insights from the previous year’s data. That said, 2022-23 was a normalised year, i.e. without adjustments linked to the Covid-19 pandemic. Additionally, all budget holders had been fully engaged throughout the budget setting process, and a ‘bottom-up’ approach had been adopted. ○ A Governor asked – had the risks and assumptions that had been identified as output of the five-year financial planning process also been incorporated into the Risk Register to ensure ongoing oversight? The CEO & Principal reflected that it would be important to ensure that this was closely aligned. The Chief Operating Officer agreed, noting that further work was needed on this. <ul style="list-style-type: none"> ▪ <u>Action 0.5.1</u> – Ensure that the risks and assumptions identified as output of the five-year financial planning process had also been incorporated into the Risk Register. 	<p>HC</p>

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	<ul style="list-style-type: none"> ○ The Chair of the Board considered the need to determine the Board’s level of risk appetite. As such, this would be a priority focus of discussion at the forthcoming Strategy Day in the Autumn Term, at which point a final review of the Five-Year Financial Plan would be completed. ○ The Chief Operating Officer explained that another key aspect of the five-year financial planning process would be to carefully consider the key data sources that would feed into this process. These may include: <ul style="list-style-type: none"> ▪ Demographics and population projections for 16–18-year-olds. ▪ Local and national skills gap data, e.g. via the Office of National Statistics, FSB, Chamber of Commerce etc. ▪ Price index data related to non-pay costs. ○ The Chair of the Board also suggested that Census data could be another useful data point. Governors agreed. ○ The Curriculum & Standards Committee Chair reflected on the college’s commercial income, i.e. funds generated via training courses paid for by local employers, and suggested that this would also be an important additional data point. Governors agreed. ○ The Chair of the Board noted that the CFFR process was managed on a three-year cycle and asked – should a three or a five-year financial planning approach be adopted? The Chief Operating Officer reflected that in view of the timescales for delivering the college’s programme of capital projects, a five-year financial planning process was appropriate. ○ The Chair of the Board suggested that it may be helpful to leverage financial planning models currently being utilised by the university sector to support this process. <p>0.6 Risks</p> <ul style="list-style-type: none"> ● The Chief Operating Officer outlined the risks associated with the five-year planning process. ● The following discussion then occurred: <ul style="list-style-type: none"> ○ The Chair of the Board considered the need to explore the potential mitigation for the identified risks, with a view to reference these during future discussion on risk appetite. Governors agreed. ○ The Chair of the Board also suggested that it would be important to invite feedback from the Chair of the Audit, Risk & Compliance Committee. ○ A Governor reflected on ‘<i>pressure on pay budget</i>’ and suggested that this should be extended to include the full breadth of staff remuneration, such as oncosts, pensions etc. Governors agreed. 	

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	<ul style="list-style-type: none"> ○ A Governor considered the need to capture a risk related to the staff and student experience, noting that the Estate Transformation Programme would likely give rise to a range of associated issues and challenges. Governors agreed. ○ A Governor suggested that the ‘Income’ risk be amended to say – ‘<i>the failure to attract and retain students/employers</i>’. <p>0.7 FEC Benchmarks</p> <ul style="list-style-type: none"> ● The Chief Operating Officer shared the following update: <ul style="list-style-type: none"> ○ A set of key performance indicators (KPIs) would be established to support the five-year financial planning process. ○ These would be primarily based upon the FEC Benchmarks (April 2022). ● The Chair of the Board asked – had there been any challenge from within the FE sector to the ESFA, regarding the 65% target for pay costs? The CEO & Principal noted that very few colleges were achieving this metric in the current climate, and as such this would be very challenging for the college to meet this target moving forward. The Chair of the Board suggested that it may be more realistic to set a target range. ● The Chief Operating Officer also noted the impact of the lagged funding methodology on staff costs. As such, during a period of growth, adequate staffing levels would need to be in place before the associated funding was received. In turn, this would result in increased staff costs as a percentage of income. ● The Chair of the Board noted the need to retain the six key metrics, as detailed in the FEC Benchmarks, though suggested that additional KPIs may also be appropriate for the college. Governors agreed. ● Governors thanked the Chief Operating Officer for a comprehensive update. ● Governors took a short break at 13:52, returning to the meeting at 14:00. 	
1. ROUTINE AND STANDING ITEMS		
1.1	<p>WELCOME & APOLOGIES</p> <p>1.1.1 The Chair opened the meeting at 14:00 with a warm welcome to colleagues and particularly welcomed those members who had joined the meeting virtually.</p> <p>1.1.2 Apologies were received and accepted from Mark Fisher, Angela Smith and Carol Tomsett.</p> <p>1.1.3 The Chair noted significant progress in further reducing the volume of meeting papers, with a view to ensure greater focus and clarity of discussion.</p>	14:00
1.2	<p>DECLARATIONS OF INTEREST</p> <p>1.2.1 The Chair of the Board declared an interest in Item 2.4, related to their term of office renewal.</p>	14:01

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1.3	MINUTES OF LAST MEETING <p><i>1.3.1 Approval</i></p> <ul style="list-style-type: none"> Governors considered the minutes from the last meeting on 19th December 2022. Governors agreed that the minutes were a true and accurate record of what was discussed. 	14:02																				
1.4	MATTERS ARISING <p>1.4.1 Governors considered the following actions from the last meeting:</p> <table border="1"> <thead> <tr> <th>Item</th> <th>Owner</th> <th>Action</th> <th>Due Date</th> </tr> </thead> <tbody> <tr> <td>2.3.2</td> <td>RC/IM/ BH</td> <td>Develop a formal proposal for the LCBs moving forward, including a proposed new Terms of Reference and timeline.</td> <td>In Progress – Approach and Terms of Reference currently under development.</td> </tr> <tr> <td>3.1.1</td> <td>BH</td> <td>Investigate whether governance professionals (who were also a senior post holder) were required to complete a declaration form, with a view to declare these on the annual register of interests.</td> <td>Complete – DoG’s declarations now included on the Register of Interests.</td> </tr> <tr> <td>3.4.1.1</td> <td>BH/IM/ RC</td> <td>Draft proposed new Committee Terms of Reference for initial consideration at the Search, Performance & Remuneration Committee meeting on 2nd March 2023.</td> <td>In Progress – Committee Context drafted (item 4.3.1) and Committee Terms of Reference currently under development.</td> </tr> <tr> <td>4.1.8.1</td> <td>SB</td> <td>Ensure that the Finance KPIs consistently reflect the year-to-date (rather than full year) position.</td> <td>Complete</td> </tr> </tbody> </table>	Item	Owner	Action	Due Date	2.3.2	RC/IM/ BH	Develop a formal proposal for the LCBs moving forward, including a proposed new Terms of Reference and timeline.	In Progress – Approach and Terms of Reference currently under development.	3.1.1	BH	Investigate whether governance professionals (who were also a senior post holder) were required to complete a declaration form, with a view to declare these on the annual register of interests.	Complete – DoG’s declarations now included on the Register of Interests.	3.4.1.1	BH/IM/ RC	Draft proposed new Committee Terms of Reference for initial consideration at the Search, Performance & Remuneration Committee meeting on 2 nd March 2023.	In Progress – Committee Context drafted (item 4.3.1) and Committee Terms of Reference currently under development.	4.1.8.1	SB	Ensure that the Finance KPIs consistently reflect the year-to-date (rather than full year) position.	Complete	14:03
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2. WRITTEN RESOLUTIONS																						
2.1	CEO & PRINCIPAL AUTHORISATION TO EXECUTE KEY DOCUMENTS – HASTINGS TOWN DEAL GREEN CENTRE OF EXCELLENCE PROJECT AT ORE VALLEY <p>2.1.1 The Board ratified the following written resolution, which had been approved effective 23rd January 2023:</p> <ul style="list-style-type: none"> Further to the authority delegated by the Board to the Sub-Group appointed to make decisions on capital development projects, recommendation to authorise the CEO & Principal (or her delegate) to execute the signing of the lease for ‘8 Castleham Road’ on behalf of East Sussex College, as part of the Hastings Town Deal Green Centre of Excellence Project at Ore Valley. Similarly, the Board ratified the use of the college seal in relation to the above document, which was signed on 23rd January 2023. 	14:04																				

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2.2	<p>REVISED BUDGET APPROVAL – 2022-23 14:04</p> <p>2.2.1 The Board ratified the following written resolution, which had been approved effective 20th January 2023:</p> <ul style="list-style-type: none"> • Recommendation from the Finance Committee regarding the approval of the Revised Budget 2022-23. 	
2.3	<p>CEO & PRINCIPAL AUTHORISATION TO EXECUTE KEY DOCUMENTS – OHM ENERGY: LICENCE TO OCCUPY 3A HAMPDEN RETAIL PARK, EASTBOURNE 14:04</p> <p>2.3.1 The Board ratified the following written resolution, which had been approved effective 21st February 2023:</p> <ul style="list-style-type: none"> • Further to the authority delegated by the Board to the Sub-Group appointed to make decisions on capital development projects, recommendation to authorise the CEO & Principal (or her delegate) to execute the signing of the ‘Licence to Occupy’ on behalf of East Sussex College, as part of the Training Hub Project with OHM Energy Ltd at 3a Hampden Retail Park, Eastbourne. • Similarly, the Board ratified the use of the college seal in relation to the above document, which was signed on 22nd February 2023. 	
2.4	<p>INDEPENDENT GOVERNOR TERM OF OFFICE RENEWAL 14:04</p> <p>2.4.1 The Board ratified the following written resolution, which had been approved effective 2nd March 2023:</p> <ul style="list-style-type: none"> • Renewal of the term of office for Ian Mehrtens (Independent Governor), to run from 26.03.2023-25.03.2027. 	
3. MEMBERSHIP		
3.1	<p>MEMBERSHIP & RECRUITMENT UPDATE 14:05</p> <p>3.1.1 Independent Governor Recruitment</p> <ul style="list-style-type: none"> • The Chair of the Board explained that work had been ongoing throughout the Spring Term to identify potential Independent Governor candidates, with a particular focus on: <ul style="list-style-type: none"> ○ Candidates with connections to the Lewes area, with a view to support succession planning efforts. ○ Candidates with ‘financial management’ expertise. • The Chair of the Board then advised that: <ul style="list-style-type: none"> ○ An interview had been scheduled with a potential candidate, who was based in Newhaven, and was a current member of the Lewes Local College Board. This would be with a view to formally appoint at the next Board meeting in July, if appropriate. ○ Conversations were underway with other potential candidates, who also had links to the Lewes area. 	

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	<ul style="list-style-type: none"> The Curriculum & Standards Committee Chair advised that they were actively leveraging their network in the Lewes area to identify potential candidates with financial management skill sets. 	
3.2	<p>BOARD & COMMITTEE ARRANGEMENTS 14:07</p> <p>3.2.1 Special Interest Governor Roles</p> <ul style="list-style-type: none"> The Chair of the Board outlined the rationale to transition away from the use of Link Governor roles, noting that FE colleges were not obliged to appoint them. Specifically, the Chair recognised the need to harness Governor skills, knowledge and expertise, whilst ensuring that the Board remained strategic in its outlook. That said, the appointment of a Safeguarding Link Governor was strongly recommended and in line with good practice. As such, this important role would be retained. Rather than appoint Link Governors, it had been proposed that Governors with particular skills, expertise and areas of interest, provide advisory support to the Executive Team on an ad hoc/needs basis for the following areas: <ul style="list-style-type: none"> Careers & Destinations Environmental Sustainability Equity, Diversity & Inclusion Health, Safety & Welfare Human Resources Information Governance Special Educational Needs & Disabilities (SEND) As such, the Director of Governance advised that the annual Skills Audit process was being leveraged to canvass areas of interest, with a view for the results to be considered at the next Search, Performance & Remuneration Committee meeting in May 2023. The Vice Chair – Resources & Operations, suggested a further special interest area for consideration: ‘Community Relations & Engagement’. 	
3.3	<p>LOCAL COLLEGE BOARD UPDATE 14:12</p> <p>3.3.1 The CEO & Principal shared the following update:</p> <ul style="list-style-type: none"> The postponed Eastbourne Local College Board meeting had now been rescheduled to 28th March 2023. Once held, an update on the proposed plans to refocus the scope and approach for these forums moving forward, would then have been shared with the three Local College Boards. The key next step would be to develop a new Terms of Reference and conduct a review of membership, with a view to secure approval from the Board at its next meeting in July 2023. 	

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3.4	<p data-bbox="178 362 555 394">STUDENT GOVERNOR UPDATE</p> <p data-bbox="1321 362 1394 394">14:12</p> <p data-bbox="178 434 1385 537">3.4.1 The Chair of the Board considered the newly developed Student Governor Update paper which had been produced for the first time by the Student Governors, with support from the Vice Principal – Student Experience, and shared the following reflections:</p> <ul data-bbox="229 577 1327 792" style="list-style-type: none"> <li data-bbox="229 577 1327 680">• The format was helpful, informative and directly aligned to the Board’s aspiration to maximise opportunities to more readily leverage the Student Voice in its discussion and decision making. <li data-bbox="229 721 1327 792">• Additionally, the report enabled Governors to consider any questions or points of clarification in advance of the meeting. <p data-bbox="178 833 877 864">3.4.2 The Student Governors shared the following update:</p> <ul data-bbox="229 904 1394 2154" style="list-style-type: none"> <li data-bbox="229 904 497 936">• Higher Education: <ul data-bbox="325 976 1394 1760" style="list-style-type: none"> <li data-bbox="325 976 1394 1079">○ One of the Student Governors had been actively involved in the validation process with the University of East Anglia (UEA), and offered support for the ongoing student recruitment effort at the Hastings Campus. <li data-bbox="325 1120 1394 1223">○ There had been targeted focus on internal recruitment activity at the college, where existing Level 3/A Level students had been encouraged to attend open events; this had been particularly impactful for the HE Business courses. <li data-bbox="325 1263 1394 1335">○ The college’s new relationship with UEA was very encouraging and would hopefully create a range of unique opportunities for the college. <li data-bbox="325 1375 1394 1760">○ The following areas of improvement were highlighted: <ul data-bbox="421 1442 1394 1760" style="list-style-type: none"> <li data-bbox="421 1442 1394 1545">▪ The need to preserve a unique space for HE students in the University Centre, rather than the space have a shared use in the delivery of FE courses. <li data-bbox="421 1585 1394 1657">▪ The need to enhance IT services, specifically with regards to the quality of Wi-Fi on campuses. <li data-bbox="421 1697 1394 1760">▪ Library facilities to be enhanced, both in terms of available resources and opening hours. <li data-bbox="229 1800 481 1832">• Student Council: <ul data-bbox="325 1872 1394 2154" style="list-style-type: none"> <li data-bbox="325 1872 1394 1944">○ Student Council meetings had provided a helpful forum for raising a range of issues and concerns, e.g. the importance of healthy lunch options. <li data-bbox="325 1984 1394 2154">○ The ‘<i>You Said, We Did</i>’ approach enabled students to receive feedback on their suggestions and an update on the steps being taken by the college. For example, a request was raised by students for the college to increase the range of non-sport specific extra-curricular activities on offer and as a result, new film and jigsaw clubs were established. 	

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	<p>3.4.3 The following discussion then occurred:</p> <ul style="list-style-type: none"> • A Governor advised that they had attended the recent round of Student Council meetings and noted that there was a very different feel between campuses. • A Governor asked – how many Student Governor positions could currently be appointed to the Board? The Director of Governance advised that up to 3 Student Governors could be appointed. The Governor noted that there were no Eastbourne based Student Governors currently represented within the Board’s membership. The Director of Governance confirmed that applications had been received from Eastbourne based students during the last round of recruitment, however the college wide Student Governor election process had resulted in the Eastbourne campus being underrepresented from a Student Governor perspective. <ul style="list-style-type: none"> ○ Action 3.4.3.1 – Explore the feasibility of amending the Standing Orders to ensure representation from all three campuses at Eastbourne, Lewes and Hastings during the Student Governor election process in the Autumn Term. • The Vice Chair – Resources & Operations asked – how would the areas of improvement identified in the Student Governor Update paper be addressed? The CEO & Principal explained that each of these items had also been raised via Student Council meetings, the themes from which would be prioritised and responded to as part of the ‘You Said, We Did’ communications approach. The Curriculum & Standards Committee Chair noted that Student Voice was also overseen by the Curriculum & Standards Committee. • The Curriculum & Standards Committee Chair asked – was there a plan to address the ongoing Wi-Fi issue? The Chief Operating Officer advised that the Wi-Fi issue for external visitors to the college campuses was being investigated. Additionally, the Estates Transformation Programme would deliver a range of enhancements to the college’s infrastructure as part of the project’s scope. The CEO & Principal noted the increased pressure on the digital infrastructure that arose from growth and increased usage. • A Governor asked – were there good levels of student representation at Student Council meetings? The Deputy (CEO & Principal) reflected that there were relatively high levels of student engagement on all campuses at the start of the academic year, with Student Representatives in place for all courses, totalling in excess of 400 students. However, levels of engagement often diminished as the year progressed, so more work was needed from a communication perspective to maintain engagement levels throughout the year. • Governors also reflected that there may be variances in engagement levels depending on student type, with Level 3 students more likely to demonstrate higher levels of maturity and confidence, and therefore be more inclined to participate in Student Council meetings. 	<p style="text-align: center;">BH</p>

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4. GOVERNANCE MATTERS		
4.1	<p>EXTERNAL REVIEW OF GOVERNANCE UPDATE</p> <p style="text-align: right;">14:25</p> <p>4.1.1 The Director of Governance shared the following update:</p> <ul style="list-style-type: none"> • The External Review of Governance was now scheduled to commence from the Summer Term, led by two reviewers from the Education & Training Foundation (ETF) and the Institute of Technology (IoD) respectively. • Biographies of the reviewers had been included in the meeting papers and they were recently appointed by the Search, Performance & Remuneration Committee to lead the review. • Supporting governance documentation had now been consolidated and submitted to ETF to enable the reviewers to commence their review. • A communication would shortly be issued to Governors to outline the process, set expectations and confirm key next steps. • Key milestone dates: <ul style="list-style-type: none"> ○ Discovery & Analysis – 1st February 2023 to 21st April 2023 ○ Governance Survey – 17th April to 1st May 2023 ○ Structured Interviews – 1st May to 19th May 2023 (TBC) ○ External Stakeholder Engagement – 1st May to 19th May 2023 ○ Committees/Local Board Meeting Observations – May & June 2023 ○ Main Board Observation – 3rd July 2023 ○ Draft Report – 10th July 2023 ○ Presentation of Findings – End of July 2023 (Date TBC) <p>4.1.2 The following discussion then occurred:</p> <ul style="list-style-type: none"> • The Chair of the Board reflected that a combination of reviewers from ETF and IoD would provide a broader perspective, which would likely support a more innovative approach to governance improvement. • The Chair of the Board advised that an Extraordinary Chairs Group meeting was currently being scheduled for the end of July, to enable the reviewers to share their findings as output of the review process. 	
4.2	<p>GOVERNANCE IMPROVEMENT UPDATE</p> <p style="text-align: right;">14:30</p> <p>4.2.1 Progress Update – Governance Improvement Plan</p> <ul style="list-style-type: none"> • The Director of Governance shared the following update: <ul style="list-style-type: none"> ○ The Governance Improvement Plan was approved at the last Board meeting. ○ A summary progress update had been provided in the associated paper, with RAG ratings and commentary for each objective. 	

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	<ul style="list-style-type: none"> ○ An ‘Amber’ item had been identified related to ‘Excellent College Reputation’. Moving forward, this area would receive targeted oversight under the new 2023-24 committee structure, i.e. within the Governance, Performance & Remuneration Committee. ○ Additionally, the Governance Improvement Plan would now be a standing agenda item for associated committees. Also, a summary RAG rating update would be shared at each Board meeting, to ensure overall oversight. <p>4.2.2 The following discussion then occurred:</p> <ul style="list-style-type: none"> ● The Chair of the Board advised that the Governance Improvement Plan would be reviewed and refreshed on an annual basis. ● The Vice Chair – Resources & Operations reflected on their recent anecdotal experiences with parent/student perceptions of the college and asked – what work was currently underway to address the college’s reputation? The CEO & Principal advised that there had been ongoing activity to engage with local schools, but reflected that further work was needed to address this priority area. <i>The Deputy (CEO & Principal) agreed, though noted that this was a particularly challenging area to resolve following an extended period of reputational decline.</i> The CEO & Principal reflected that the forthcoming closure of the sixth form provision at Gildredge House in Eastbourne from September 2023, would create additional student recruitment opportunities for the college. ● A Governor asked – does the Governance Improvement Plan need to be more ambitious given that all but one item had been RAG rated as ‘green’? The Chair of the Board reflected that as most deliverables were not due to complete until the end of the academic year (or beyond) progress was generally on target. The Director of Governance also explained that there had been significant activity in the Spring Term, particularly with regards to enhancing governance effectiveness, long range financial planning and maximising opportunities to leverage the student voice. 	
4.3	<p>GOVERNANCE STRUCTURE 2023-24</p> <p>14:36</p> <p>4.3.1 Committee Context Summaries</p> <ul style="list-style-type: none"> ● The Chair of the Board noted the earlier decision to approve the new Committee Structure for 2023-24 at the last meeting of the Board on 19th December 2022. ● The Chair of the Board then shared the following update: <ul style="list-style-type: none"> ○ Extensive work had been completed in the Spring Term, led by the Director of Governance to develop Committee Context summaries for each of the new committees for 2023-24. ○ Similar Committee Context summaries had also been produced for the committees that were being retained, namely the Capital Development Board and the Audit & Risk Committee. ○ Each Committee Context had been directly aligned to the college’s strategic priorities. 	

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	<ul style="list-style-type: none"> • The Director of Governance shared the following update: <ul style="list-style-type: none"> ○ Feedback had been invited and received from the Executive Team and Committee Chairs to ensure the scope and approach for each committee had focussed upon the key priority areas. ○ To ensure consistency of approach, there were recurring sub-headings across some of committees, such as: <ul style="list-style-type: none"> ▪ Simplification of Information – in response to an overarching objective to ensure governance reports were succinct and targeted, with a view to support decision making and a more strategic outlook. ▪ Strategic Focus – in recognition of a desire to enable the college to ‘future proof’ against a range of external factors and changing needs. ▪ Risk Management – to ensure a targeted focus on the specific risks that pertained to individual committees, whilst overall oversight of the control environment would be retained at Audit, Risk & Compliance Committee and Board level. <p>4.3.2 Next Steps</p> <ul style="list-style-type: none"> • The Director of Governance advised that committee specific Terms of Reference and a new Cycle of Business for 2023-24 would be developed in the Summer Term, with a view for these to be approved by the Board at its next meeting in July 2023. <p>4.3.3 The following discussion then occurred:</p> <ul style="list-style-type: none"> • A Governor raised a concern that two significant risk areas would be under the oversight of the Resources, Culture & Impact (RC&I) Committee. • The Chair of the Board acknowledged that the RC&I Committee would have a significant remit, but reflected that it was appropriate to combine the oversight of finance and staffing, given that the associated risks were intrinsically linked. • The Director of Governance provided reassurance that establishing a Resources Committee was in line with sector norms for colleges of a similar size. • The CEO & Principal also reflected that the People & Culture Committee had historically been established to meet a specific need, and in view of the progress that the college had since made, detailed oversight of this operational area was no longer necessary. • The Chair of the Board also noted the Board’s aspiration to raise governance discussions to a more strategic level. This was particularly important now that the college had successfully exited the intervention process and given the maturity of the Executive Team structure in its oversight of operational matters. Governors agreed. <ul style="list-style-type: none"> • RESOLUTION – The Board agreed to approve the Committee Context Summaries (2023-24). 	

#	Item	Action
5. EXECUTIVE ITEMS		
5.1	<p data-bbox="177 416 501 450">EXECUTIVE TEAM REPORT</p> <p data-bbox="1321 416 1394 450">14:46</p> <p data-bbox="177 483 464 517">5.1.1 Executive Update</p> <ul data-bbox="229 551 1390 943" style="list-style-type: none"> <li data-bbox="229 551 868 584">• The CEO & Principal shared the following update: <ul data-bbox="325 607 1390 943" style="list-style-type: none"> <li data-bbox="325 607 1362 674">○ UCU National Industrial Action – this was being monitored closely. Conversations were ongoing with regards to a potential staff pay award. <li data-bbox="325 707 1390 775">○ Higher Education Provision – a range of opportunities were anticipated as output of the recent UEA validation process. <li data-bbox="325 808 1390 943">○ T-Levels – the recent decision by the DfE to delay certain courses had particularly impacted the college’s Health & Beauty and Creative & Design provisions. Students were being supported to identify alternative courses. Additionally, the college had been allocated £920K for T Level capital development. <p data-bbox="177 976 544 1010">5.1.2 Curriculum & Standards</p> <ul data-bbox="229 1043 1390 2152" style="list-style-type: none"> <li data-bbox="229 1043 979 1077">• The Deputy (CEO & Principal) shared the following update: <ul data-bbox="325 1099 1390 1816" style="list-style-type: none"> <li data-bbox="325 1099 1390 1234">○ Attendance – this remained a priority focus area, particularly for Level 1 students. Many of these students were also completing English and/or Maths courses and often these cohorts had a range of complex needs. Work was underway to enhance the college’s pastoral support provision. <li data-bbox="325 1267 1390 1435">○ English & Maths Strategy – the college had secured support from the Curriculum Efficiency & Financial Sustainability Support (CEFSS) Team in development of the strategy. Best practice was also being leveraged from other colleges. The English & Maths Strategy would be submitted to the Curriculum & Standards Committee for consideration and approval in the Summer Term. <li data-bbox="325 1469 1390 1637">○ Destinations – Ofsted recently attended on site as part of a national research project on Careers Advice & Guidance. Whilst the college would not receive official feedback as output of this process, some informal insights were shared regarding the college’s processes for tracking destinations data and pathways for progression onto the Higher Education provision. <li data-bbox="325 1671 1390 1816">○ Employer Engagement – the Heads of Curriculum were currently working to establish an Employer Exchange. Employer Champions had been identified to inform curriculum development linked to the Local Skills Improvement Plan (LSIP), support student assessment and facilitate engagement with local employers. <li data-bbox="229 1850 751 1883">• The following discussion then occurred: <ul data-bbox="325 1906 1390 2152" style="list-style-type: none"> <li data-bbox="325 1906 1390 2152">○ A Governor noted that several metrics had been rated as ‘N/A’ and asked – were any items at risk of a ‘red’ RAG rating by the end of the academic year? The Deputy (CEO & Principal) reflected that student retention would continue to be a priority focus area, though early data had indicated that this was trending at better than the prior year. Work was currently underway to support students in finalising their apprenticeship assessments. Another priority area of focus would be to maximise the volume of meaningful industrial placements for students. 	

#	Item	Action
	<p>5.1.4 People & Culture</p> <ul style="list-style-type: none"> • The Chief Operating Officer shared the following update: <ul style="list-style-type: none"> ○ Staff Turnover – overall, this currently had an ‘Amber’ RAG rating against a somewhat ambitious target, though voluntary turnover fared better. The college’s staff turnover levels were in line with similar colleges within the South East. ○ Mandatory Training – had also received an ‘Amber’ RAG rating, following a decrease to 82% for established staff. As such, this remained a key focus area for the People Services Team. ○ Equity Diversity & Inclusion (EDI) – 81.7% of staff had declared all or part of their EDI data. Analysis had indicated that staff were more comfortable declaring some protected characteristics than others. ○ Annual Performance Management – Further work was needed to address the completion on annual objective setting activities. • The following discussion then occurred: <ul style="list-style-type: none"> ○ A Governor asked – would it be possible for EDI data to be broken down by campus? The Chief Operating Officer confirmed that this could be shared. <ul style="list-style-type: none"> ▪ Action 5.1.4.1 – Provide a breakdown of EDI data by campus, with a view to share this at the next People & Culture Committee meeting. ○ The Curriculum & Standards Committee Chair asked – had any further progress been made in deployment against the Apprenticeship Levy? The Chief Operating Officer advised that further work was needed, though noted that the college was in line with other colleges for this metric. ○ The Chair of the Board reflected that whilst staff turnover levels were above target, this was likely in response to a depression of the labour market during the Covid-19 pandemic, where staff may have opted to delay a role change at that time. ○ A Governor asked – could staff vacancy data also be reported within the Executive Team report? The CEO & Principal noted that recruitment for certain roles continued to be challenging and therefore advised it would be useful to include this additional data point within the report. <ul style="list-style-type: none"> ▪ Action 5.1.4.2 – Include staff vacancy data within the People & Culture KPI section of the Executive Team Report moving forward. ○ A Governor directed participants to the Teacher Labour Market in England Annual Report 2023 from the National Foundation for Educational Resource, as a useful data point. 	<p>HC/LC</p> <p>HC/LC</p>

#	Item	Action
	<p>5.1.7 Future Gazing</p> <ul style="list-style-type: none"> • The CEO & Principal shared the following update: <ul style="list-style-type: none"> ○ Shadow Education Policy – a shift in approach regarding the Ofsted inspection regime had recently been observed from the Labour Party, with a change in emphasis from ‘judgement’ to ‘improvement’. ○ Gildredge House Sixth Form Closure – this created an exciting new growth opportunity for the college within the Eastbourne area. <p>Participants took a short break from the meeting between 15:07 to 15:10.</p>	
6. STRATEGIC ITEMS		
6.1	<p>CAPITAL DEVELOPMENT PROGRAMME UPDATE</p> <p style="text-align: right;">15:10</p> <p>NP joined the meeting at 15:10.</p> <ul style="list-style-type: none"> • The Director of Capital Projects shared the following update: <ul style="list-style-type: none"> ○ Following the decision taken by the Board in July 2022 to approve the outline proposal for the Estate Transformation Programme, a Pre-Construction Services Agreement (PCSA) was then due to be put in place with Willmott Dixon. ○ In direct response to ongoing challenges and volatility within the construction sector, a decision was taken to delay the PCSA. However, key project activity had continued to progress across each of the key programme workstreams, namely – Spaces, Surveys, Design and Planning. ○ Independent of the PCSA, several key appointments had subsequently been made to progress this work, including the following roles: <ul style="list-style-type: none"> ▪ Planning Consultant – with specific expertise in complex planning applications. ▪ Commercial Advisor – with a view to inform on land valuations, Heads of Terms, options assessment and funding models. ▪ Communications & Stakeholder Engagement Specialist – to provide key input into the planning process. ○ An overview of the financial projections related to the project were then shared. ○ The initial planning strategy recommendations were then outlined. • The following discussion then occurred: <ul style="list-style-type: none"> ○ The Chair of the Board asked – were the £265K in resource appointment costs a subset of the £332K actual spend to date, or part of the remaining budget? The Director of Capital Projects clarified that the £265K formed part of the remaining budget, which totalled £460K. 	

#	Item	Action
	<ul style="list-style-type: none"> ○ The Chair of the Board asked – were the commercial advisors aware of the proposed phased approach to managing the planning applications on each campus? The Director of Capital Projects confirmed that the commercial advisors had been fully briefed, and as such, had reflected this approach into the options assessment that they were currently developing. ○ A Governor asked – would there be significant risks for the Estate Transformation Programme, were there to be a change in leadership as output of the local election process? The Director of Capital Projects advised that the planning policy would be determined by the Local Plan, which sat above the political administration process. Both local authorities were currently finalising their new local planning processes, into which the college had provided input. As such, the college was well positioned for its planning applications to be considered favourably. ● The Director of Capital Projects then shared the following update on programme timescales: <ul style="list-style-type: none"> ▪ Following a request from the Capital Development Board, the programme schedule had now been organised into the RIBA stages that the original PCSA would have followed. ▪ With input from the Director of Governance, key decision points within the programme timeline had been aligned with the governance meeting schedule. ● The following discussion then occurred: <ul style="list-style-type: none"> ○ The Chair of the Board reflected on the need to adopt a ‘one college’ approach in the use of funds that would arise from associated land sales, with a view to develop the best provision and outcomes for all students. Governors agreed. ○ A Governor asked – how much time had been allocated to the completion of the planning process? The Director of Capital Projects explained that the planning applications would be submitted between November 2023 and April 2024. The time required to complete the planning process with Eastbourne Borough Council would be quicker, whilst additional time would be required to complete the South Downs National Park application. ○ A Governor asked – does the Estate Transformation Programme fit with the college’s level of risk appetite? The Chair of the Board reflected that it did, noting that the college were purposefully not utilising any borrowing to fund the programme. ○ The Vice Chair – Resources & Operations, reflected that the project would result in a significant amount of local residential accommodation within urban areas, and as such should have a positive reputational impact for the college. Governors agreed. 	

#	Item	Action
	<p>6.1.2 Enabling Projects</p> <ul style="list-style-type: none"> • The Director of Capital Projects shared the following update: <ul style="list-style-type: none"> ○ Green Centre of Excellence (Hastings Town Deal – Ore Valley Campus): <ul style="list-style-type: none"> ▪ The project was currently scheduled for completion by September 2024. ▪ The Funding Agreement with Hastings Borough Council had now largely been finalised, pending final sign-off by the Sub-Group. ▪ Further survey work was currently underway at the Ore Valley Campus. ▪ The college was engaging with Clear Futures, who provided a framework for the procurement and construction of sustainable spaces. ▪ Inflationary risk remained a priority focus area for the project, given that construction inflation was currently trending at 15-20%. ○ Institute of Technology: <ul style="list-style-type: none"> ▪ The project was on target for completion by the end of 2023 and involved the refurbishment of the Ore Valley campus. ▪ Construction was on target to take place during the summer break. • Governors thanked the Director of Capital Projects for providing a comprehensive update. <p>NH left the meeting at 15:38.</p>	
6.2	<p>COMMITTEE RECOMMENDED APPROVALS</p> <p style="text-align: right;">15:39</p> <p>6.2.1 Accountability Agreement Statement</p> <ul style="list-style-type: none"> • Participants noted that the Accountability Agreement Statement had previously been considered by the Curriculum & Standards Committee. <ul style="list-style-type: none"> ○ Action 6.2.1.1 – Update the map on Page 6 of the Accountability Agreement Statement to include Newhaven. • RESOLUTION – The Board agreed to approve the Accountability Agreement Statement for 2023-24. <p>6.2.2 Newhaven Marine Workshops Project</p> <ul style="list-style-type: none"> • Participants noted that the Newhaven Marine Workshops Project had previously been considered by the Capital Development Board. • The CEO & Principal shared the following update: <ul style="list-style-type: none"> ○ The proposal presented an exciting growth opportunity for the college. Discussions had been ongoing with Lewes District Council (LDC), who had demonstrated a genuine commitment to the proposal and had supported the college in ensuring affordability. 	RC

#	Item	Action
	<ul style="list-style-type: none"> ○ There had already been good levels of interest in the proposed curriculum provision from prospective students at a recent open event. ● RESOLUTION – The Board agreed to approve the following actions and next steps related to the Newhaven Marine Workshops Project: <ul style="list-style-type: none"> ○ The Executive Team to finalise the draft Heads of Terms with Lewes District Council. ○ The Executive Team to prepare the draft lease agreement and ensure that any risks to the College were managed and mitigated. ○ Once finalised, the Sub-Group to approve the lease by electronic resolution. The Sub-Group was made up of the Chair of the Board, CEO & Principal, Chair of Capital Development Board and the Chair of Finance Committee. ○ The Executive Team to commence plans and preparations for the college to exit from the Denton Island facility. <p>6.2.3 Environmental, Social & Governance Statement</p> <ul style="list-style-type: none"> ● Participants noted that the Newhaven Marine Workshop Project had previously been considered by several committees. There were no further questions. ● RESOLUTION – The Board agreed to approve the Accountability Agreement Statement for 2023-24. 	
7. ANNUAL REPORTING		
7.1	<p>ANNUAL SUBCONTRACTING REPORT (2022-23) 15:42</p> <p>7.1.1 Participants noted that the Annual Subcontracting Report had previously been considered in depth by the Finance Committee.</p> <p>7.1.2 The Chair of the Board noted that approval of the Subcontracting Arrangements for 2022-23 closed a high priority management action from the recent Governance Audit.</p> <ul style="list-style-type: none"> ● RESOLUTION – The Board agreed to approve the Subcontracting Arrangements for 2022-23. 	
8. CONSENT AGENDA		
<i>Approval</i>		
8.1	<p>POLICIES & KEY DOCUMENTS 15:43</p> <p>8.1.1 The following policies were recommended for approval, following committee review and scrutiny, with summary details of key changes outlined in the Policy Change Summary sheet:</p> <ul style="list-style-type: none"> ● Emergency Plan, Disaster Recovery & Business Continuity Plan Policy ● Gifts, Hospitality & Declaration of Interests Policy ● Staff & Governor Expenses Policy ● Tuition & Fees Policy <ul style="list-style-type: none"> ● RESOLUTION: Governors agreed to approve each of the policies listed above. 	

#	Item	Action
Committee & Local College Board Meeting Minutes		
8.2	CAPITAL DEVELOPMENT BOARD 8.2.1 Governors noted the minutes of the meeting on 11 th January 2023.	15:44
8.3	CHAIRS GROUP 8.3.1 Governors noted the minutes of the meeting on 11 th January 2023.	15:44
8.4	AUDIT RISK & COMPLIANCE COMMITTEE 8.4.1 Governors noted the minutes of the meeting on 25 th January 2023.	15:44
8.5	PEOPLE & CULTURE COMMITTEE 8.5.1 Governors noted the minutes of the meeting on 8 th February 2023.	15:44
8.6	LOCAL COLLEGE BOARDS 8.6.1 Governors noted the following Local College Board meetings: <ul style="list-style-type: none"> Hastings – 21st February 2023 Lewes – 27th February 2023 (<i>minutes were delayed due to sickness absence</i>) Eastbourne – 28th February 2023 (<i>postponed – now scheduled for 28th March 2023</i>) 	15:44
8.7	SEARCH, PERFORMANCE & REMUNERATION COMMITTEE 8.7.1 Governors noted the minutes of the meeting on 2 nd March 2023. 8.7.2 Governance Audit <ul style="list-style-type: none"> The Chair of the Board noted that the Governance Audit had been successfully completed, with substantial assurance. One ‘high priority’ finding was raised related to compliance with ESFA’s funding and regulatory requirements, regarding annual Board approval of sub-contracting arrangements. This had since been addressed (per item 7.1). 	15:44
8.8	FINANCE COMMITTEE 8.8.1 Governors noted the minutes of the meeting on 6 th March 2023.	15:44
8.9	CURRICULUM & STANDARDS COMMITTEE 8.9.1 Governors noted the minutes of the meeting on 13 th March 2023.	15:44
9. OTHER MATTERS		
9.1	ANY URGENT MATTERS 9.1.1 There were no urgent matters for discussion.	15:45
9.2	DATE OF NEXT MEETING 9.2.1 The next meeting was scheduled for 3rd July 2023, 13:00-16:00.	15:46

#	Item	Action																											
9.3	<p>LIVE MEETING EVALUATION</p> <p>10.2.1 Ten survey responses were received from Governors via Google Forms.</p> <table border="1"> <thead> <tr> <th>#</th> <th>ASSESSMENT QUESTION</th> <th>RESULT</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Did the agenda and papers arrive seven days in advance?</td> <td>100%</td> </tr> <tr> <td>2.</td> <td>Were the agenda and papers written with clarity?</td> <td>100%</td> </tr> <tr> <td>3.</td> <td>Were the issues considered at the meeting appropriate?</td> <td>100%</td> </tr> <tr> <td>4.</td> <td>Did you have all the information you needed to fully participate in the discussion and decision?</td> <td>100%</td> </tr> <tr> <td>5.</td> <td>Was sufficient time available for thorough debate?</td> <td>100%</td> </tr> <tr> <td>6.</td> <td>Were you satisfied that the decisions were arrived at in a proper manner?</td> <td>100%</td> </tr> <tr> <td>7.</td> <td>Were you able to express your views?</td> <td>100%</td> </tr> <tr> <td>8.</td> <td>Was the meeting chaired effectively?</td> <td>100%</td> </tr> </tbody> </table>	#	ASSESSMENT QUESTION	RESULT	1.	Did the agenda and papers arrive seven days in advance?	100%	2.	Were the agenda and papers written with clarity?	100%	3.	Were the issues considered at the meeting appropriate?	100%	4.	Did you have all the information you needed to fully participate in the discussion and decision?	100%	5.	Was sufficient time available for thorough debate?	100%	6.	Were you satisfied that the decisions were arrived at in a proper manner?	100%	7.	Were you able to express your views?	100%	8.	Was the meeting chaired effectively?	100%	15:46
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9.4	<p>CLOSE</p> <p>9.4.1 The first part of the meeting closed at 15:47.</p> <p>9.4.2 All non-Independent Governors (and other participants) left the meeting, with the Director of Governance also remaining.</p>	15:47																											

Action Summary

Item	Owner	Action	Due Date
0.5.1	HC	Ensure that the risks and assumptions identified as output of the five-year financial planning process had also been incorporated into the Risk Register.	3 rd July 2023
3.4.3.1	BH	Explore the feasibility of amending the Standing Orders to ensure representation from all three campuses at Eastbourne, Lewes and Hastings during the Student Governor election process in the Autumn Term.	3 rd July 2023
5.1.2.1	MW	Explore the feasibility of reporting indicative RAG ratings within the Curriculum & Standards section of the next Executive Team Report.	3 rd July 2023
5.1.3.1	HC	Include forecast data within the Finance KPI section of the Executive Team Report moving forward.	3 rd July 2023
5.1.4.1	HC/LC	Provide a breakdown of EDI data by campus, with a view to share this at the next People & Culture Committee meeting.	17 th May 2023
5.1.4.2	HC/LC	Include staff vacancy data within the People & Culture KPI section of the Executive Team Report moving forward.	3 rd July 2023
5.1.6.1	RC	Draft a report on Reputation & Brand, with a view to share an update at the next Search, Performance & Remuneration Committee and Curriculum & Standards Committee meetings in the Summer Term.	25 th May 2023
5.1.6.2	BH	Include 'Reputation & Brand Update' on the agendas for the next Search, Performance & Remuneration Committee and Curriculum & Standards Committee meetings in the Summer Term.	25 th May 2023
6.2.1.1	RC	Update the map on Page 6 of the Accountability Agreement Statement to include Newhaven.	31 st May 2023
10.2.1.1	BH	Explore options for increasing Governor participation in live meeting evaluation surveys.	Complete