

**Meeting of LSEC Corporation be held on
Thursday 23 March 202 from 5.30-8.00pm
in person at Orpington Campus Room C1/C2**

Corporation Governors

David Eastgate (DE) Chair	
Louise Nadal (LN)	Vice Chair
Dr Sam Parrett, CBE (SP)	Group CEO
Mark Trinick (MT)	Governor
Ayorinde John (AJ) Governor Apologies	
Lucie Allen (LA)	Governor Apologies
Chinyama Okunuga (CO)	Governor Apologies
David Bailey (DB)	Governor
Lucy Butler (LB)	Governor Apologies
Joanne Bell (JB)	Governor
Angela Hands (AH)	Governor
Mark Burnett (MB)	Governor Apologies
Vince Fihosy (VF)	Governor
Tony Gilbey (TG)	Governor (to be appointed) Apologies
Kate Shiner (KS)	Governor (to be appointed)
Sarah Lewis (SL)	Governor (to be appointed) Apologies
Maz Potts/Teresa Langford	Staff Governors
Monesse Lambert	Student Governors (FE and HE)

Governance Professional & Clerk to the Board

Jennifer Pharo (JP) Group Executive Director Governance

Executive Officers in attendance

John Hunt (JHu)	Group Deputy CEO & Group CFO
Asfa Sohail (AS)	Deputy CEO & Principal
Louise Wolsey (LW)	Group Chief Strategy Officer & Deputy CEO LASER

Officers in attendance for specific items

Fadia Clark & Neil Coates	Deputy Principals (Item 4.2 and 4.3)
Beth Moore	Group Head Safeguarding (Item 4.5)
Andy Simpson	Group Director Estates (Item 5.2)

Minutes

1. **Welcome, apologies and declarations of interest**

Apologies received from Lucie Allen, Lucy Butler, Chinyama Okunuga, Ayorinde Rose and Mark Burnett

Dr Sam Parrett, CBE and Moneese Lambert attending remotely.

There were no additional declarations off interest than those already declared.

1.1 **Governor Appointments**

The Corporation **RESOLVED** to appoint the following members who had been recommended by the Search and Governance Committee follow a selection process.

Governors

Tony Gilbey, who would also serve on the Group Finance Committee

Sarah Lewis, who would also serve on the Group Audit & Risk Committee

Kate Shiner, who would also serve on the Curriculum & Standards Committee

Co-opted Governor

Darren Kirwin to serve on the Curriculum & Standards Committee

2. **Minutes & Action Log**

2.1 Minutes of 26 January 2023 & Action Log

The Minutes of the previous meeting were APPROVED.

Outstanding Action in relation to Heads of Terms for Kingswood School Site to be presented when received.

2.2 **Committee Chair's Summaries (Verbal)**

The Corporation received a brief update from Chair of Finance Committee who reported on that the current year is proving to be very challenging and will end the year in reasonable shape if the income and expenditure targets are met. It was reported that next academic year was going to be more challenging with rising costs and pressure of pay awards. Major capital works present high financial risk and ratification of our revolving credit facility post ONS may increase risks, with cash flow management a challenge.

Enrolment for 2023/24 will be key and with applications reporting slightly below target, the Corporation requested **an update on Student Recruitment at next meeting (ACTION)**.

The Corporation were advised that the Group Finance Committee were recommending the amended Financial Regulations and 2023/24 Tuition Policy for approval.

The Corporation received a brief update from Chair of Curriculum & Standards who reported that attendance had been flagged as a key risk to achievement rates. Ofsted readiness and preparations

was reported as a key activity. It was reported that key issues and areas of concern were, English and Maths, STEM, Additional Learning Support and Tutorials.

The Curriculum Standards Committee had resolved to convene a special meeting of the Committee to seek assurance and to further challenge the performance of these form areas. A Deep Dive Committee meeting had been scheduled for 23 April 2023.

Section 3 : Strategic Direction, Leadership and Partnership Engagement

GCEO

3.1 Group CEO Report

The Group CEO presented the report which outlined a number of key strategic and operational matters.

The following items were discussed, and updates provided.

It was reported that issues relating to Rookery Lane Estates were progressing. An offer for the land had been made and it was hoped and anticipated that the offer will be accepted to bring the matter to a conclusion.

It was reported that the College had been successful in securing £4m from the GLA to support the increasing costs of the Future Plumstead capital project. A bid had been submitted outlining the risks to the project based on construction inflationary costs which had been accepted.

It was reported that staff recruitment issue remain with a number of hard to fill vacancies in TSA/LSA roles. A number of recruitment initiatives have been implemented.

It was reported that due to under recruitment in HE provision there would need to be some resource and staff realignment for 2023/24.

The Board were asked to NOTE the appended letter to the Skills Minister in relation to the removal of defunding of a number of level 3 programmes. This was a critical issue for the sector and would disadvantage a large volume of students with no suitable alternative available. Some of the sectors are lobbying that T-levels are not a suitable alternative and do not provide the same routes to work or apprenticeships and/or vocational skills as BTECs. The Board were advised that the AoC had not been vocal enough in support of GFE Colleges who had proportionately larger profiles of students at level 1 and 2. The sector is divided on the matter with some colleges who deliver A-level or have large volumes of level three provision less concerned about the reduction in qualifications available.

Finally the recently published SEND and AP Improvement Plan would bring both opportunities and threats the Board were provided with a full report on this matter at item 3. 2.

Board Questions and Comments

In response to questions from the Board on why AoC were not backing the campaign against the defunding of level 3 qualifications, it was reported that the sector was just not speaking in one voice.

In response to questions from the Board it was reported that some learners would just not meet the criteria to take T-levels. AoC Curriculum Group had reported that nationally 25% of learners starting T-Levels had moved back to BTECs.

In response to questions from the Board around what else can be done to resolve the situation, it was reported that Colleges had written to MPs. It was reported that 120 Colleges had endorsed a letter to the Secretary of State.

The reformation of qualifications was a direct outcome from the Sainsbury Review and this policy had now lost it's way. Nationally, T-Levels had seen low take up and engagement.

The Board **NOTED** the report.

3.2 SEND & AP Improvement Plan (Presentation)

The Board received a report and update on the recently published SEND and AP Improvement Plan from TSOO-KS. A paper and presentation was provided.

It was reported that on 2nd March 2023, the Department for Education and the Department for Health and Social Care published the long anticipated Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) improvement plan, setting out the government's plans (building on the Green Paper last year) for improving provision and helping to deliver a national system that 'delivers consistently for every child and young person with SEND and in alternative provision'.

The Board were advised that the SEND and AP Green Paper identified the problems to be resolved as the following:

- i. Outcomes for children and young people with SEND are consistently worse than their peers - across almost every measure.
- ii. Experiences of navigating the SEND system to secure support are poor.
- iii. Despite unprecedented investment, the SEND system is not delivering value for money for children, young people and their families.
- iv. There is too much inconsistency across the country - with decisions made based on where a child lives, not on their needs.

The Board were advised that the Improvement Plan sets out how a single national system based on new evidence-based SEND and AP National Standards (from 2025) will be delivered locally, through local partnerships and an improved EHCP process. The new National Standards will establish what support should be ordinarily available for those with EHCPs as well as in mainstream education and will be a basis for developing a national approach to funding bands and tariffs which should lead to greater equity between local areas.

The Board were advised that individual need should still drive provision and would be relevant for both pre and post 16 learners with EHCP plans, with employment and destinations included in the measures for post 16, and link to HE through the Disabled Students Allowance, but the statutory SEND system will extend to HE.

It was reported that the DfE would be working with the DHSC and NHS England to look at how transitions to adult services could be improved, and with the DWP to look at how the transition into employment can be smoothed. Adjustments Passport would be piloted.

The Board were advised that additional investment (£18m) over the next three years will build capacity in the Supported Internships Programme doubling the number of supported internships by 2025 and increasing the number of trained job coaches to deliver this. Apprenticeship providers would also be offered professional development to support them to meet the needs of all apprentices.

It was reported that a national dashboard would be publicly available in Autumn 2023 to report on how needs are being met. It was reported that EHCPs will be standardised nationally from 2025, with increasing use of digital technology.

The Board were provided with the following SWOT analysis which included the following areas of note.

- Welcome link between SEND and AP.
- The College is well placed to support plan intentions with effective and good practice transition arrangements from post 16 to adulthood.
- LSEC has outstanding provision with a good reputation as a leading provider.
- Opportunities will present with evidence based national standards.
- Threats include no mention of much needed capital investment or support for complex needs and more schools than College focused.

Board Questions and Comments

In response to questions from the Board it was reported that the SEND and AP Plan would support better integration with mainstream provision with more resources and provision based resourced anticipated in mainstream schools.

In response to questions from the Board, it was reported that Group CEO had joined a national leaders group for SEND working on policy reforms with the DfE. It was important to ensure that post 16 provision within FE was include in policy decisions particularly around capital and other investments. Investment in free schools had already been announced and include in the launch of the new policy but nothing for post 16 providers.

In response to questions from the Board, it was confirmed that SEND and EHCP learners represent c20% of College provision which is more than an average FE College. LSEC provision has unmet demand and could grow further with more government investment and if this would be a strategic decision for the Board to consider. It was reported that there was a balance to strike by increasing this provision, the college learner profile would shift to entry/level 1 and with earlier discussions on the level 3 provision being challenged with qualification reforms the character of the organisation could shift and there would need to be careful consideration.

The Board **NOTED** the report.

3.3 Group Strategy Update

The Board received a summary update on progress and implementation of the Group Strategy in 2021/2022, from GCSO. It was reported that 2022/23 was the last full year of the existing Group strategy as the Group transitions to a new developing strategy through to 2030. The Board received insight into the direction of travel for development of the future Group Ambitions with the advert of the LASER Education Foundation.

The Board received the final Social Value Progress Report, providing details on the social value creation over the course of life of the Group Strategy and the encompassing period of the pandemic.

The Board were advised that good progress had continued to be made towards implementing the Group Strategy and embedding the ambition of creating social value across business systems and processes and in order to demonstrate impact through the strategy over all.

The final report for the period 2019-2022 shows c£34m social value delivered in 2021/22 on par with previous year and a 9% increase on 2021/20.

The Board was advised that good progress continues to be made in recruiting a local workforce which in the context of recruitment challenges generally is positive.

The Board was advised that the implementation of the Group Sustainability Strategy and a greater focus on procurement would increase the Group social value.

It was reported that work was now ongoing on creating a collective ambitions framework for the College, the Trust and the forthcoming LASER Education Foundation.

Board Questions and Comments

The Board commented and reflected on the report in the context of the challenging financial situations.

In response to the questions from the Board on if there was more to be gained on social value, it was reported that there was more within the procurement and tendering processes that could be implemented and captured. Other providers had introduced interesting concepts in this regard and are building more accountability within procurement processes.

The Board **NOTED** the report.

Section 4: College Operations & Performance

DCEO

4.1 DCEO & Principal Report

The Board received a comprehensive report and update on College operations and performance. THE board were presented with the Attendance Strategy.

The report presented provided details on the Ofsted Readiness under the Ofsted EIF. The College would receive a full inspection before September 2025. It was reported that the preparations were in train and remained a key focus in particular there was a focus on improving the learning experience.

Classroom provision progress was reported with early indications of good progress across SEND, ESOL, and Services Industries departments. There are also improvements in the apprenticeship department, most of the creative arts provision, and some improvements in HE and employability & innovation courses. Areas of STEM, English & Maths, tutorial and the provision of ALS as previously reported had been identified as areas of concern and would be subject to a Deep Dive at a Special Curriculum & Standards Committee which had been convened for April.

Apprenticeship progress was reported as improving, with the building blocks being put in place for future success are having an impact. It was reported that 57.4% of the professional and education apprentices achieved high grades and our apprentices being recognised for national awards. Forecast

achievement for current year was reported at 60.4% with apprenticeship attendance rates reporting at 85.7%.

HE progress was reported as good. It was reported that the new Engineering provision has now launched, and the first group would be starting in September, along with new higher apprenticeship programmes. Exciting future developments include a BSc in sport and the launch of Higher Technical programmes in health and digital from September 2023. Concern on the decline in recruitment trends in HE was raised, marketing strategies had been revised and it is anticipated that the discrete new University Centre in Orpington would also draw in more new students. Student satisfaction remains very high.

Curriculum Strategy plan had been subject to internal consultation with the delivery teams in January 2023. It was reported that a range of reforms were interrogated as part of the curriculum planning process, including the review of post-16 qualifications at level 3 and the introduction of t-levels and higher technical qualifications. The curriculum planning process had been developed into a full business planning cycle that starts with a clear marketing and communication strategy, detailed labour market analysis, guidance for a comprehensive curriculum review and Group Executive endorsement. Budget and resource planning had now commenced.

Accountability Agreement: The board were presented with the latest draft of this Accountability Agreement with final version to be provided for approval in May 2023. The statement had been linked to the Local Skills Improvement Plan. The Board were reminded that BusinessLDN employer representative body (ERB) is leading this for London. Executive Principal and GSCO are LSEC representatives on London LSIP Stakeholder Advisory Group. The Board were advised that the annual accountability statement should include key content as outlined below:

- Statement of purpose
- Background to context/place
- Approach to developing the statement.
- Contribution to National, regional and local priorities
- Corporation statement/sign off.
- Links to supporting documentation.

Enrolment and Recruitment update and preparations for 2023/24 was reported to the Board. It was reported that young person enrolments for 2022/23 were slightly above funding allocation but down on the internal target. Actions have been identified to improve the induction and student experience in the first few weeks to decrease attrition rates. The Adult Education Budget delivery is on target to achieve 97% recruitment and is within the 3% tolerance through a balance of subcontracted provision and in-year recovery. HE recruitment finished 109 learners below target with recovery strategies not progressing and apprenticeship recruitment is 102 apprentices behind target, work continues to retain more learners and bring in additional groups to make up the funding gap.

For 2023/24 it was reported that applications are down on the previous academic year for both FE and HE, these are being monitored very closely by SLT.

Student Experience Update: It was reported that learner voice was being captured through various means to ensure learners continue to receive a great experience. Meet the Principal events were well attended by learners. It was reported that the overall feedback from learners was positive regarding their experiences. It was reported that the Student Engagement Team had launched a series of events this term to further develop our enrichment offer with a focus on developing learners' personal and social skills. It was reported that learner behaviour has settled across all campuses. A focus on embedding a culture of restorative approach into the organisation for staff and students was being implemented, with some staff being trained to be an 'expert' in Restorative Approaches

The Board were advised that Student Services completed a Matrix assessment for the accreditation for information advice and guidance which they have achieved.

The Board received an update on Safeguarding which included reports on the increase in preventative safeguarding messages through tutorial provision and an increase in enrichment and campaign activities. It was reported that there are improved working relationships with the police who are having more presence in priority areas such as Rookery. It was reported that safeguarding concerns are in line with previous academic years. Latest survey of students, reports that all students felt safe at college.

Finally, it was reported that SLT had agreed to focus on three key priorities this term and these are attendance, learning environment and skills agenda. The attendance strategy document was presented.

The Board received the KPI Scorecard which had been updated to present the recent forecast and BRAG rating.

Board Questions and Comments

In response to questions on the Deep Dive areas identified for further assurance and consideration at a Special Meeting of the Curriculum and Standards Committee it was confirmed that these areas in particular, STEM and ALS were impacted significantly by challenging staff retention and recruitment. Management in English and Maths was interim and although there are levels of confidence in the improvements shown in these areas recruiting a permanent manager for English and Maths was a key priority.

In response to questions on student recruitment, it was reported that areas that had not met target this year would be involved in reorganisation and reduction. This was likely to be in apprenticeships, short adult provision and HE.

In response to questions on the new tutorial programme, it was confirmed that there had been some teething problems and attendance in some areas was low. Where it is working well and tutors are working within vocational teams with smaller caseloads, attendance and is improved.

In response to questions on attendance it was reported that statistically attendance was on par with previous term and last year. English and maths was still an area for concern around attendance, but significant work had been completed to improve attendance for those students with the poorest rates.

In response to student recruitment challenges and shortfall reported from previous year comparison, it was reported that the dip was not necessarily due to competition from other providers more that young people were entering into work, sometimes low-level work due to pressures of cost of living and being able contribute to family income. Employers not investing in training and for semi-skilled or unskilled jobs.

In response to questions on the attendance strategy, there was some concern raised around students affected by post pandemic issues and anxieties. It was reported that some consideration to include more strategies for this group of learners to be considered. How can we build confidence and reduce for anxieties for some learners.

The Board **NOTED** the report.

4.2 Curriculum Planning and Skills

The Board received the report presented by the Executive Principal & CLO. This included detailed information on the curriculum planning process for 2023/24, employer boards and activities that had been ongoing throughout the period.

Details on the Accountability Agreement and its preparation had been reported by the Executive Principal & CLO.

It was reported that the curriculum strategy, previously shared with the Board, would be adjusted to reflect recent government policy changes and reflect the direction outlined in the final LSIP once received.

A final version of the curriculum strategy would be provided to the Board July 2023.

The Board **NOTED** the report.

4.3 Ofsted Readiness: Preparations

The Board were reminded of the Ofsted preparations previously shared with the Board. It was reported that activities were on target with continuous review of and quality assurance processes in place to support monitoring of quality and improvements.

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The next steps in readiness for Inspection was Board training in particular for the Lead Governors. Further details and selection of lead governors would be considered at next board meeting.

It was reported that position statements were being prepared and would be shared with the Board once ready. It was also reported that Ofsted Inspection would also be a focus for the next Board Meeting in May.

The Board **NOTED** the report.

4.3 Student Voice: Student Governor (Verbal)

Verbal update provided by Student Governor who advised an area of concern around cancelled classes at short notice had caused some students in Plumsted some concern.

It was reported that the information on changes to timetables and cancellation of any classes would be communicated better to students.

In response to questions, the Board asked to be notified of percentage of cancelled classes.

In response to questions from the Board, it was reported that improved timetabling processes planned for next year would reduce the volume of changes or cancelled classes.

In response to student governor it was suggested that students be encouraged every term to check and update personal data, particularly for younger students, who change their numbers frequently.

The Board **NOTED** the update.

4.5 Safeguarding Update

For Monitoring

BM

The Board received an update the Group Director Safeguarding, which required an update to the safeguarding policy to incorporate slightly differentiated processes for Nido Volans Lambeth.

The Board **APPROVED** the changes.

The Board received an update on the Mental First Aid training which was being undertaken by staff and was proving to be successful and impactful. In response to further questions on this matter, it was reported that mental first aiders acted as first line responders they were not trained counsellors and would therefore signpost and support. Long waiting lists for CAMHS referrals still existed and there was not much leverage the college has in this regard.

The Board received an update on LADO referrals which had now concluded.

The Board **NOTED** the report.

Section 5: Financial and Risk Management, Compliance and Controls

GCFO

5. Group Chief Finance Officer Report

5.1 2022/23 Financial Update

The Board received the updated financial report and P6 Management Accounts from the Group CFO.

It was reported that the Management Accounts for the period ended 31 January 2023 (Period 6) show an adjusted operating deficit for the year to date, prior to FRS102 pension adjustments of £58k. This is £89k better than forecast for the year to date and reflects the risk to some income streams together with expected timing differences in respect of pay and non-pay expenditure.

The updated forecast outturn prepared for Period 6 reported a further slight improvement with the outturn prior to pension costs and asset disposals now matching the original budget for the year. It was reported however that the Education EBITDA which is what the FEC financial health score and bank covenants are based upon, has declined by £0.22m from budget. Despite this reduction, it was reported that the bank covenants are still expected to be compliant, and our financial health assessed as Good.

The Board were advised that a significant number of income and expenditure risks remain for the second half of the year in the current economic climate and as we prepare for Ofsted, and our financial performance will be kept under close scrutiny.

It was reported that an early high-level estimate of income and expenditure changes for 2023/24 shows that the College is facing additional expenditure next year of circa £2.8m, and this could be higher. The Board were advised that as we move into an Ofsted year, making significant pay savings, particularly to management will be high risk and the College will need to try to mitigate the impact of these cost pressures through focusing only on key priorities in 2023/24. Thereafter, we will need to restructure and to reduce pay costs more significantly once the Ofsted risk has passed.

The Board were reminded that following the announcement of the outcome of the ONS review of the classification of the FE sector as public sector on 29 November 2022, an immediate restriction on college bank borrowing was put in place. It was reported that an application to the ESFA to use our Revolving Credit Facility has been declined, the Board are asked to agree to cancel the Barclays the RCF as this cannot now be utilised.

Board Questions and Comments

In response to questions from the Board on the cumulative risks and how the business would respond if they all hit simultaneously, it was reported that significant financial planning was taking place to mitigate against such risks and ensure that we have sufficient flexibility in the finances. Stress testing the business was very challenging with allocations still unknown.

In response to questions it was proposed that best- and worst-case scenarios would be planned, in particular cash flows impacted by capital programmes and also consider the £3m gap in the financial forecast for next year.

In response to questions around capital projects and impact on student recruitment, it was reported that works at Bromley did not appear to have a negative impact on the student recruitment.

The Board **NOTED** the update.

5.2 Financial Policy Update

The Board received two updated policy documents for approval.

LSEC Financial Regulations Update

The Board were advised that the Financial Regulations have been updated to accommodate changes following ONS reclassification and the new statutory requirements for Colleges to comply with the HM Treasury's document Managing Public Money. Changes to the Financial Regulations relate to staff severance payments, disposal of assets and write off of debts.

ACTION: The Board were advised that the Scheme of Delegation and Committee Terms of Reference would be amended to reflect changes and presented for approval in July.

The Board **APPROVED** the changes to the Financial Regulations.

2023/24 Tuition Policy

The Board was reminded that they are required to agree the general principles for College tuition fees on an annual basis.

The Tuition Fees and other Charges Policy was presented for approval and is a detailed operational policy which sets out the charges and support for learners as appropriate to the circumstances in accordance with Government policy, together with details of College instalment schemes and circumstances for refunds.

It was reported that there were only a few minor changes that had been applied to the current year policy. The Board were advised that most of the fees we can charge in respect of Further Education courses are capped by Funding agencies, and no increases can be applied. However, where fees are within our control the Board were advised fees are set according to benchmarks for external providers and course contribution requirements.

It was reported that HE fees for our 'direct' courses cannot be changed for 2023-24, and therefore, it is proposed that such fees are increased by 3% for 2024/25. Partners have already approved their fees, with Canterbury Christ Church University (CCCU) applied some fee changes for 2023/24 fees, and the University of Greenwich fees (UoG) deciding not to be change fees for 2023/24

The Board was advised that commercial course fees will be increased by 3%, or such other appropriate amount to achieve target contribution rates. Apprenticeship levy and non-levy fees are subject to evidence of negotiated price and we will continue to be charged at the highest level where possible.

The Board **APPROVED** the changes to the Tuition Policy for 2023/24 as presented.

5.3 Property & Capital Update

The Board received a report from the Group Director Estates.

The Board were updated on the Future Greenwich Project and advised that the contract had reached 'completion' and the land transfer has been actioned. The College is now a leaseholder in the rear of the site to L&Q, who are now the freeholder. In the College retained land, demolition has commenced and is anticipated to be complete by June 2023, with the new College construction expected to commence in Autumn 2023, targeting a September 2025 opening.

The Board were advised that we are currently out to tender for stage 1 of 2 in the selection and appointment of a constructor. It is anticipated that a fixed price tender offer for the construction of the new College will be in place in late Summer/early Autumn at which time we will obtain greater cost certainty.

The Board were advised that the previous cost reporting remains the most current at circa £37.2m (after value engineering). Significant buoyancy and inflation remains in the construction sector at this time and our tender process is the next stage of providing greater cost certainty.

The Corporation had previously approved use of reserves to fund the project shortfall previously represented, but as reported earlier in the meeting and application to the GLA of £4.1m or an additional grant to support inflationary costs has been confirmed.

The Board were updated on the Orpington Boiler House and advised that London Borough of Bromley are taking an evasive approach to meeting their repairing obligations under the plant room lease and heat agreement at Orpington. We have served a notification of disrepair to instigate a financial settlement negotiation which could be up to £1.5m. Discussions continue in an attempt to avoid a formal dispute.

The Board were updated on the Bromley Campus Land as previously referred to in this meeting a formal offer was made a rejected. The land is currently being valued and a revised offer will be proposed.

The Board **NOTED** the report.

5.4 Risk Register

The Board received an update report on the Risk Register from the Group CFO.

The Board were advised that since the risk register was last considered by the Corporation in December it has been subject to a review by risk owners and the Group Executive as appropriate. This has resulted in a number of changes to the risk owners, scores and content of some risks. In addition, the risk register was considered by the Audit Committee at its meeting earlier in March.

The risk register map presented as an appendix reported on the top 17 risks facing the College of the 42 risks on the College risk register, 1 is Business Critical, 7 are High, 28 are Medium and 6 are considered to be Low.

The main changes to the risks on the register were reported as -

Risk C3 relating to Declining results or trends that may trigger an early or longer Ofsted inspection has increased as a consequence of concerns in STEM. The department is showing an in-year decline in performance due to lack of stability in management and teaching staff and plans together with additional investment have been put in place to address these issues. This risk score has increased by 4 to 28 and is still considered to be a **High Risk**.

Risk C5 covering retention & recruitment of high-quality staff has increased in the current climate where it is proving very difficult to recruit staff across the business. This is a national challenge, and a number of strategies are in place to help retain staff and to attract new employees and the content of the risk has been updated to reflect this. Difficulties in recruiting staff is also having an impact on expenditure budgets with agency costs being far higher than those of employed staff. In this context, the risk is considered to be slightly higher with the risk score increasing by 4 to 18. The risk remains a **Medium Risk**

Risk C7 covering the risk of our failure to improve Maths and English across the College has increased with a continued concern about students' engagement with poor attendance. Extensive catch-up classes and re-engagement strategies have been put in place to improve performance, but we have had limited success to date. This risk score has increased by 7 to 28 and is considered to be **High Risk**.

Risk C9 relating to Failure to grow apprenticeships / changes in government funding has increased. Although we consider our employer engagement to be effective at generating vacancies and opportunities, there is currently a national issue with candidate placement of some previously high-volume programmes such as early years. Therefore, the risk score has increased by 6 to 18, and this remains a **Medium risk**.

Risk C10 relating to Major Capital Projects Impact on the solvency or financial health of the College represents the highest risk on the risk register at the current time. This risk has been updated to reflect some actions which need to be completed, and to reflect the changes following the ONS reclassification. Following reclassification, the College will not be permitted to use its Revolving Credit Facility to funding timing differences for capital expenditure or delays in receiving reimbursement of such expenditure, and this is keeping the risk at a very high level. The risk score remains unchanged at 36, with this representing a **Business-Critical Risk**.

Risk C36 covering a failure to secure sufficient high-quality work experience placements for students has increased slightly to recognise the need for increased tutor level engagement requirement. Plans are in place to improve our monitoring of this, but in the meantime the risk is considered to be higher with the risk score increasing by 3 to 18, which is still considered to be a **Medium Risk**.

Risk C38 covering low attendance levels impacting upon achievement has slightly increased. This is with particular regard to attendance on English and Maths with the department continuing to struggle with engaging learners. Extensive management focus is being placed upon re-engaging 206 learners with zero attendance rates as these are our biggest contributory factor to this risk. As a consequence of this, the risk score has increased by 4 to 28 and is still considered to be a **High Risk**.

Risk C41 which relates to changes to End Point Assessment (EPA) impacting upon achievement is considered to have decreased. With the passage of time following the introduction of Apprenticeship Standards and End Point Assessments, we have gained greater knowledge and experience of this and have built up a good track record to date. Therefore, the risk is now considered to be lower, and the risk score has reduced by 9 to 12, with the risk now considered to be a **Medium Risk**.

Board Questions and Comments

In response to questions from the Board with regard to whether Executive and Board were good at managing these risks and placing enough focus and priority on them, it was reported that the nature of the FE sector was fluid, and it was difficult to say now to some things. Resource capacity was challenged across the sector not just at LSEC. The Board considered that the most important things are those we say no.

In response to questions from the Board on the active risk management in place, it was reported that the Executive felt the approach was right and although uncomfortable it was the nature of our

business. Executives discussed regularly and were supported by the SLT in finding solutions to regularly mitigate some of the risk.

The Board **NOTED** the report.

Section 6 Governance & Accountability

GDirGov

6. Governance

6.1 Governance Matters

The Board received and on a number of Governance Matters from the Group Executive Director Governance.

The Board were asked to **NOTE** the Written Resolutions which were approved by Governors in relation to

- Michael Tippett College dated 31 January 2023
- Pay Awards 2023 dated 8th February 2023

The Board were reminded that as part of good governance practice they are required to complete a board self-evaluation and assessment on the effectiveness of the Board. A questionnaire had been circulated to the Board for completion and return the results of which will be presented at the May Board.

The Board were advised that Ofsted training and development has continued for College Governors as part of Ofsted preparations, with a session organised in February on the new Ofsted Skills Needs Assessment criteria discussed and presented at the last Corporation Meeting in January 2023.

It was reported that Ofsted Leads are to be identified and training and development in relation to mock interviews with an Ofsted Inspector will be organised in the Summer Term 2023.

The Board were advised that Governor link visit programme has been revised to include Governors Questions on how the curriculum/sector area is meeting skills needs and link areas revised to align to Governors' specialist knowledge and experience.

A guidance document has been shared with Governors outlining link managers, approach and focus for the visit and a new visit form to be completed after the visit and submitted to the Group Executive Director Governance.

Governors are asked to arrange visits to their link areas in the Summer term via the Group Executive Director Governance.

It is reported that Governors have recently engaged in the Curriculum Strategy Launch in January, Opening of the University Centre in February and the Chair's visit to STEM area in March. Visits and engagement with staff and students are a valuable and important aspect of governance.

The Board were asked to **NOTE** and **CONSIDER** that it is also an aspect of good governance to have Lead Governors, to lead on specific areas of focus that map to either the AoC Code of Good Governance, statutory requirements and Ofsted.

The Board were advised that lead roles will be determined with the Chair and Governors selected based on skills and experience.

The Board are reminded that in July 2022 the Corporation were provided with details of the new DfE requirements for FE Corporations to participate in an External Board Review every three years as a condition of funding, which for LSEC means an external review must be completed by July 2024.

The Corporation were advised that the review would be planned during 2023 (probably Summer Term 2023) and would be facilitated by the Group Executive Director Governance with oversight from the Group CEO and Chair of the Corporation.

The Board were reminded that the DfE Guidance document provided to the Corporation outlines that the scope and objectives of the review should be framed by the Governance Code the Corporation has adopted. For LSEC this is the AoC Code of Good Governance for English Colleges, and there has been no appetite to more or change to an alternative governance code.

This AoC Code of Good Governance for English Colleges was reviewed in 2020 and is currently going through consultation on further changes, including a reflection on ONS reclassification, with a new code expected in May 2023, for application in September 2023.

The Board were reminded and asked to **NOTE** the outlined scope of the review outlined in the appended documents provided.

The Board were advised that there is an ever-growing list of organisations that offer governance review services who have experience and knowledge of the AoC Code of Good Governance in English Colleges and/or work in the FE, MAT and Charity Sectors.

The Board were advised that the Group Audit & Risk Committee had reviewed and discussed the long list of organisations and individuals offering external review services and the view of the Committee including the internal and external auditors, was that it is a current issue for many colleges, assessing and grappling with a variability of the cost associated with such review and the timing for completion.

Following discussion at the Audit Committee it was agreed that further review and consideration by the CEO, Chair and Group Executive Director Governance, will be completed and a short list of three or four organisations/individuals selected to tender.

With our unique governance structure that has been designed and constructed on charitable principles that align the College and MAT, it is also important to have a reviewer who can look holistically at our organisations and appreciate the unique governance arrangements we have applied through the “co-incidence of interest” concept and practice.

The Board are asked to **NOTE** this update and will be advised once a Reviewer has been selected.

The Board were reminded that the role of Fellows and Honorary Fellows has been created as an additional collective of notable and renowned individuals who are experts in their own fields and from the broad world of education, business, public service, social care, local authority, research and charitable/voluntary organisations.

The creation and concept of this new role is to support the increased emphasis on bringing the outside world of skills, knowledge and life experiences into the College to enrich the student experience and aspiration, and support local and national societal issues facing our communities every day.

Fellows have a sense of community and advocate for the power of education and how it can shape and enhance the lives both socially and economically. They may also be involved in collaborative working within a curriculum or skills areas, supporting the development of qualifications and curriculum and upskilling and development of staff..

The appointment of College Fellows very much links to the expectations detailed in the Skills & Post 16 Education Act which outlines the statutory civic duties of College Corporations to ensure their

provision and curriculum meets the skills needs of employers in the local and wider communities we serve.

Fellows will be expected to engage and attend student and staff awards, attend landmark lectures, engage in curriculum development and where applicable attend employer and sector-based initiatives and events taking place across our campuses. Fellows may also become mentors to staff and students.

The Board were advised on the Fellows conferred in 2023 and will be expected to advocate for the College, promoting our vision and values in the local and economic communities within which they work or engage. They have been selected based on their expertise knowledge and experience in particular skills areas.

Hospitality Sector	Alex Dimsdale of Marriot International Hotels
Green Skills & Energy Sector	Fiona Cummins of Cory Riverside Energy
Construction Demolition	Ian Kirk & Howard Button National Federation for
Sports Sector	Mark Hammond of Bromley Football Club
Leisure Economy	Barrie Kelly of Visit Greenwich
Local Skills & Business Sectors	Helen McIntosh, President of South East London Chamber

The Board was advised that further Fellows will be conferred in the summer term. A full programme and calendar of events for Fellows is being planned for 2023/24 linked to college and national initiatives.

The Board were asked to **NOTE** this update.

The Board were asked to **NOTE** that the new Complaints Policy and Process approved by the Board in July 2022, covering both formal and informal complaints, is now midway through its first year of implementation.

Lead by the Quality Department, monthly reports on complaints are reviewed by Senior Leaders at the College SLT, where consideration is given to emerging themes, successful resolutions, curriculum areas with high volumes of complaints and training and development to be provided to managers and staff to improve the student experience and overall reduce complaints and improve satisfaction.

The Board were advised that Professional Standards training has been provided to staff in certain areas of the curriculum where complaints have been proportionately high. Complaints investigation training has also been organised for managers. It is reported that this will both increase the pool of available managers to carry out investigations and act as a refresher for managers currently undertaking investigations.

The Board were advised that the logging and recording of complaints has been significantly improved in 2022/23 under the new procedures implemented, with complaints acknowledged quickly, routinely within 24 hours.

The Board was asked to **NOTE** that at the time of reporting 91 complaints had been received this academic year with 79 resolved and 12 awaiting resolution.

The Board were advised that a detailed report on complaints will be provided at year end, in October 2023, to report and provide an analysis on complaints by campus, type of complaint, are complaint relates and resolution turnaround time.

The Board are asked to **NOTE** this update.

7. AOB

No other business declared.

8. Next meeting dates

- Deep Dive: Special Curriculum & Standards: Areas of concern: 25 April
- Corporation Board Development: 11 May
- Group Governance, Search & Remuneration Committees: 11 May
- Curriculum & Standards Committee: 15 June
- Group Audit Committee: 22 June
- Group Finance Committee: 26 June
- Corporation Board: 13 July

9. Items Deferred to next meeting

GDPR Policy

Minutes APPROVED :



David Eastgate, Chair
11 May 2023