



ACTIVATE LEARNING FURTHER EDUCATION CORPORATION

MEETING OF THE CORPORATION

Meeting date: **19 October 2020**

Venue: **Microsoft Teams**

PRESENT:

Sue Sturgeon (1/1)	Chair of the Corporation
Sally Dicketts (1/1)	Chief Executive Officer
Tracey James (1/1)	
James Dipple (1/1)	
Dermot Mathias (1/1)	
Pauline Odulinski (1/1)	
Malcolm Wicks (1/1)	
Nina Robinson (1/1)	
Julia von Klonowski (1/1)	
Andy Stone (1/1)	
Emma Shipp (1/1)	
David Goosey (1/1)	
John Cope (1/1)	<i>As indicated in the minutes</i>
Ben Sims (1/1)	

IN ATTENDANCE:

Steve Ball	Chief Finance Officer
Lee Nicholls	Deputy Chief Executive Officer
Cheri Ashby	Group Executive Director, Surrey Lead
Bernard Grenville-Jones	Group Executive Director
Gillian Davidson	Interim Managing Director of Activate Apprenticeships
Paul Newman	Group Executive Director
Ben Jokiel	Director of Delivery, Technology (<i>as indicated in the minutes</i>)
Kerry Roberts	Director of Business School (<i>as indicated in the minutes</i>)
Michael Greaney	Director of Regional Apprenticeship Delivery (<i>as indicated in the minutes</i>)
Richard Baker	Director of Compliance & Data (<i>as indicated in the minutes</i>)
Shaun Swain	Director of Engineering (<i>as indicated in the minutes</i>)
Faith Hanks	Governance Executive Assistant

CLERK:

Jamie Wade	Director of Governance and Clerk to the Corporation
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MINUTES

The meeting started at 16:00.

<u>MINUTE NO.</u>		<u>ACTION</u>
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1.

Chair's Welcome

The Chair welcomed members and attendees to the meeting.

MINUTE
NO.

ACTION

2. Apologies for Absence

The Clerk informed the Board that JC would be joining the meeting late; no other apologies were received.

3. Declarations of Interests, Gifts and Hospitality

JC declared (under agenda item 9) that he had been appointed to the Board of the Institute for Apprenticeships and Technical Education. No other member declared interests, gifts or hospitality.

4. Minutes of the Meeting of 20 July 2020

The minutes of the meeting of 20 July 2020, having previously been circulated to the Board, were reviewed by the Corporation. The minutes were approved as an accurate record of the meeting.

5. Matters Arising from the Minutes of 20 July 2020

The Clerk provided an update on the matters arising from the meeting of 20 July 2020, and noted that outstanding actions were covered under the agenda.

6. Deep Dive Apprenticeships

The Interim Managing Director of Activate Apprenticeships (IMDAA) introduced the Apprenticeships Deep Dive and outlined the purpose of the presentation. The IMDAA advised that her remit was to provide sharp operational focus on improvement, and assured governors that she was confident that the Division was improving, although visible impact would take some time.

The IMDAA highlighted some key progress in quarter one, but noted that there was still more work to do. The CEO, deputy CEO and NR had attended the divisional Self-Assessment Validation meeting in October, and had advised that the Apprenticeships director team review and simplify their improvement plan; subsequently the team had developed a more focused and achievable improvement plan. The CEO had also challenged the team to think about how they would achieve buy in from frontline teams. NR advised the Board that she had been impressed with the self-assessment process for the Apprenticeships Division.

The Apprenticeships Directors introduced the Improvement Plan and advised that they had been enabled to take a fresh look and critical view of the performance of the division. The Directors outlined 3 key pillars of improvement underpinned by the Activate Learning attributes:

- **Quality** - identifying and mitigating risk
- **Compliance** - establishing smart assessor as a single source of information
- **Accountability** - empowering staff to take responsibility for themselves and their students

The Directors advised that a clear plan for rolling out the Improvement Plan was in place, beginning with work with managers to turn the Improvement Plan into individual operational plans, which would be supported by working groups tasked with implementing key milestones. It was intended that the frontline staff would be empowered to drive improvement, supported by clear and consistent KPIs. The Directors acknowledged that historically good intentions for improvement had not resulted in sufficient impact, and assured governors that this year's improvement plan would show greater success due to a sharp focus on the plan, a more cohesive team than in the past, and an increased level of confidence, clarity and accountability.

The Board considered the presentation and challenged the Directors to consider how they would achieve buy-in and a sense of accountability among staff. The

Board considered whether KPIs should be subject to staff consultation to support buy-in; the IMDAA advised that the KPIs and objectives were based on critical improvements necessary for success and therefore could not be negotiated, however it was expected that plans to ensure buy-in (such as voluntary involvement in working groups) would be successful. The Directors were challenged to consider the link between ownership and accountability, and to apply the Learning Philosophy to the approach to developing and disseminating KPIs.

The Board noted improved links between the Apprenticeships Division and the wider Activate Learning Group, and sought assurance as to how this would be continued; the Board were advised that designated posts responsible for apprenticeships within Faculties we're helping to drive a cultural shift ensuring that apprenticeships were considered within Faculty activity. The Board were assured that the team would continue to monitor engagement. The Board were reminded of the history of the Apprenticeships Division and were assured that work would continue to improve integration and ensure that all types of learners were considered equal by Faculty teams. The Board noted that there was an opportunity to review the split between sales and marketing activity between the Group and the Division.

The Board challenged the Directors about how they were responding to market changes due to the COVID-19 pandemic and identifying which programmes provided skills that would be needed by business in the future. The Directors advised that they maintained dialogue with employer partners, however many employers did not yet know the skills they would need in future; therefore, market research was underway to inform strategic decision making. The Board queried whether opportunities had arisen from the COVID-19 pandemic, and were advised that in some cases employer reticence had allowed necessary decisions around programme closures. The closure or limitation of programmes with poor quality was a necessary part of the improvement strategy.

NR requested further information about: how the team would ensure staff ownership and accountability for improvements; the impact of the COVID-19 pandemic on plans; and how leaders within the Division were to be empowered in their leadership.

The IMDAA agreed that work would continue to focus on developing the plan for ensuring staff buy-in for the Improvement Plan and the CEO advised that some KPIs were dictated by external stakeholder requirements; it was noted that negotiation and consultation was not always possible, but buy-in could be achieved through clear explanation and a consultative leadership style.

The Board were advised that the ongoing risk of arising from the COVID-19 pandemic was being mitigated, as far as possible, through working closely with employers and supporting learners to diversify their skills. Furthermore, the Board were reminded that the majority of 16-18 funding was secure and therefore Activate Learning had weathered the impact of the pandemic far better than many; additional government programmes for adult learners were also anticipated.

Action: Provide NR with further information pertinent to her queries

The Apprenticeships Link Governor (DG) advised that in his Link role, he was assured that there was a strong focus on 'how' to improve; the Link Governor challenged the Executive to ensure that they were clear on the problem to be solved and what success would look like.

The Board thanked the Apprenticeship Director Team for their input.

KR, SS, MG, RB & BJ left the meeting at 16:50.

MINUTE
NO.

ACTION

7. Culture: Feedback & Senior Team Update

The Board received the Staff Engagement report, and the CEO provided updated figures which had been mistyped in the report. The Board considered how findings had been benchmarked and were advised that information gathered by the consultancy was used as a benchmark. The CEO advised the Board of work under way to embed a culture of positive feedback, which had begun with staff consultation and modelling at CEO and group executive level.

Action: Circulate an updated copy of the Staff Engagement Report to the Board

CEO

The Board considered survey response rates and were advised that, whilst response rates were considered unusually strong, it was hoped that decisive action and communication of the outcomes would improve future response rates. The Board highlighted the impact of the COVID-19 pandemic and were assured that this would be considered within local action plans. The Board suggested that the Executive Team may wish to investigate gender differences within the feedback work and that work on feedback should be connected in with discussions at the Equality, Diversity and Inclusion (EDI) Committee about supporting courageous conversations.

8. Strategy

The Board received the Strategic Plan 90-day Targets and the DCEO provided an overview, noting that the 2019/20 performance against the strategic KPIs were as expected.

JC joined the meeting at 17:15.

The Board were asked to consider whether the KPIs measured the correct outcomes, in anticipation of setting KPIs under the new Strategic Plan later in the year.

Action: Consider whether the KPIs measured the correct outcomes, in anticipation of setting KPIs under the new Strategic Plan later in the year

ALL

9. CEO Report

The Board received the CEO Report and the CEO provided a summary of key points. The CEO advised that two key issues affecting student recruitment, enrolment and timetabling were being reviewed, and the findings of these reviews would be presented to the Audit and Risk Committee. The CEO highlighted the COVID-19 Update, and reminded the Board that the majority of income was stable in-year, based on student numbers; the income impact changes to student numbers would affect the 2021/22 year.

The Board considered the update on income from The Oxford Partnership (TOP), and sought and received clarification on the monies received, as expected, from the Saudi Government; these funds would be retained in the TOP Saudi bank account, in case it were required if the contract were renewed in January 2021. The Saudi colleges were currently not operating due to the COVID-19 pandemic. The Board sought and received clarification on the accounting treatment of the income.

The Board considered the enrolment numbers in light of sector trends, and were advised that nationwide college recruitment numbers were hugely varied based on demographics and approaches to COVID-19 measures. The impact on apprenticeship numbers was considered in particular; there were some ups and downs in different programmes, but it was difficult to anticipate future trends given the wider uncertainty around the pandemic.

10. Finance

The Board received the Finance Update and considered the recommendation to proceed with renegotiating the sale price for the Farnham Tennis Courts. Having

considered the background and probable market value, the Board approved the recommendation. **All members were agreed.**

NR voiced a concern about the reporting of the impact of the COVID-19 pandemic on financial performance and expressed that she would like to receive further information after the meeting.

11. Link Governor Update

The Link Governor provided an update on Student Experience and Careers, highlighting the large number of students with declared additional learning support needs and work underway to better utilise destinations information to inform career pathway advice. The Link Governor advised that the team were dedicated, committed to continuous improvement and very engaged in current challenges, however there was less evidence of strategic planning; it was hoped that the new Group Executive Director, Student Experience role would address this issue.

The Board briefly considered the need to maintain high quality in High Needs provision, and the Link Governor advised that she had been impressed by the Lifeskills Self-Assessment Validation meeting, which she had attended as governor representative. The Board were assured that the Lifeskills faculty were implementing plans, in connection with the Local Authorities, to rebuild skills lost due to disruption from the COVID-19 pandemic; a small number of High Needs learners who were not currently engaged (primarily due to health concerns) were being handled individually, with a view to implement online or paper solutions, or facilitate a later start.

The Inclusion Link Governor advised that she had been impressed by the quality of considerations at the EDI Committee meeting, and that the Committee had advised that they would be keen to see greater visibility of governors, perhaps through case studies or profiles.

NR expressed concerns that her request to be involved in inclusion work at the June meeting had not been progressed. The CEO clarified that it was the Link Governor's role to attend the EDI Committee, and her request in June had been related to the Black Lives Matter staff group; the CEO advised that she remained mindful of NR's request, but needed to wait until the group were ready to invite external stakeholders into their meetings.

NR raised further concerns about prioritisation of the inclusivity agenda and conversations she had had with a previous governor on the matter. It was agreed that NR's concerns would be further understood and addressed outside of the meeting.

Action: Explore and consider NR's concerns about inclusivity

Chair

12. Search and Governance Committee

The Board received the minutes of the meeting of the Search and Governance Committee on 2020 and the Chair of the Committee advised that the election of the Vice Chair would be covered later in the meeting. The Clerk advised the Corporation of the Committee's recommendation to revise clause 3.11 of the Standing Orders as follows:

- 3.11 The Chairman and Vice-Chairman shall hold office from the date of their appointment for a term of office which will normally be for three years, with normally a maximum of two terms.

The Board approved the recommended revision to the Standing Orders. **All members were agreed.**

MINUTE
NO.

ACTION

13.

Use of the Corporation Seal

The Board received the Use of the Corporation Seal report and approved the following applications of the corporation seal:

- Lease – 03 September 2020
- Covenants – 25 September 2020
- Contract Engrossment – 25 September 2020
- Data Sharing Agreement (Deed) – 06 October 2020

All members were agreed.

14.

Policies

The Board received and approved the following policies:

- Subcontractor Delivery Policy
- Family Friendly Policy
- Recruitment Policy
- Financial Support Policy

All members were agreed.

15.

Risk & Compliance

The Board noted the Safeguarding report.

16.

Any Other Business

The Board noted the importance of cyber security and sought assurance over the policy and testing of cyber security systems. The Board were advised that cyber security was covered under the IT Acceptable Use Policy and the Information Security and Data Protection Policy, and that regular penetration testing was undertaken. The Board were reminded that a report on cyber security had been reviewed by the Audit and Risk Committee.

Action: Arrange for JVK to meet with the Group Director of IT Services to discuss cyber security

Clerk

The Board queried the leadership of governmental policy updates and the consideration of such matters under the Corporation agenda. The Board were advised that the Group Executive Director, Business Development was now responsible for governmental policy updates and that work was underway to address the balance between strategic and statutory assurance activity at board level.

SB, LN, CA, BGJ, PN, JD and DG left the meeting at 18:00.

17.

Dates of Upcoming Meetings

07 December 2020	10 – 11 May 2021
01 February 2021	07 June 2021
19 April 2021	19 July 2021

The meeting closed at 18:30

Chair *S L Sturgeon* Date 08/01/21

Summary of Actions

Action	Responsible
Provide NR with further information pertinent to her queries	IMDAA
Circulate an updated copy of the Staff Engagement Report to the Board	CEO
Consider whether the KPIs measured the correct outcomes, in anticipation of setting KPIs under the new Strategic Plan later in the year	ALL
Explore and consider NR's concerns about inclusivity	Chair
Arrange for JVK to meet with the Group Director of IT Services to discuss cyber security	Clerk