



**CONFIRMED MINUTES OF THE
BOARD OF GOVERNORS MEETING
HELD ON WEDNESDAY 12TH DECEMBER 2018**

Present: Brian Bailey, Anna Barnish, Macen Byatt (Student Governor), Sue Higginson (Principal), Sandra Johnson, Tim Kelly, Richard Mawdsley, Joe McArdle, Paul Smyth (Chair), Jayne Winders, Vix Wrigley

In attendance: Michael Norton, Deputy Principal
Steve Cain, Director of Financial Services
Joe Finneran, Director of Estates
Alex Lang, Assistant Principal – Quality Assurance
Sarah Norris, Student Engagement Manager
Andy King, Finance Manager
Will Jerram, Assistant Principal - MIS
Lesley Venables, Clerk to the Governors

APOLOGIES

78. Apologies for absence were received from Gary Doyle, Joanne Finnerty, Phil McKeown, Somnath Saha, Lorraine Jones and Maura Cummins (Vice-Principal, Curriculum & Quality).

DECLARATIONS OF INTEREST

79. Joe McArdle declared an interest in any matters pertaining to the University of Chester.

APPOINTMENT OF STUDENT GOVERNOR

80. **Resolved -** That Macen Byatt be appointed as a student governor until 31st July 2019.

PRINCIPAL'S STRATEGIC UPDATE

81. Governors received for information a detailed report on strategic developments since the November meeting.

82. The Government had recently announced that the non-Levy apprenticeship funding for non-levy provision would not open for those who do not have a contract and existing contracts will continue until March 2020.

83. As a sub-contractor to JM, the College may be able to continue this arrangement for a further year and the Principal was currently exploring potential options, such as tapping into any unused Levy funding within the local area. There would be a significant financial impact

if the College was unsuccessful in obtaining an extension to the non-Levy contract, as this would mean that delivery for SMEs who do not pay levy would not be funded.

84. It was noted that JM had recently been inspected and a copy of the report would be available early in the New Year.

85. The recent performance review process had highlighted that each curriculum manager was aware of their department's strengths and weaknesses, with robust actions being implemented to mitigate these.

86. Governors were advised that a new Director of People and Organisational Development had recently been appointed from a strong field of applicants. The initial focus for the postholder would be performance management and maximising workforce capacity.

87. Activities to shape the College's future curriculum had taken place since the November Board meeting, with the involvement of key partners such as Peel Holdings and Wirral Borough Council.

SHARING RECENT SUCCESSES

88. The Board received the routine Sharing Recent Success report and noted the range of scale of student and staff engagement.

SELF-ASSESSMENT REPORT (SAR) 2017/2018 AND QUALITY IMPROVEMENT PLAN (QIP) FOR 2018/2019

89. The Assistant Principal - Quality Assurance presented the SAR for 2017/2018 and the QIP for 2018/2019. Both documents had been subject to a rigorous process by a validation panel which included the Vice-Chair of the Board. Each department had undergone a performance review based on the content of its SAR and had formulated an action plan to achieve the next grade on the scale.

90. The gradings used in the SAR were based on the definitions in Ofsted's current Common Inspection Framework (CIF). All areas had been graded as 'Good', with the exception of High Needs provision which had been judged as 'Outstanding' and Apprenticeships as 'Requires Improvement.' It was noted that, in the next update to the CIF, Personal Development and Behaviour & Welfare would form a separate overall grade.

91. Governors were advised that the SAR would be uploaded to the Ofsted portal and would form the basis of any assessment for future inspections. As the SAR related to 2017/2018, the work undertaken in the Balanced Scorecard and the QIP highlighted the areas for development.

92. There were some Access to HE courses that had been identified for improvement and issues had been addressed by leadership. The particular pathway in question had been adapted to have a more generic, science-based option and any specialisms had been closely linked to the College's HE & NHS partners. The full Higher Education Strategy would be presented for discussion at the next Quality & Standards Scrutiny Committee meeting.

93. The Board questioned why there were no actions attached to the under-performance of Study Programmes for sub-contracting provision. The Principal responded that the small amount of sub-contracted provision was included in the SAR data analysis as a specific line and the performance issue in this case, which related to English and maths, had been highlighted within the sub-contractor contract reviews and QIP.

94. Governors were advised that the 3/4 year cycle previously in place for Ofsted inspections had now been changed to 5 years. However, Ofsted would still continue to carry out an annual risk assessment, which could instigate an earlier inspection if results declined. There had been a number of cases in the media with regards to colleges that had once been graded as 'outstanding' and had not been inspected for some time, only to be graded as 'inadequate' or 'requires improvement' when Ofsted had revisited. It was extremely important that the quality of the data included in the SAR accurately reflected the College's position.

95. The College's contribution to the educational performance of the Borough was noted, with the attainment gap reducing from 15.3% to 4.3%. This was particularly significant and reinforced the mission statement of being an inclusive college, providing opportunities for young people in the Borough. The Board complimented the SLT on this significant impact that supported our vision.

96. **Resolved** That the SAR for 2017/2018 and the QIP for 2018/2019 be approved.

BALANCED SCORECARD

97. The Deputy Principal presented the Balanced Scorecard highlighting that there were two key issues assessed as 'red'; Apprenticeship and Higher Education Income. There was a significant amount of uncertainty in the external environment at the moment, with the impact of apprenticeship reforms, possible impact of Brexit and particularly on HE, the lowering of entry requirements by universities and potential of reduction to HE university fee levels. There was a detailed HE Strategy scheduled to be reviewed at the next QSS Committee.

98. Commercial income had performed better than the identified target (£175K favourable variance) due to additional loans being taken up by students on high cost courses such as Counselling and CIPD. Professional programmes were predicted as an area of future growth.

99. Governors questioned why the KPI for timely achievement of apprenticeships was graded as 'green' despite the target not being met for the first quarter. The Deputy Principal responded that this formed part of the current review of the Employer Services Department and that the College was still estimated to fulfil the target by the end of the academic year. Management was asked to include in the commentary to future reports an assessment of the worst and best case outcomes for these areas to enable the Board to monitor performance.

100. Work experience on the Balanced Scorecard related to the 100% requirement for 16-18 Study Programmes. It was agreed that this should be split into internal and external work experience because some Entry / Level 1 students were not ready to undertake external experience. The department responsible for this was also currently under review by the

curriculum APs to improve timeliness of reporting. Work experience would be reclassified as 'amber'.

EQUALITY AND DIVERSITY

101. Governors received a revised Equality & Diversity Policy, which had also been reviewed by the College's internal E&D Committee.

102. A detailed report on E&D outcomes for 2017/2018 was presented, together with an action plan for areas for improvement in 2018/2019. Whilst there was still a gap in achievement between students from areas of deprivation and those who were not, the data showed a significant closure of this gap.

103. The gap in achievement rates for learners with disabilities or learning difficulties, (LDD) was also analysed in the report. The Principal advised that not all students with LDD requested (or required) support. Of those that did, outcomes were higher and this had been used to highlight the benefits of ALS (Additional Learning Support) to students.

104. There had been a total of 235 safeguarding concerns compared to the 117 at the same point in 2017/18. The majority of concerns related to the increase of mental health issues, however; students were also more aware of the support available through the College's safeguarding procedures and fully utilised these services.

105. In response to the significant increase in mental health issues, the College continued to work with local agencies to provide appropriate support to these students. Staff in the ALS team had also received bespoke training to help them adapt to this increase in demand. Governors questioned whether management felt that further growth in the number of mental health issues should be anticipated and included in the College's planning processes. The Principal advised that most further education colleges had experienced a similar increase over the past few years. However, there was, as yet, insufficient understanding of the underlying reasons for the prevalence of this issue.

106. The College's ESOL provision continued to be of a high quality and the College continued to work proactively with employers to progress more ESOL students into traineeships and apprenticeships.

107. In terms of the E&D Plan for 2018/2019, it was noted that some of the milestones had already been passed by the time the report was presented to governors. Management agreed to review the timing of future E&D Committee meetings so that up-to-date information was provided to the full Board.

108. **Resolved** That the Equality & Diversity Policy for 2018/2019 be approved

STUDENT VOICE FEEDBACK

109. The Student Engagement Manager presented a report detailing Student Voice activities in 2018/2019, which included well-being awareness raising sessions, road safety and financial advice. The majority of events had been received positively by students and it was anticipated

that a high percentage would have participated in one or more termly activities throughout the academic year.

110. The impact of this greater level of engagement had been seen during Learning Walks by staff. Students also received support in interview techniques and CV building. Some had been appointed as student ambassadors, which involved promoting the College and leading on key events during the year. Work was underway with Wirral Borough Council to involve learners in the Year of Culture and in eco-friendly projects. Further environmental activities would be launched from January 2019, including links to the CHP project discussed under an earlier agenda item. The College was also participating in an anti-knife crime initiative operated by the local police.

111. Governors thanked the Student Engagement Manager for her work in this area and congratulated the Student Executive for their support in bringing such events to fruition.

Sarah Norris left the meeting.

MANAGEMENT ACCOUNTS

112. The Assistant Principal Financial Services presented the Management Accounts to November 2018. Governors were advised that the operating surplus was currently £134K, which was higher than anticipated. An amount of contingency funding had been included in the accounts to cover any under-performance in achievement of the income targets. There was a low risk to the College's financial health rating and fulfilment of the covenants on any bank loans. However, management was confident that the savings they had made to offset the reduction in income would be sufficient.

113. Management would be reviewing the levels of pay associated with the National Living Wage which would be met by the College from 1st April 2019.

114. Governors agreed with the College's approach that an amount of contingency funding was necessary to ensure that the College remained prudent in its assessments and to address any unforeseen items of expenditure.

115. The CHP project provided an opportunity for employers to be invited into the College to view its facilities and to forge new relationships. Any regeneration initiatives over the next 10 years would be on a large-scale by a small number of partner organisations. It was agreed that the Metro Mayor should be invited to view the CHP project and to discuss partnership opportunities.

HEALTH & SAFETY UPDATE 2018/2019

116. The Director of Estates presented the Health & Safety update for the first term of the 2018/2019 academic year. There had been a total of 15 accidents to date, compared to 17 at the same point in 2017/2018.

117. Of these, 13 had been classified as 'minor' with 2 further incidents reported to the Health & Safety Executive under RIDDOR (Reporting of Injuries, Diseases and Dangerous

Occurrences Regulations). Both of the latter category had been fully investigated and no ongoing concerns had been highlighted on the College's risk register. There had also been 8 near misses and 24 other miscellaneous incidents.

118. All accidents were recorded using an electronic tracking system, which meant that it was easier to analyse the ensuing data. Following a recent review by the Internal Auditor, 2 recommendations for further improvement had been made and had been implemented.

HEALTH & SAFETY POLICY

119. Governors received a revised Health & Safety Policy for 2018/2019, which formed part of the Health & Safety Strategy for the next 2 to 3 years.

120. **Resolved** That the updated Health & Safety Policy be approved.

Joe Finneran left the meeting.

BOARD MINUTES – 1ST NOVEMBER 2018

121. The Chair presented the draft minutes of the Board meeting held on 1st November 2018, together with a progress report on the actions identified at that meeting. Governors were advised that, under minute 50, the Clerk had reviewed the procedures on the appointment of the Chair and Vice-Chair of the Board. It was proposed that both roles would have a 2 year term of office, with annual extensions possible after that initial period.

122. **Resolved**
- 1 That the minutes (Parts 1 and 2) of the Board meeting held on 1st November 2018 be approved as a correct record and signed by the Chair
 - 2 That the Standing Orders be amended to reflect a 2 year initial term of office for the Chair and Vice-Chair of the Board, with annual re-appointments thereafter (subject to these being approved by the Board)

AUDIT COMMITTEE – 21ST NOVEMBER 2018

123. The Chair of the Audit Committee presented the minutes of the meeting held on 21st November 2018.

124. The Committee had received the External Auditor's Annual Report for the year ending 31st July 2018. The Financial Statements for the year ended 2017/2018 had been recommended for approval by the Board, together with the Letters of Representation for both the Financial Statements and Regularity Audits. Governors noted that unqualified opinions had been issued by the External Auditor for both the Financial Statements and the Regularity Audits.

125. The Audit Committee's Annual Report for 2017/2018 was also presented for information.

126. Members of the Committee had also recommended approval of revised terms of reference, which had been updated by the Clerk and now aligned to the requirements of the Post-16 Audit Code of Practice. The Committee had also formally considered its own performance in 2017/2018, as set out in the Association of College's Code of Good Governance.

127. The Deputy Principal was asked about the under-performance against the performance indicator for paying the College's suppliers within a set period. The Board was advised that this was due to the need for careful cash management at certain points in the year (mainly because of the misalignment of the ESFA's payment profile compared to the College year) and to ensure that the bank covenants were maintained at the requisite level.

128. Governors were informed that there had been 2 Internal Audit reviews in the Autumn Term on Sub-Contracting Controls and Health & Safety. As a result, an additional risk had been added to the College's risk register on sub-contracting out provision to third parties. A further piece of work had been agreed to review the processes for on-the-job training to ensure that these met those in place for classroom based activity.

129. **Resolved**
- 1 That the revised Terms of Reference for the Audit Committee be approved
 - 2 That the Financial Statements and Letters of Representation for 2017/2018 be approved
 - 3 That the items in (2) above be signed by the Chair and the Principal and be forwarded to the ESFA, together with the Audit Committee's Annual Report for 2017/2018

RETIREMENT OF ASSISTANT PRINCIPAL – FINANCE

130. On behalf of the Board, the Chair expressed his thanks to Steve Cain for his contribution to the College over the past 25 years and wished him well for his impending retirement.

DATE OF NEXT MEETING – Wednesday 27th February 2019