

CORPORATION BOARD

Minutes of a meeting held on Tuesday 6 December 2022 at 5pm

Present

Gavin Maitland-Smith (Chair)
Jacqui Canton (Principal)
Alan Bark
Edward Collett
Howard Dodd
Victoria Field
Nick Handy
Adam Mumford
Nicolas Pages
David Walker
Robert Weavers

In attendance

Olivier Cognard, Vice Principal
Simon Kibble, Vice Principal
Mark Lay, Finance Director
Jo Milsom, Deputy Principal
Jack Price, Vice Principal
Nikkie Almond, Head of Student Engagement (item 4.2)
Abi Kerr, PA to the Principal (minutes)

Governor questions are represented with bullet points, and management responses are italicized.

1. Opening comments, apologies for absence, approval of new Governor and new declarations of interest

Apologies had been received from Sam Wolfe and Kathryn Schutterlin. The Clerk was unable to attend at short notice and therefore notes were taken by Abi Kerr. There were no new declarations of interest. Signing of a Barclays letter was raised as an item to be discussed under Any Other Business.

The Board agreed they would not be able to consider approving the appointment of a new governor at this meeting as they needed to further consider a potential conflict of interest. It was agreed that the appointment would be reviewed by Nominations, Remuneration and Governance committee, with advice from the Principal relating to where potential conflicts of interest may arise.

- Had the conflict of interest been raised by the candidate? *Yes, but this information was unfortunately not made available to the interview panel.*
- What skillset would the new candidate bring to the Board? *Governance and compliance, along with experience and interest from previous studies at the College as an adult learner.*

Action	By Whom	Deadline
Discuss whether the candidate should become a new governor and make a recommendation to Board	NRG Committee	16/12/2022
Consider where likely conflicts of interest could arise in future Committee and Board agendas	Principal	12/12/2022

2. Minutes of the meeting held on 11 October 2022

The minutes were approved for signature.

3. Matters Arising, Written Resolutions & Action Points

Most matters arising had been completed with some due to be completed by the next meeting. It was noted that the completed action referring to uploading Board and Committee minutes to the College's website remained in progress as the minutes uploaded had not been signed. A written resolution had been approved since the last Board meeting.

The report was noted.

Action	By Whom	Deadline
Upload signed copies of the relevant Board and Committee minutes to the College website	Clerk	28/03/23

4. Safeguarding

4.1 Safeguarding training for Governors

Joanne Milsom, Deputy Principal, delivered a safeguarding update training session.

- Does the content covered today include Prevent? *Yes, whenever safeguarding is referred to Prevent is also assumed to be included.*
- Does safeguarding only cover 16-18 year olds? *The guidance protects any individual under the age of 18 and the College generally refers to these individuals as "young people". We do still have a responsibility to vulnerable adults, and also to protect under 18s who might not be our students, for example, younger siblings of an adult student, or the children of a member of staff.*
- What happens to our vulnerable students if they have to leave the College? *If the support we have provided is effective, they remain in education. The College's aim is to support those students most at risk of, for example, following a criminal pathway and do everything possible to ensure they remain in education. Occasionally we have to make difficult decisions about whether the College is able to keep these students safe. Specialist private training providers would typically support those students who had to leave us, or some unfortunately leave education.*
- Have the College had any safeguarding matters between adult and 16-18 students? *Not in the time since the Deputy Principal had worked at the College. This risk is something the College is conscious of and monitors closely.*
- What does the Safeguarding team do with regard to communicating with parents? *At this time, the College could do more to better communicate with parents/guardians. Safeguarding, wellbeing and mental health webinars had been carried out in recent times and generated a fair amount of engagement. A reliance was placed on schools to have shared the safeguarding message with parents throughout the secondary school period. We would like to do more to support parents further.*
- How effectively does the College provide safeguarding and Prevent support to adults, given that this was raised as an area for improvement at the last Ofsted inspection? *The College works hard to ensure that all students, including adults receive appropriate messaging relating to safeguarding and prevent, but we have to acknowledge that the approach to this needs to be different for adults on a very short leisure programme, for example. It remains a challenge.*
- Is there a safeguarding hotline and how much is it used? *Yes, there is a telephone number which if called goes straight through to the Safeguarding team. It isn't often used internally as staff are more likely to talk face to face to student services, but external shareholders use it on occasion.*
- Were anonymous referrals received? *Not generally, but if they are then the College follows up every referral received to gain as much information as possible.*

Action	By Whom	Deadline
Share the safeguarding training slides with governors for reference and include in governor induction packs moving forward	Clerk	07/12/2022

4.2 Safeguarding: College update

A presentation on the topic of Safeguarding was delivered by the College's Head of Student Engagement, Nikkie Almond. The presentation gave an overview of national and local statistics relating to safeguarding incidents and referrals to MASH (Multi-Agency Safeguarding Hub) with reference to College cases.

- Was the increase in referrals due to the increase in demographic growth? *Not necessarily, although it is difficult to say. The increase was most likely due to higher awareness of safeguarding issues and the rise in domestic violence reporting.*
- Did lockdown impact the number of referrals? *Yes, most certainly. The pandemic affected the financial income and mental health of many families and this is translating into the challenges that we are now witnessing.*
- Is background information given to the College from external agencies when they refer incidents to us? Do the external agencies provide feedback to us after we make referrals? *Typically, very little information is provided initially, and we usually wouldn't hear about detailed outcomes where these cases were led by external agencies.*
- Might a student have more than one case open at one time? *Whilst there were instances of a student having more than one case open at one time, the College tries to close cases where possible in order to focus on the most pressing issue.*
- Did the data cover purely 16-18 year olds? *No, the College had adult cases in addition to 16-18.*
- Is radicalisation seen within the College? *Yes, but in very small numbers. The College had referred 3 students to Prevent. Far right radicalisation was the biggest threat in this region. The College's IT department had monitoring software to assist with the College's attempt to identify potential radicalisation.*
- Is suicide a big issue with students at the College? *The College has seen an increased number of students with mental health concerns, including self-harm, but no suicide.*
- What was the duration of a safeguarding referral case? *It depends on the nature of the case and the interventions required, but the average case is 30 days.*
- Has the size of the team increased considering the increase in safeguarding cases? *Resources had been diverted from a previous counselling post which used to support approximately 30 students each year, to a generalist safeguarding post who could support more students. The overall number of staff had not increased though.*
- What is the proportion of cases referred to the College compared with what we refer? *We can find this out for you and confirm in due course.*

The size of the Safeguarding team and their hard work delivering specialist support to students was noted by the Board who thanked Nikkie for her time and efforts delivering the presentation and in her role.

Action	By Whom	Deadline
Research the proportion of cases referred to the College compared with the number of referrals the College made	Head of Student Engagement	28/03/2023

4.3 Safeguarding & Prevent annual report

The Board noted the report.

5. Strategic Overview

5.1 Principal's report

The Principal summarised her report and highlighted the key points to note.

- Could a Health and Safety measure be included in the new balanced scorecard? *Yes, we can include this.*
- How were other colleges doing in their recruitment? *A lot of colleges were reporting lower enrolment figures due to students choosing to stay in schools following the impact of the pandemic.*

- Do we have to incur extra costs due to the increase in students? *Some, to a degree, although class sizes were generally larger which counteracted the need for additional expenditure. Additional resource may be required in certain areas such as safeguarding.*
- Where would students have studied if not at the College? *Other colleges/providers within the area, or they might not have engaged as all, and become classified as NEET (Not Engaged in Education or Training).*
- What was the final HE enrolment figure? *HE enrolments were 17 short of target; a total of 128. HE numbers were continuing to decline and needed considering strategically.*

The Board noted the report and congratulated the cross College effort to optimise enrolment figures for this year.

Action	By Whom	Deadline
Include a Health and Safety parameter within the Balanced Scorecard Power BI report in order to track RIDDORS, etc.	VP FPSI	28/03/2023

5.2 Living our Values: inclusion

The Principal shared the highlights of a presentation on the theme of inclusion which had recently been shared with all staff.

- Will it be possible to track the achievement rates of the late joining students? *Yes, we were investigating how to track the progress of these specific students in order to understand the impact of inclusion on the College's achievement rates.*
- How did the College ensure all students were appropriately supported? *There had been cases this year where College staff had required additional training in order to adequately support students with specific needs. We do everything we can to ensure all students are well supported but it isn't always straight forward.*

The Board acknowledged that inclusion was a significant part of the College's strategy and were pleased to hear that the College was striving to do even more in relation to this.

The Board noted the report.

5.3 Strategic discussion – ONS reclassification

The ONS has recently announced that Further Education Colleges would be re-classified as public sector. Updates had been provided from the ONS, the Department for Education and the Association of Colleges, amongst other organisations, but the implications of the announcement were not yet entirely clear. There were no immediate causes of concern for the College. It had been determined that the government would be likely to loan funds to colleges moving forward as opposed to bank loans being required. Government funding was expected to be "smoothed" more evenly over the year which would support with the management of cashflow moving forward. It was not yet clear how the reclassification would affect LGPS pension rates.

- The Board discussed where the reclassification may place the College governors in relation to the Insolvency Act.

It was agreed that a further update would be provided to the Board when additional information was available.

6. Curriculum, Quality and Students

6.1 CQS Committee update

A verbal update was provided by the Chair of the CQS Committee. This included a summary of the College's Quality Health Check process, and the new process for supporting students to swap courses if they didn't feel they were enrolled to the right programme for them. An Ofsted update was provided, highlighting that the changes to the inspection framework now required meetings with external stakeholders to be arranged upon confirmation of an inspection date. There would also be an expectation of meetings with governors. 25 formal complaints had been received across the College with student experience being the main theme. The College had been awarded the Stonewall Schools & Colleges Champions Gold award for everyday practice, awareness raising and supporting students within the LGBTQI+ college community.

- Is it vital for governors to understand the curriculum when it comes to discussing skills with Ofsted? *We are confident that following the work we undertook to develop the new strategic plan, governors understand well the links between the curriculum we offer and how it relates to the skills needs of the local economy. The NRG Committee have also recently discussed the statement that we need to publish about how we meet local needs.*

The Board noted the update.

6.2 HE SAR & Quality Improvement Plan

The Vice Principal summarised the Higher Education Self-Assessment Report and associated Quality Improvement Plan.

- What are the courses we teach in HE? *The College offers 8 x degree programmes in Life Sciences, Equine and Animal, Business Management and Early Childhood Studies.*
- Where do you see HE's direction of travel? *Our current experience doesn't seem to be very different to the rest of the sector. The Open University haven't seen significant increased interest in level 4 and 5 qualifications because of the increase in the popularity of Apprenticeships.*
- Does the size of the College's HE provision limit our ability to deliver? *Yes, it was difficult with the current size to gain economies of scale, or employ staff to teach solely on HE courses.*
- Was the College's standard of HE delivery below that of 16-18? *Teaching standards are very high and feedback from students is very positive.*
- What would be the ideal number of HE learners? *A level of approximately 300 learners would be healthy and used to be achieved. Over recent years, in line with the sector, HE numbers have declined from that figure.*
- Is there scope to consider different partnership working models in Higher Education? *It was complicated from a licensing perspective to join forces with another organisation as the Office for Students required students to belong to a specific organisation, but we will consider all options to ensure we can continue to offer HE courses.*

The Board noted and approved the report.

6.3 Annual Equality Objectives Report

The Deputy Principal presented the report and highlighted proposed changes made to the Equality Objectives.

- Was the College's staff response rate acceptable? *The College had come a long way but collecting data from staff continued to be a challenge. Efforts were being made to clarify for staff why the data was being gathered*

- The Board discussed the term “disadvantaged” and considered if the College should feel comfortable using this term.
- Why had several ethnic minority groups not been listed considering the survey should be for the purpose of highlighting data? *The College were limited to the categories used by government software.*
- Is proposing to increase the recruitment of ethnic minority groups positive discrimination? *We don't believe so and intend that our recruitment policy remains about recruiting the right person for the job, however, there are a number of actions we should and will take to break down barriers through our interview and application process to ensure that all applicants are recruited on merit. We know we appoint too few staff from ethnic minority groups.*

The Board noted and approved the report.

7. Financial statements – headline paper

7.1 External Auditors’ management letter

The Board noted the letter.

7.2 External Auditor’s Letter of representation

As highlighted in the report as an advisory matter, Declaration of Interest letters needed collating annually. The letter included multiple names of governors and members of SMT who had not submitted a declaration letter before resigning. The Finance Director would endeavour to ensure declarations were received following resignations moving forward in order to better comply.

The Board approved the letter.

7.3 Draft propriety and regulatory questionnaire 21/22

The Board approved the questionnaire.

7.4 Internal Auditors’ Annual report

- Are we happy with the work TIAA are doing? *We will soon have a new audit manager to establish a rapport with. Financially, TIAA represented good value for money and their recommendations were thorough.*

The Board noted the report.

7.5 Audit Committee Annual Report

- The Board considered the need to allocate additional governors to the Audit and F&GP Committees.

The Board approved the report.

7.6 Financial statements *(including Operating Review, Governance and Members’ report, Independent Auditors’ report and Independent Auditors’ report on regularity)*

Due to the ONS announcement, there had now been a post balance sheet event included in the statements which were stated for Board information.

- The Board considered the practical and financial repercussions of the ONS reclassification.

The Board approved the statements.

8. Finance & General Purposes

8.1 F&GP committee update

A verbal update was given with regard to F&GP Committee business. This update included the clarification of level of details to be included in minutes, confirmation that there had been no RIDDOR reports yet at this time, a discussion regarding the HR staff survey, the handover of Buttercross works, the submission of the T Level Wave 4 Capacity fund bid and the recently approved insurance claim which would enable repairs to the Early Building at the Witney campus.

The Board noted the update.

8.2 Management accounts at 30 September 2022

The Finance Director advised that whilst it was still early in the year, there were no financial concerns to note.

The Board noted the report.

8.3 Bank Loans

This had been included as a standing item following a request made at the previous meeting. It was agreed by the F&GP Committee that there was no reason to change the College's current loan terms which the Board supported.

9. Audit committee update

A verbal update was given with regard to Audit Committee business. This included a presentation from external auditors confirming their report. No recommendations for improvement had been made and the report provided full assurance of compliance, the review of the College's high level risk register, and consideration of the value for money and subcontracting reports.

- Should the College re-tender before appointing their current auditors? *We will benchmark alternative providers to identify whether this would be a worthwhile exercise.*

The Board noted the update.

Action	By Whom	Deadline
Benchmark alternative auditors to discern if TIAA offered the best value for money for their services	Finance Director	28/03/2023

9.2 High level risk register

- Did the register need reorganising to highlight the College's current objectives? *This wouldn't change the risks but was a detail to be noted and updated for consistency.*

The Board approved the register.

Action	By Whom	Deadline
Reorganise the high level risk register under the new strategic aims	Finance Director	28/03/2023

9.3 Board assessment of Fraud Risk

The Board approved the assessment.

10. Nominations, Remunerations & Governance

10.1 NRG committee update

A verbal update was given with regard to NRG Committee business. This update included the approval of the statement confirming how well we meet local needs. It was noted that

committee membership needed reviewing and a new chair appointed as the Chair of the Board was not eligible to Chair the NRG Committee. The Chair of Governor's appraisal had been carried out this afternoon. It was noted that the process for determining a new Chair of Governors would need to begin in Easter 2023 in order to enable a sufficient handover period before the current Chair's term was completed at the end of 2023.

10.2 Appointment of external governor applications

The NRG committee recommended that the Board appoint two recently interviewed governors with the skill set required to contribute positively to the governance of the College.

The Board approved Lucy Butler and Astrid Schloerscheidt as external governors.

11. Policies

11.1 Fraud prevention policy (from Audit)

The Board approved the policy.

11.2 Staff disciplinary policy (from F&GP)

The Board approved the policy.

11.3 IT policy (from F&GP)

The Board approved the policy.

11.4 Senior post holder disciplinary policy (from NRG)

The Board approved the policy.

11.5 Senior post holder grievance policy (from NRG)

The Board approved the policy.

12. Minutes

12.1 NRG (20 September 2022)

The Board noted the minutes.

12.2 F&GP (27 September 2022)

The Board noted the minutes.

13. Any Other Business

Further to the recent ONS reclassification of colleges, the College were required to send a letter to Barclays to gain approval for the new controls that would be put in place along with stating permission for the DfE to access finances.

The Board noted the letter and approved its submission.

14. Future Business and Reflection

The Senior Management Team were thanked for their efforts and all were wished a Merry Christmas. The Board thanked Abi for stepping in to take minutes.

The next Board meeting was scheduled for Tuesday 28 March 2023 at 5pm.

The meeting closed at 8:14pm.

Approved for signature:

Signature David N. Matthews

Date